



Department
for Environment
Food & Rural Affairs

Consultation on the proposed Cockle Fisheries Management Plan

October 2024

Version: public consultation

We are the Department for Environment, Food and Rural Affairs. We're responsible for improving and protecting the environment, growing the green economy, sustaining thriving rural communities and supporting our world-class food, farming and fishing industries.

We work closely with our 33 agencies and arm's length bodies on our ambition to make our air purer, our water cleaner, our land greener and our food more sustainable. Our mission is to restore and enhance the environment for the next generation, and to leave the environment in a better state than we found it.



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Any enquiries regarding this publication should be sent to us at FMPconsultations@defra.gov.uk

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Introduction

The United Kingdom has some of the best wild seafood resources in the world. Our fish stocks are a public asset which generate food and create jobs and recreational opportunities in a sector with a strong sense of identity and pride for their communities. These fish stocks also form a vital part of our marine ecosystems.

Many of our fish stocks are under a range of pressures such as fishing and climate change. Fishing can also have impacts on our marine environment, for example, through accidental bycatch or the effect of fishing gears on the seabed. It is therefore important to consider both the positive and negative effects of fishing as part of overall management of our fisheries and the marine environment.

The [Environmental Improvement Plan \(EIP\) 2023](#) sets out how we will improve our environment here in the UK and around the world and sets a plan for a decade of delivery with target-led actions towards leaving our environment in a better condition than when we inherited it.

The [Joint Fisheries Statement \(JFS\)](#), as required by the [Fisheries Act 2020](#) (the Act), sets out how the UK fisheries policy authorities (Defra, Scottish Government, Welsh Government and the Department of Agriculture, Environment and Rural Affairs in Northern Ireland) will prepare and publish 43 Fisheries Management Plans (FMPs) by 2028. The plans will bring together the evidence on the state of the stocks and identify measures and actions necessary to improve the evidence base and manage our fisheries in a sustainable way. Policies in an FMP will set out both the short-term actions and longer-term vision for the management of the fishery. The plans must also consider relevant wider legal obligations including the environmental principles under the [Environment Act 2021](#) and the need for strategic environmental assessment under the [Environmental Assessment of Plans and Programmes Regulations 2004](#).

There are opportunities for growth through a profitable and more sustainable fishing and seafood industry. We are keen to continue to work closely with commercial and recreational fishing interests and other stakeholders as we develop our plans for managing fisheries in the UK.

The complete list of FMPs that are being prepared by each of the fisheries authorities is set out in the JFS.

The cockle FMP

The proposed cockle FMP covers only English waters.

We are seeking your views on two documents:

- The draft cockle FMP
- The draft cockle Environmental Report which describes the likely environmental impacts of the FMP, as required under the Environmental Assessment of Plans and Programmes Regulations 2004. This has been drafted by Defra.

A de minimis regulatory impact assessment has also been developed, which describes the anticipated economic impact of the plan on the fishing sector and associated businesses. We would welcome additional economic evidence to update our assessment.

This consultation is particularly relevant to:

- Individuals, groups, or businesses who are engaged in the fishing, seafood, or aquaculture sectors, including individuals, groups or businesses from the UK or from outside the UK who fish in UK waters;
- Other individuals, groups or businesses who are sea users, for example, marine industries such as offshore renewables and sailing bodies; and
- National and local interest groups such as environmental and recreational non-governmental organisations and industry federations.

Consultations on the four other draft FMPs (see above) and their Environmental Reports are taking place at the same time.

Using and sharing your information

How we use your personal data is set out in the FMP consultation privacy notice which can be found in the related documents section on the consultation page.

This consultation is being conducted in line with the Cabinet Office 'Consultation Principles' and can be found at: [Consultation principles: guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultation-principles)

If you have any comments or complaints about the consultation process, please send them to consultation.coordinator@defra.gov.uk

Background: Fisheries Management Plans

Why are we publishing FMPs?

The Act sets out the legal framework to manage fisheries in the UK, including the provision to prepare and publish FMPs. FMPs will protect and recover stocks, support a sustainable fishing industry and safeguard the environment.

What are FMPs?

FMPs are evidence-based action plans designed to achieve sustainable fisheries. Each FMP outlines short-term actions and long-term visions, aiming to restore or maintain fish stocks at sustainable levels. These plans apply to both commercial and recreational

fishing, addressing broader environmental, economic, and social concerns. Where appropriate, FMPs may identify actions to address wider issues identified during their development such as environmental, social and economic considerations.

