



Department
for Environment
Food & Rural Affairs

Consultation on proposed Crab and Lobster Fisheries Management Plan

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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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Contents

Background: Fisheries Management Plans	5
Why are we publishing FMPs?	5
What are FMPs?	6
How FMPs work	6
Approach to the development of the FMPs	8
Summary of the Crab & Lobster FMP	9
Evidence	10
Goals for the management of crab and lobster fisheries	11
Implementation	15
Conclusion	16
Strategic Environmental Assessment	16
What is the Environmental Report and how was it developed?	17
Summary of Crab and Lobster Environmental Report	17
Regulatory Impact Assessments	18
How to respond to this consultation	19
Duration of the consultation	19
Responses	19
Confidentiality and Data Protection information	19
Consultation questions	20
Enquiries	21

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 in an industry 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 pressure from fishing and climate change. Fishing can also have impacts on our ecosystem, for example, through the 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 our overall management of 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 state than when we inherited it.

The [Joint Fisheries Statement \(JFS\)](#) sets out how the UK fisheries policy authorities (Defra, and the devolved administrations in Northern Ireland, Scotland, and Wales) 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](#).

Defra has learned lessons from the Common Fisheries Policy (CFP) and recognised the fishing industry's strong desire to take greater responsibility for managing fisheries. Our first plans have been developed very closely by or in close engagement with the fishing sector and with industry bodies.

The first six FMPs have been developed in close consultation with our Arm's Length Bodies, delivery partners, fishers and wider stakeholders and cover different types of fish stocks and fisheries. Each of the first FMPs has piloted a different approach to the development of FMPs so we can learn the best ways to work in collaboration with stakeholders. Some FMPs apply to one Administration only, while others cover two or more Administrations; the JFS sets out the administrations responsible for each plan.

Our first FMPs are:

- Crab and Lobster
- King Scallop (developed jointly with the Welsh Government)
- Whelk

- Seabass (developed jointly with the Welsh Government)
- Channel Non-Quota Species – Demersal Fishing
- Southern North Sea and Eastern Channel Mixed Flatfish

The Crab and Lobster FMP

The proposed Crab and Lobster FMP covers English waters.

This consultation is seeking your views on:

- the draft Crab and Lobster FMP as required by Schedule one, Part three of the Fisheries Act 2020 (the Act). This has been drafted in partnership with the Sea Fish Industry Authority (Seafish) and in collaboration with the shellfish industry's Whelk Management Group; and
- the draft Crab and Lobster Environmental Report (ER) 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 for the publication of the final FMP.

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
- National and local interest groups such as environmental and recreational non-governmental organisations, and industry federations.

Consultations on the five other draft FMPs (see above) and their ERs are taking place at the same time.

Background: Fisheries Management Plans

Why are we publishing FMPs?

Internationally, FMPs are considered the best way to manage fisheries. Leaving the European Union (EU) means the UK is no longer bound by the CFP and has an opportunity to reconsider how best the UK's valuable and diverse fisheries are managed. Continuing to champion sustainable fishing and adopting management measures to

rebuild and maintain stocks in the long term is central to future management. Goal six in the EIP also sets out the importance of FMPs to English fisheries by sustainably managing the harvesting of stocks and supporting the delivery of the appropriate objectives from the UK Marine Strategy.

[The Fisheries White Paper, Sustainable Fisheries for Future Generations, 2018](#) sets out the UK's commitment to reshape fisheries management following our departure from the EU. The Act provides a legally binding structure to protect and recover stocks, support a sustainable fishing industry, and safeguard the environment. It sets out clear objectives to provide the basis against which the fisheries policy authorities of all four UK Administrations will manage their fisheries and a commitment to developing FMPs. This commitment was expanded upon in the JFS published in November 2022 which includes a list of 43 FMPs, setting out the lead authority, the stocks covered and a timetable for publication. Through our commitment to FMPs in the Act, we will reform and redefine our domestic fisheries management.

What are FMPs?

An FMP is an evidence-based action plan that sets out the short-term actions and longer-term vision required to achieve sustainable fisheries. The Act requires each FMP to set out policies designed to restore the stock(s) to, or maintain them at, sustainable levels. Each plan will set out a vision and goals for the target fisheries, together with the policies and management interventions necessary to achieve these goals in the shorter-term. The plans will apply to all those catching fish in the target stocks, be they from the commercial or recreational sectors. Developed in a collaborative and transparent way the 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.

FMPs may also address wider environmental, economic, and social issues and where appropriate, include elements which go beyond the statutory requirements in the Act. The EIP notes that these plans will promote selectivity, reduce negative impacts on the ecosystem and help to deliver the recovery of stocks.

How FMPs work

Each FMP will set out goals and the actions needed to achieve sustainable fisheries. The approach needed will depend on the goals set out in each plan, our level of understanding and evidence as well as the nature of the stocks and fisheries. Whilst each FMP will focus on specific stock(s), it will also be important to ensure they work together and recognise the management needs of fishermen, or stakeholders who fish stocks covered by more than one FMP. To have an impact on how fisheries are managed, FMPs will need to be implemented.

Fisheries are a devolved competency, currently managed through a combination of regulation (Retained EU Law, and domestic law including statutory instruments), byelaws, licence conditions and voluntary measures. In some cases, this management framework

may remain appropriate, at least for the time being. In others, the management may need to change. This might mean the law, byelaws or licence conditions will need to be changed. Or in some cases, new management measures will need to be brought in, either by law, byelaws, through licence conditions or through voluntary measures. Where appropriate, specific engagement and consultation will be carried out on measures to implement FMP actions.

National Fisheries Authorities (Defra and the Marine Management Organisation (MMO) for England) are legally required to act in accordance with the policies set out in the plans. Although, Inshore Fisheries and Conservation Authorities (IFCAs) are not national fisheries authorities for the purposes of the Act, we will work together on implementation, and they may be bound by any legislation adopted to give effect to the plans if it covers their jurisdiction.

A key feature of FMPs is that they are adaptive. The actions required to implement the FMPs, and indeed the FMPs themselves, will iterate and build over time; this is particularly important where we need to gather additional evidence to inform the development of management measures. Each of the draft FMPs identifies a range of short- and longer-term actions. There will therefore be a rolling programme of implementation over the lifetime of the FMPs. It will take some time to show benefits in terms of improving the sustainability of stocks and fisheries covered by the FMPs.

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. These processes allow the plan to be kept up to date and adapted as knowledge and evidence improves, management measures take effect and generally as things change.

We are keen to continue the collaborative and transparent approach used to develop FMPs into the implementation and then review phases. We are keen to hear from fishermen and stakeholders about how to achieve successful future participation in FMPs through this consultation.

FMPs and other Coastal States

Whilst the UK has regulatory autonomy to manage our fisheries, the UK is committed to working with other coastal State partners to secure the sustainable management of shared fisheries resources. This commitment was reaffirmed in the JFS. Through annual fisheries consultations with the EU and other coastal States and negotiations in other multilateral and bilateral fora, such as Regional Fisheries Management Organisations (RFMOs) or the Specialised Committee on Fisheries established under the Trade and Cooperation Agreement with the EU (TCA), the UK will seek to achieve, or contribute to the achievement of the fisheries objectives in the Act.

Our FMPs will set out a long-term framework of policy and measures to manage fishing activity to secure the sustainability of stocks and a healthy marine environment. Where appropriate, this will inform the approach to the development of multi-year strategies for conservation and management of stocks proposed by the UK and EU under the TCA with

the EU and any similar long-term plans with other coastal States. Our FMPs may also be updated to reflect any agreements negotiated in these international fora.

All regulatory measures to implement the FMPs will be binding on all vessels fishing in UK waters. Under the TCA any measures to be applied to EU vessels fishing in UK waters must be based on best available evidence and applied to both EU and UK vessels. The UK is also required to formally notify the EU of any changes to fisheries management measures likely to affect EU vessels. Defra will also ensure that other States affected by measures introduced through FMPs will be duly notified.