How FMPs work

The management of fisheries is a devolved competency, currently managed through regulation, byelaws, licence conditions and voluntary measures. FMPs may lead to changes to these legal instruments and voluntary agreements.

National Fisheries Authorities (in this case Defra and the MMO) are legally required to act in accordance with the policies set out in the plans and will work with the Inshore Fisheries and Conservation Authorities (IFCAs), Centre for Environment, Fisheries and Aquaculture Science, Natural England and the Joint Nature Conservation Committee (JNCC) on implementation.

Plans will be adaptive and develop over time as further evidence is gathered and measures are implemented. Whilst each FMP will focus on specific stock(s), it will also be important to ensure they work together and recognise the needs of fishermen, or stakeholders who are affected by more than one FMP.

Each FMP must be reviewed within six years of its publication or sooner, if required. An FMP can also be replaced or amended at any time following a consultation allowing the plan to be kept up to date.

FMP actions will need to be implemented iteratively over their lifetime to have an impact on how fisheries are managed. It may therefore take some time to show benefits in terms of improving the sustainability of stocks and fisheries.

FMPs and other coastal States

The UK, whilst having regulatory autonomy over its fisheries, is committed to working with other coastal States to ensure sustainable management of shared fisheries resources and to continuing to build our strong and positive working relationships. Through annual consultations with the EU and other coastal states, as well as negotiations in multilateral and bilateral forums, the UK aims to achieve, or contribute to the achievement of the objectives in the Act.

FMPs provide a long-term framework for managing fishing activity, ensuring stock sustainability and a healthy marine environment. These plans will inform multi-year strategies for conservation and management of stocks proposed by the UK and EU under the Trade and Cooperation Agreement.

Regulatory measures to implement FMPs will apply to all vessels fishing in UK waters. The UK will notify the EU of any changes affecting EU vessels.

Approach to the development of FMPs

Developed in a collaborative and transparent way, our aim is to ensure that FMPs are relevant to the fishery or fisheries and support a more practical and flexible approach to fisheries management tailored to species, locations, and fishing activities.

The FMPs are being developed in different ways, allowing us to try new approaches and test how best to develop the plans and engage with stakeholders. Delivery partners worked closely with industry groups and other stakeholders, and we will continue to build on this participatory approach and apply it to FMP development and through to implementation stages.

We have learned valuable lessons from the consultation process on the first set of FMPs in 2023. In response to stakeholder feedback Defra has adopted a slightly different approach for the next set of plans, aiming to strike a better balance between the volume of consultation documentation (while also recognising the guidelines for public consultations and our statutory requirements) and ensuring stakeholders have sufficient information to engage meaningfully with the consultation process.

We have reduced the overall volume of material, and incorporated evidence directly supporting the proposed goals or measures into each plan. Based on feedback we have also reduced the number of consultation questions. Further background will be published alongside the final FMPs as supporting documentation.

Summary of the cockle FMP

Cockles have been prioritised for an FMP due to the stock's vulnerability to over-exploitation, the economic value of the fishery (currently estimated at an annual value of £10.3million) and the environmental benefits cockle stocks bring to habitat health and wider biodiversity.

Cockles are widely distributed around the UK. In English waters fishing grounds are typically located within the six nautical mile zone from the coast. The most commercially viable cockle fisheries are found within Marine Protected Areas (MPAs). IFCA's have in place an existing legislative framework at the scale relevant to their cockle fisheries and we therefore are not proposing management measures for cockles in this iteration of the draft FMP.

The most significant commercial cockle fisheries in English waters are found in the Kent and Essex (K&EIFCA), Eastern (EIFCA), North Western (NWIFCA) and Southern (SIFCA) IFCA districts. These IFCA's collect data relevant to cockle-specific fishing activities through permit conditions or order licensing schemes. Their combined average annual landings between 2016 and 2022 were 11,468t with an estimated value of £10.321m. The domestic market for cockles is modest but export markets are significant. However, exact data is not available because of issues with national aggregated reporting mechanisms. The remaining six IFCA's report no significant fisheries.

The draft cockle FMP has been prepared in partnership with the Association of Inshore Fisheries Conservation Authorities (AIFCA) in collaboration with the draft cockle FMP Evidence Group (CFMP EG) which comprised scientists and fisheries managers from the K&EIFCA, NWIFCA, SIFCA and EIFCA districts.