Approach to the development of the FMPs

Defra gathered evidence and met fishing and other stakeholders in 2020 to consider what stocks and fisheries should be prioritised in the JFS. The first six were chosen to cover a range of fisheries, with five FMPs for non-quota stocks/fisheries and one fishery with a mix of quota and non-quota stocks (NQS) chosen.

There is a particular focus on NQS stocks as these are not subject to a Total Allowable Catch. They are often high value, potentially vulnerable and generally data poor species. We have limited data on NQS, limited management and are therefore unable to accurately assess the health and sustainability levels of all NQS stocks that are targeted in English waters. The Act sets out the precautionary objective in which the absence of sufficient scientific information is not used to justify postponing or failing to take management measures to conserve target species, associated or dependent species, non-target species or their environment.

Importantly, the fishing industry has also recognised these issues and has been keen to put in place better management to ensure the long-term sustainability of the stocks. One of the major requests from the fishing industry post-EU Exit, has been to have closer involvement with fisheries management with a view to moving over time to “co-management”. It will take some time for government, regulators, fishermen and wider stakeholders to adapt to enable co-management, which means taking joint responsibility for setting goals and delivering actions.

The ambition for closer partnership working was recognised in the Fisheries White Paper, and subsequently the JFS set out the vision that industry should play a greater role in managing fisheries. To support this ambition and recognising that there is no blueprint for developing FMPs, particularly for such complex fisheries as exist around the UK, our FMPs have trialled different approaches. A range of different organisations and groups have led the development of the first FMPs, with different approaches taken to wider engagement in their development. As a result, whilst all FMPs are designed to meet the legal requirements set out in the Act, each looks different. We are seeking feedback through this consultation on the differing engagement processes to shape the development of these and other plans in future phases and our future policy.

To support the development of FMPs views of industry and other interested parties have been collected through a series of coastal visits, meetings, and online engagement.

These have been used to inform the content of FMPs and to identify the actions and measures with most support as well as identify those which can be progressed quickly and those requiring further consideration. The consultation is an opportunity to seek wider views on the output of this process. Responses to the consultation will be analysed and used to inform any changes to the draft FMPs ahead of the publication of final plans.

Summary of the Crab & Lobster FMP

The Crab and Lobster FMP has been prioritised for early development due to the vulnerability of these stocks to over-exploitation, their economic value, and the need for more evidence and data to properly assess and monitor the state of the stocks.

This plan sets the direction for the sustainable long-term management of shellfisheries that contributed £122 million to the UK economy and accounted for 31,000 tonnes of landings in 2021. Despite being amongst our most valuable fisheries, crab and lobster stocks are data poor compared to quota species in terms of stock status and estimates of maximum sustainable yield (MSY), which leaves them vulnerable to unsustainable levels of fishing activity.

The management landscape for crab and lobster in England is highly fragmented, with a range of national and regional management measures largely based on administrative boundaries that do not necessarily reflect biological boundaries between stocks. The available evidence demonstrates the need for management intervention and long-term planning to reduce exploitation rates to sustainable levels and allow stocks to recover towards MSY.

The Crab and Lobster FMP sets out a pathway to the long-term sustainable management of crab and lobster fisheries in English waters. Feedback from engagement with industry has shown that there is a need for better management of the crab and lobster fisheries in England. The FMP collates the evidence to assess the status of crab and lobster stocks and crab and lobster fisheries around England, identifies existing management measures and sets out short- and long-term actions to manage the crab and lobster fisheries.

The plan has been developed in partnership with Seafish and in collaboration with the Crab and Lobster Management Group (CMG) that brings together industry, government, and scientists. Seafish led the development of the FMP objectives and future management strategy through collaboration with working group and science sub-groups of the CMG. They also led stakeholder engagement around the coast during the development of the FMP to seek wider stakeholder views. The draft plan was then submitted to Defra for review.

Do you have any comments on the process for developing the Crab and Lobster FMP?

Evidence

The Crab and Lobster FMP relates to all brown crab (*Cancer pagurus*) and European lobster (*Homarus gammarus*) fishing activity in English waters. Additionally, there are several data-limited species also included in this FMP for which there is currently no formal stock assessment applied. These are crawfish (*Palinurus elephas*), velvet swimmer crab (*Necora puber*), common spider crab (*Maja brachydactyla*), and common prawn (*Palaemon serratus*). The lack of data available for these species limits Defra's ability to set species-specific management measures.

Overall landings for brown crab from English waters were stable between 2016 and 2019 ranging between 13,641 and 14,877 tonnes¹. However, in 2020, likely due to the COVID pandemic, landings dropped by 19% to 11,575 tonnes. Landings remained similarly low in 2021, totalling 11,683 tonnes. Overall landings for lobster from English waters were steady between 2016 and 2021, and around an order of magnitude lower than crab. Within this period, lobster landings ranged between around 1,500 and 2,000 tonnes. Gaps in understanding of these fisheries means we do not know the significance of these landing fluctuations and the potential impacts on the stock.

Unlike some shellfisheries, there are existing stock status assessments for crab and lobster providing a reasonable understanding of their biological parameters and, at a broad level, exploitation rates. However, there are still significant gaps in our understanding of these important fisheries. Whilst work is underway to improve the quantity of quality of data, there are still significant uncertainties and assumptions in current stock assessment methodologies meaning outputs may be less certain. Accurately assessing the impact of current fishing effort on long-term stock viability is a challenge. The current stock status information indicates that fishing pressure is likely too high across all crab and lobster fisheries based on the best available evidence. Most fishery units are at or below the MSY target, and some are at or only slightly above the minimum reference point, which is the point at which long-term sustainability of the fishery could be compromised. The inherent uncertainties in the assessment process also suggest that these estimates may underestimate the extent of fishing pressure such that stock status could be worse than expected.

Crawfish, spider crab, common prawn, and velvet swimmer crab have received little focus in terms of data gathering and management and therefore are data-limited species. Growing markets for crawfish and spider crabs means that these fisheries could also be subject to increased fishing pressure in the future. Set out below is the status of landings² from these species:

¹ UK sea fisheries annual statistics report 2021 - GOV.UK (www.gov.uk)

² Landings data are sourced from MMO published datasets (accessed April 2023). It is worth noting that 2022 landings data is provisional until at this time. The data extract covers all vessels landing into English ports – this has been used as a proxy to represent landings within scope of the English FMP.

- Crawfish landings remained stable between 2016 and 2019, ranging between 12.3 tonnes to 13.9 tonnes landed over this period. However, between 2019 and 2022, annual landings significantly increased and in 2022 more than 53 tonnes of crawfish were landed. This is more than the total number of crawfish that had been landed between 2016 to 2019 combined. The increase in landings is thought to have been driven, in part, by the Covid-19 pandemic and closure of export markets, meaning more fishers targeted shellfish during this period.
- Velvet swimmer crabs are the most significant data-limited species in terms of both volume and value of landings; a total of 578.5 tonnes of velvet crab were landed between 2016 and 2022, with a total value of £1.03m.
- Spider crab landings increased between 2016 and 2019, from 222.7 tonnes (£0.23m) to 395.6 tonnes (£0.47m), before declining notably in 2020 – to 225.5 tonnes (£0.21m). These landings have since recovered to 311.4 tonnes (£0.30m) in 2022.

Common prawn landings have fluctuated over the past six years, the landings peaked in 2021 with 6.8 tonnes (worth £0.14m) before declining to 4.3 tonnes in 2022 (£0.08m). Price per landed weight has increased during this time.

What are your views on the evidence presented on the current state of crab and lobster (and other related stocks) in English waters and can you provide any other evidence which supports or differs from ours?