The AIFCA carried out extensive stakeholder engagement in late 2023 and early 2024. This engagement consisted of online meetings, webinars and face to face meetings with stakeholders and IFCA Authority meetings. These events are detailed in the FMP Engagement Report on Citizen Space. A strong message that emerged was the need for management to be adaptable, flexible and responsive to stock availability and industry needs. Stakeholders also recognised that existing good management practices should be shared across England.

Q1. Do you have any comments on the engagement process for developing this draft cockle FMP? See FMP engagement report for details.

Evidence

Evidence on the status of the main cockle stocks is gathered by the IFCAs as part of their annual stock assessments. This evidence feeds into annual adaptive management which has to carefully consider interactions with the wider environment. The health of the stocks varies from year to year because of natural variability in the stock populations and, in some areas, unusual mortality. In these areas with commercially viable cockle beds the stocks are not data poor. The IFCAs gather significant data, and the stocks are managed in a way that reflects their local needs. Details of current evidence can be found on relevant IFCA websites and links to these websites are included in the draft plan.

In addition, the draft plan has identified evidence needs under each action in the “goals and actions” section.

Q2. Do you have any comments on the evidence used in the draft FMP

Goals for the management of cockle fisheries

IFCAs have in place an existing legislative framework at the scale relevant to their cockle fisheries. Within that framework, future management needs of the stocks are considered, when appropriate. Therefore, the draft cockle FMP is not proposing management measures within this iteration. The draft FMP proposes goals and actions that aim to link local cockle management within a national framework. This is to facilitate the capacity to address wider policy considerations relevant to all cockle fisheries in English waters.

The proposed goals, actions and activities were drafted by the AIFCA and the CFMP EG and were further developed through consultation with a wide range of stakeholders. They are detailed in the draft cockle FMP. They are grouped under an overarching vision for the English cockle fishery. Each action identifies potential activities that will help deliver this vision and shows how it links to the objectives in the Act. The rationale shows the thinking

and policy drivers behind the proposed activities. Responsibility for delivery of these goals, once actions are agreed through this consultation, will sit across industry groups, fisheries authorities and government. This is the first iteration of the cockle FMP. The approach of the draft plan and its proposed goals will take time to deliver. Further work and analysis will be required to develop the actions and their respective activities.

Each action has proposed timeframes that indicate an initial estimate of the time required to deliver the proposed activities. As a guide, actions identified as short-term are expected to be undertaken in one to two years of publication of the plan, medium-term in the next three to five years and long-term actions in five or more years to reflect the more complex work required to develop them.

Cockle FMP goals

1. The FMP will contribute to stocks being environmentally sustainable in the long term and not overexploited.
2. The FMP will improve the evidence base to ensure identified fisheries are managed with adaptive management cycles using an ecosystem-based approach.
3. The FMP will deliver a framework to support the cockle industry, recognising their contribution to coastal communities and the skilled employment they provide.

Q3. What are your views on the proposed goals for the management of cockle fisheries in English waters?

Actions to achieve FMP goals

- Action 1 (goals 1 and 3): to develop a framework to support the role of the FMP in realising sustainable cockle fisheries in English waters (long term)
- Action 2 (goals 1 and 2): consider developing national monitoring and reporting mechanisms to detect inshore and offshore emerging fisheries (long term)
- Action 3 (goal 2): review the data collection framework and evidence base relating to interactions between cockle fisheries and designated bird prey requirements (long term)
- Action 4 (goals 1, 2 and 3): assess the data collection framework for social and economic data used to inform management decisions (long term)
- Action 5 (goals 1, 2 and 3): consider establishing a national cockle FMP forum (short term)

Q4. What are your views on the proposed actions to deliver the goals of the draft cockle FMP?

Key activities to test at consultation

The following proposed activities have been identified as some areas on which we need immediate stakeholder input. The aim is to gauge interest into the establishment of a

national cockle forum and address immediate evidence gaps in our understanding of private and emerging cockle fisheries.

- **Consider establishing a national cockle forum – short term**

The establishment of a national cockle forum could help share best practice and identify common issues that have an impact on all English cockle fisheries. Regional IFCAs operate at an appropriate scale to manage their different, local cockle fisheries. Such varied approach, although necessary and appropriate, has created a disjointed legislative landscape. Wider considerations that impact all cockle fisheries, such as shellfish water classification testing and fishery interactions with other bivalve fisheries, could be usefully considered within a national forum to further industry participation.

Q5. If a national cockle forum is established, who needs to be involved in this group?

If you think a new group should not be established, please tell us how existing groups could be used to deliver the goals of the draft FMP is group.