Goals for the management of crab and lobster fisheries

The current management landscape for crab and lobster in England is highly fragmented, with a range of national and regional (IFCA) management measures including shellfish entitlements, MLS/MCRS (ranging from 115mm to 160mm for brown crab), pot limitations, permitting schemes, vessel length restrictions, and specific conservation regulations, such as de-clawing bans or mandatory escape gaps.

The FMP sets out to build on existing research and management in place for crab and lobster fisheries with the longer-term aim of reaching a point where management is driven by a comprehensive harvest strategy underpinned by a reliable stock assessment methodology, which in turn is supported by a consistent data collection and research programme.

The FMP identifies a series of specific objectives to address the data collection, assessment, and management requirements of the fishery. These objectives include, where relevant, impacts on data limited species. They are also focused on ensuring that the environmental impacts associated with crab and lobster fishing are understood and where crab and lobster fisheries are considered to have an adverse impact on the marine environment, action is taken to avoid, remedy or mitigate such impact.

As these fisheries are characterised by local stocks and fleet variation, a one-size-fits-all approach is unlikely to be appropriate and a regional/local based management is needed together with better species and fisheries data to ensure the long-term sustainability of these important fisheries. A core principle driving the implementation of the FMP

objectives will be adaptive management to reflect that as the evidence base improves, management interventions will be more responsive. Alongside improving the evidence base, the FMP seeks to set clear short-term actions and identify areas for longer-term work which can be developed through the next iterations of the FMP.

What will all this mean in practice?

The tables in the FMP set out the objectives for managing the crab and lobster fisheries and the proposed short and longer-term management measures.

To summarise, the Crab and Lobster FMP identifies a set of priority measures for development and implementation in the short-term whilst the evidence base improves. The three core management proposals have been prioritised based on existing evidence and stakeholder support. The first proposal is to explore opportunities to standardise the minimum landing size (MLS) for lobster and the MLS for crawfish in English waters with existing IFCA measures. The second proposal seeks to prohibit the landing of soft brown crab for bait. The third proposal intends to pilot finer scale management of crab and lobster in certain areas. These measures would help to provide increased protection for stocks in line with the precautionary objective. In the longer-term we will look at making additional improvements such as seasonal closures, effort limits, and pot and catch limits - once the evidence and data to do so becomes available.

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 measures in five or more years to reflect the more complex work required to develop them.

We are therefore primarily seeking views on the principle and impacts of introducing harmonised MLS for lobster and crawfish respectively, prohibitions relating to soft brown crab, and on piloting management approaches in certain areas.

The FMP sets out the following detail and justifications for proposed actions:

A. Improving the evidence base

To fill the gaps in our understanding of English crab and lobster, both in terms of fishing activity and its level of impact on stocks, a strong data gathering system will be required to assess exploitation, abundance, and health of the stocks to make informed interventions.

To address this, the FMP includes a crab and lobster research plan. The research plan will build on existing research and data for crab and lobster, detailing available science and evidence and highlighting where knowledge and evidence gaps exist and what is required to fill those gaps to provide the necessary protection for stocks now and in the future.

The actions to address these evidence gaps include establishing a fit for purpose evidence base by improving national data collection approaches and, where possible, standardising reporting requirements between different sectors of the shellfish fleet. For data-limited species covered in this FMP, the focus will be on establishing basic time series of accurate landings and effort. Alongside this there will be annual monitoring of fishing patterns and fleet performance and the periodic collection of biological data to enable indices of abundance to be established.

The full evidence statement and evidence research plan can be read in Annexes 1 and 2 to the FMP.

What are your views on the evidence gaps identified within the FMP? Do you agree with the actions to address the evidence gaps?

B. Initial management measures

The FMP identifies measures that will be developed and implemented in the short-term whilst the evidence base improves. These proposals seek to address immediate sustainability concerns in line with the Fisheries Act 2020 precautionary objective. The key proposals are exploring opportunities for harmonising respective lobster and crawfish MLS in English waters, prohibiting the landing of soft brown crab for bait, and piloting the management of brown crab and European lobster in certain areas.

These preliminary management proposals have been prioritised as there is:

- Existing literature appraising the likely feasibility and/or appropriateness of the measure in the UK crab or lobster fishery context.
- Evidence of broad stakeholder support or acceptance through FMP engagement events, the Crab & Lobster Management Group, and the Project UK SW crab management workshop initiative.
- Requirement for regulatory intervention as opposed to voluntary agreements given the proposed nature or scale of the intervention.
- Sufficient scientific evidence to support the introduction of the measure.
- Sufficient regulatory rationale to suggest that the proposed interventions will contribute to the delivery of fisheries management objectives laid out in the FMP

Do you agree with how the proposed measures have been prioritised?

The proposal to explore standardising and/or increasing the MLS for lobster and crawfish in English waters to harmonise with various IFCA measures is to provide additional protection for spawning stocks, simplify the management landscape, and make effective enforcement more straightforward. A larger MLS is likely to have conservation benefits in terms of supporting a larger spawning stock biomass and enhanced reproductive capacity. MLS are easily enforced at the point of landing (and via at-sea inspection), are already applied in UK shellfisheries, and are already accepted by industry as an effective means of limiting removals.

What do you think are the likely positive and negative impacts (stock sustainability, environmental, economic, social) of increasing the minimum landing sizes for lobster in English waters? Please provide evidence where possible.

What do you think are the likely positive and negative impacts (stock sustainability, environmental, economic, social) of increasing the minimum landing sizes for crawfish in English waters? Please provide evidence where possible.

A further proposal would prohibit the landing of soft brown crab for bait. The Sea Fisheries Act (Shellfish) 1967 prohibits the landing of any brown crab that 'has recently cast its shell', unless it is to be used for bait. The proposal is to limit the landing of all soft-shelled brown crab in English waters thus closing the legislative loophole which currently allows soft-shelled brown to be used for bait.

The purpose of this measure is to address stock sustainability pressures by prohibiting the removal of soft-shelled individuals before they can reproduce within a given moult cycle and to create appropriate incentives to ensure brown crab landings attract the highest market value. A ban on all landings of soft-shelled crab would be enforced at the point of landing and is already widely accepted by industry as an effective means of improving stock sustainability.

Despite the poor price and poor quality of soft brown crab, and the potential impact on stock sustainability from removing crabs from the population before spawning, there is a market for soft-shelled crab for use as bait, primarily in the whelk fishery. The English whelk fishery has expanded over the last decade in response to increased prices and demand from Asian markets. Brown crab mixed with dogfish is the most commonly used whelk bait, potentially creating a market for lower quality soft-shelled crab.

What do you think are the likely positive and negative impacts (stock sustainability, environmental, economic, social) of prohibiting the landings of soft brown crab for bait? Please provide evidence where possible.

The final key proposal recommends piloting management regimes at the Crab Fishery Unit (CFU) and Lobster Fishery Unit (LFU)³ spatial scale, as opposed to management schemes restricted within administrative boundaries. The focus would be on more effective application of MLS (and harmonisation as appropriate), restrictions based on the sex of shellfish to sustain spawning stock, and exploration of area-specific seasonal closures.

Implementing specific management at stock level would allow measures to target discrete biological stocks, ensure fisheries exploiting the same stock in different areas are subject to the same regulations, and allow better assessment of management measures.

CFU and LFU will be considered for priority management action based on their stock sizes being well below MSY and their high exploitation rates. The pilot scheme and proposed CFU and LFU should be further evaluated and refined through engagement with stakeholders.

What considerations, such as interactions with existing management measures for these species, need to be taken into account whilst developing these measures?

³ CFU and LFU are stock defined based on understandings of larval distribution, hydrographic conditions, and distributions. CFU and LFU are assessed by Cefas as part of the Cefas stock assessment programme.

Are there other technical measures or variations of the proposed measures that we should consider to restore and protect the crab and lobster stock in English waters and the wider ecosystem on which they depend, and why?