- **Understand how wild cockle fisheries in private fisheries are managed – long term**

Private fisheries are areas of the sea, owned by private individuals with rights to the resources within them. It is thought that private shellfisheries established to produce commercially valuable species such as oysters, mussels and clams also contain wild populations of cockles within their grounds. Such cockle stocks may be harvested and landed at the same time as farmed shellfish. We have limited information on private fisheries. It would potentially support the management decisions for cockles if more was known about private cockle fisheries, their impact on stock levels and stock sustainability. We assume that private fisheries also contribute to local economies, but we do not currently have any data.

Q6. Do you have any information about private fisheries in your region?

Please tell us of any private fisheries in your region, how many there may be and how they are managed.

- **Assess risks associated with the potential for the development of unregulated fisheries – long term**

Commercially viable beds require appropriate stock sampling to ensure harvesting does not adversely impact their continued productivity. There may be unidentified beds that fall outside existing management measures and sampling regimes. The risk is that any unidentified beds may be subject to unsustainable harvest levels should commercial harvesting begin. There are inconsistencies between national and local reporting systems that prevent us from strategically identifying emerging fisheries. There is some information of cockle fishing activities in offshore waters. However, we currently do not have sufficient information to understand how limited or extensive these offshore fishing activities are.

Q7. Are you aware of any cockle fishing activity outside the 6 nautical mile zone?

Please tell us about the location where such activities are undertaken by the International Council for the Exploration of the Seas (ICES)¹ rectangles, sea areas or other descriptions.

Views gathered from the draft cockle FMP consultation process will help us develop the plan further prior to its publication later this year.

Implementation

Once formally published, the plan will need to be implemented. Defra will be working closely with the commercial and recreational fishing sector and wider stakeholders to develop implementation plans. Publishing the FMP is the start of a multi-year cycle, and we will ensure that the plans strike the balance between building momentum for short-term actions and setting direction for the longer term. This can be further iterated as the evidence base is improved. The plans must be reviewed at least every six years.

Cross-regulator, government and industry groups have been central to the development of the draft FMPs. Stakeholder involvement and ongoing collaboration underpins successful delivery of the FMPs and will continue beyond their publication.

Conclusion

In summary, the draft cockle FMP describes existing management measures and the available science and evidence to assess the status of cockle stocks around England to determine a sustainable level of exploitation.

Through its proposed goals and actions, the ambition of the plan is to put in place a national framework which clarifies the government's expectations for the management of cockle fisheries in English waters.

Through this first and subsequent iterations of this draft plan, we aim to fulfil the plan's vision that *cockle fisheries in English waters are managed to achieve environmental, social, and economic sustainability for the benefit of coastal communities and wider society* and maintain public confidence in the management of this important resource.

Q8. Do you have any additional comments on the draft FMP?

¹ International Council for the Exploration of the Seas (ICES) standardise the division of sea areas for statistical analysis. Each ICES statistical rectangle is '30 min latitude by 1 degree longitude' in size which is approximately 30 nautical miles by 30 nautical miles.

Strategic Environmental Assessment

Defra is legally required to consider the environmental impact of policies, plans and programmes. The Environment Act 2021 sets out environmental principles to guide policy making. The Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations 2004) require any qualifying public plans, programmes, and strategies to undergo Strategic Environmental Assessment (SEA) during their preparation and prior to publication if they are likely to have a significant effect on a European marine site (either positively or negatively). FMPs are plans or programmes for the purposes of the SEA Regulations 2004. Defra has determined that the draft cockle FMP may have a likely significant effect (either positive or negative) on a European site or a European offshore marine site and, therefore, has completed a SEA. Our initial results are documented in the draft cockle FMP Environmental Report (ER) included within the current consultation. A final version of the ER will be published alongside the final version of the cockle FMP, revised to account for comments and/or further information provided during the consultation and to reflect the final form FMP published.

What is the Environmental Report and how was it developed?

The SEA considers the likely significant environmental effects of implementing the policies and actions set out in the draft cockle FMP. The ER sets out the findings of this process. The report describes the current state of the environment (the baseline) and the likely significant effects of proposals in the draft cockle FMP to the baseline. The assessment identifies where the draft cockle FMP could make a positive impact on the baseline and hence our marine environment. Where the FMP may have negative effects on the baseline, the report suggests actions to mitigate and/or monitor these effects. Defra developed the ER for the draft cockle FMP. The scope and level of detail was informed through an early consultation with our statutory Consultation Bodies: Natural England, Environment Agency, and Historic England together with further advice from the JNCC, as an advisor to the UK Government and devolved administrations on UK-wide nature conservation. We drew on published information on the state of the environment and the potential impact of fishing on environmental features.

Summary of the draft cockle FMP Environmental Report

The draft cockle FMP ER has been produced in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004. The following issues (from Schedule 2 paragraph 6 of the SEA Regulations 2004) were scoped into the assessment: Biodiversity, Fauna, Flora, Geology, and sediments (soil), Water, Climatic factors, Cultural heritage, Landscape, and seascape. This report assesses the likely significant effects of the draft cockle FMP on these issues.

The assessment was conducted against a baseline that primarily used existing evidence on the state of the marine environment set out in the updated [UK Marine Strategy Part 1](#) published in 2019. Additional sources of evidence were used to establish the current status of environment in relation to issues, such as climatic factors, not covered by the UK Marine Strategy (UK MS). The historical impact of fishing activity on the marine environment has been considered part of the baseline. The assessment has been undertaken using the best available evidence to reach a suitable judgement on the environmental effects of the draft cockle FMP.

Existing environmental effects of cockle fishing on those issues scoped into this assessment, in relation to Marine Protected Areas (MPAs), the UK MS descriptors and the wider environment, have been acknowledged and considered in this report. The potential positive and negative environmental effects of the draft cockle FMP's policies and proposed measures alone and in-combination have also been assessed.

This Strategic Environmental Assessment (SEA) concluded that current evidence shows the cockle fishery has a limited impact on the marine environment beyond the cockle population itself. No significant issues in relation to MPAs were identified. The most commercially viable cockle fisheries are prosecuted within MPAs, within IFCA districts, therefore management pathways are already in place to manage stocks and mitigate effects on designated MPA features. As cockle fishing activity occurs within protected areas, the impact on the marine environment beyond MPA boundaries is limited.

Despite the limited impact of the cockle fishery on the marine environment, the draft Cockle FMP sets out actions to support existing management pathways and improve the evidence base to better understand the wider ecological considerations of cockle fishing.

Q9. Do you have any comments on the assessment of the environmental effects of the FMP, as set out in the Environmental Report?

Regulatory Impact Assessment

Defra is completing regulatory impact assessments to assess the economic impacts of FMPs on businesses and the fishing sector.

For the purposes of the draft cockle FMP consultation, we have drafted a de-minimis assessment (DMA) that outlines our rationale and approach to assessing the potential impact of the plan on business. This DMA is a supporting document.

Whilst the draft cockle FMP identifies measures that could be introduced post-consultation, these proposed measures will be developed further and do not currently have sufficient detail for any economic analysis to be done. These proposed measures could be regulatory or deregulatory, and positive or negative to business, hence it is not possible to estimate impacts.

When individual measures are implemented, the statutory or non-statutory mechanism through which these will be implemented will have their own impacts assessed in the appropriate manner.

How to respond to this consultation

The consultation will run primarily via the Citizen Space online portal. However, we will accept email and hard copy responses for those unable to access the online survey.

The consultation questions are in bold throughout this document and in the online survey.

Large print and braille versions of this document are available on request.

Defra has a statutory requirement to seek public views on the proposed FMP and its accompanying Environment Report.

The consultation survey has three parts:

1. Personal details and confidentiality (required)
2. Questions on the draft cockle FMP, and the Environmental Report
3. Consultee feedback on the online survey (required)

You only need to respond to the questions that you wish to. However, all respondents must complete the required 'Consultee feedback on the online survey' and 'personal details and confidentiality' sections before you are able submit your response to the online survey.

Duration of the consultation

This consultation will run for 14 weeks, closing at 23:59 on 19 January 2025. Responses must be received by 23:59 on 19 January 2025.

Responses

Responses can be:

- Submitted via the [Citizen Space online portal](#).
- Sent via email to: FMPconsultations@defra.gov.uk . If responding via email, please structure your response around the questions in bold throughout this document.
- Sent via post to:

Consultation – Cockle FMP
FMP team – Marine and Fisheries
Seacole Building, 2 Marsham St
London
SW1P 4DF

At the end of the consultation period, we will summarise the responses and place the summary on the UK Government's website.

Enquiries

If you want to submit a consultation response, please contact:

FMPconsultations@defra.gov.uk

If you have any general enquiries, please contact: FMPs@defra.gov.uk

The JFS can be found here: <https://www.gov.uk/government/publications/joint-fisheries-statement-jfs>

The Act can be found here: [Fisheries Act 2020 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2020/17)