C. Longer-term measures

Over time, as both the evidence base and monitoring of management effectiveness improves, options for more targeted measures to be applied to manage fishing effort will be developed. The FMP proposes an adaptive, iterative management approach in which management decisions are implemented, reviewed, and refined with new data, to deliver long-term sustainability. This approach will also ensure that the environmental impacts associated with crab and lobster fishing are understood and, where appropriate, action is taken to avoid, remedy or mitigate such impacts.

These measures will take longer to develop and further work is needed to decide on the most appropriate measures, or combination of measures to apply to ensure stocks are managed sustainably. Measures under consideration include seasonal closures, pot limitations, effort limitations, catch limits, and assessing the impact of latent capacity within the fleet. These will be considered in collaboration with the CMG and other relevant management groups.

Future iterations of this FMP will be informed by the strengthened evidence that will result from the actions set out in this FMP and will be subject to consultation. The FMP sets clear goals for the future management of crab and lobster fisheries. The combination of measures to achieve this and how they are prioritised and sequenced will continue to be developed iteratively as the evidence base improves taking into account available resources. This consultation seeks views on whether the FMP, as drafted, sets out the right initial actions to achieve its goals.

Are there other measures which should be prioritised for early action in line with the precautionary approach? Please provide any additional views and evidence you would like us to consider.

Implementation

Once formally published, the plan will need to be implemented. This will be an incremental process and Defra will be working closely with industry to develop a more detailed implementation programme including timings and milestones for delivery. We will engage with all stakeholders again before any changes or new measures are introduced. These measures will not be introduced upon publication of the FMP but will be implemented through existing processes such as byelaws and licence changes.

Publishing the FMP is the start of a multi-year process, and we will need to ensure that the plans strike the balance between building momentum for short-term actions and setting direction for the longer-term which can be further iterated as the evidence base is improved. The plans must be reviewed at least every six years and any amendments proposed will be consulted on as required by the Act.

One of Defra's key aims has been to work closely with stakeholders to develop the FMPs. Groups including regulators, government and industry representatives have been central to the development of the draft FMPs and Defra wants stakeholder involvement to continue beyond their publication. The successful delivery of the FMPs will depend on this on-going collaboration with all stakeholders.

One of Defra's key aims has been to work closely with stakeholders to develop the frontrunner FMPs. How would you like to be involved in the delivery of the plan and the future management of the English crab and lobster fishery?

Are there any important connections with or links to other fisheries that we should consider when finalising this FMP or during its implementation process?

Conclusion

In summary, the crab and lobster FMP describes existing management measures and all available science and evidence to assess the status of crab and lobster stocks around England in 2023 and determine a sustainable level of exploitation. At the time of drafting, it is difficult to accurately assess the impact that current fishing effort is having on long-term stock viability and the best way to limit effort. The FMP highlights where knowledge and evidence gaps exist to establish sustainable crab and lobster fisheries. The management objectives and associated evidence and research plan guide those seeking to fill those gaps over time. The proposed management interventions seek to apply a precautionary approach to managing harvesting whilst our evidence improves. This FMP will deliver a step change in moving us towards the long-term sustainable management of crab and lobster fisheries in English waters

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. 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 Crab and Lobster FMP is likely to have significant environmental effects and, therefore, has completed a SEA. Our initial results are documented in the draft Crab and Lobster FMP ER included within the current consultation. A final version will be published alongside the Crab and Lobster 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 Crab and Lobster 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 Crab and Lobster FMP to the baseline. The assessment identifies where the draft Crab and Lobster 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 Crab and Lobster 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 Joint Nature Conservation Committee (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 crab and lobster fishing on environmental features.

Summary of Crab and Lobster Environmental Report

The Crab and Lobster ER has been produced in accordance with the SEA 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. Our report assesses the potential environmental effects of the draft Whelk 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. We used some additional sources of evidence to establish the status of environment in relation to climatic factors and cultural heritage that are not covered by the UK Marine Strategy. The historical impact of fishing activity on the marine environment has been considered part of the baseline. Whilst further evidence is required, this assessment has been undertaken using the best available evidence to reach a suitable judgement on the environmental effects of the draft Crab and Lobster FMP.

Existing environmental effects of crab and lobster fishing in relation to Marine Protected Areas (MPAs) and the UK MS descriptors of Good Environmental Status for the wider marine environment and climatic factors have been acknowledged and considered in this report. The potential positive and negative environmental effects of the draft Crab and Lobster FMP's policies and proposed measures alone and in-combination have also been assessed.

This SEA concluded that current evidence shows the crab and lobster fisheries has some impact on the wider marine environment. Bycatch of mobile species that are designated features of MPAs, was identified as a potential issue. Beyond MPAs, the contribution of

fishing related litter and potential bycatch of non-target species were identified as the principal potential impacts associated with crab and lobster fishing. The contribution of crab and lobster fishing to climate change related issues and cultural heritage was also identified as a potential impact. The draft Crab and Lobster FMP has considered these impacts and sets out proposals to monitor and where required introduce mitigation to address these impacts. The environmental effects of implementing the Crab and Lobster FMP policies and measures will be monitored to identify unforeseen adverse effects at an early stage, ensuring appropriate remedial action can be undertaken.

Is there any additional evidence we could consider, to inform our environmental baseline? If so, please provide details below.

Are there any other positive or negative environmental effects associated with the policies and actions of the draft Crab and Lobster FMP that we could consider? If so, please provide details below.

Do you have any comments on the proposed actions set out in the Environmental Report to monitor and/or mitigate any likely significant (negative) effects on the environment of the FMPs?

Do you have any additional comments in relation to the ER which you have not been able to provide in response to the previous questions? If so, please provide details below.

Regulatory Impact Assessments

We recognise our commitment to balance the economic, social, and environmental aspects of sustainable fisheries and have considered the Better Regulation Framework guidance and the better regulation principles of robust evidence, transparency and proportionality when preparing FMPs. Defra is completing regulatory impact assessments to assess the economic impacts of FMPs on businesses and the fishing sector.

For the purposes of the Crab and Lobster 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 to the present consultation.

Whilst the Crab and Lobster 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 specifically 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. A response form to use for email and hard copy responses is included as a related document on the Citizen Space website.

The consultation questions are in bold throughout this document. They also appear in the response form and citizen space portal. Space is also provided for general comments.

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

Duration of the consultation

The consultation starts on 17 July 2023 and will end on 1 October 2023. Responses must be received by 23:59 on 1 October 2023.

Responses

Responses can be:

- Submitted via the [Crab and Lobster Citizen Space online portal](#).
- Sent via email to: FMPconsultations@defra.gov.uk
- Sent via post to:

Consultation – Crab and Lobster 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.

Confidentiality and Data Protection information

A summary of responses to this consultation will be published on the UK Government's website at: www.gov.uk/defra. An annex to the consultation summary will list all organisations that responded, but will not include personal names, addresses or other contact details.

Defra may publish the content of your response to this consultation to make it available to the public without your personal name and private contact details (e.g. home address, email address, etc).

If you answer 'Yes' in response to the question asking if you would like anything in your response to be kept confidential, you are asked to state clearly what information you would like to be kept as confidential and explain your reasons for confidentiality. The reason for this is that information in response to this consultation may be subject to release to the public or other parties in accordance with the legislation on access to information (this is primarily the [Environmental Information Regulations 2004](#) (EIRs), the [Freedom of Information Act 2000](#) (FOIA), the [General Data Protection Regulation and the Data Protection Act 2018](#) (DPA)). We have obligations, mainly under the EIRs, FOIA and DPA, to disclose information to recipients or to the public in certain circumstances. In view of this, your explanation for requesting confidentiality for all or part of your response would help us balance these obligations for disclosure against any obligation of confidentiality. If we receive a request for the information that you have provided in your response to this consultation to be kept confidential, we will take full account of your reasons for requesting confidentiality of your response, but we cannot guarantee that confidentiality can be maintained in all circumstances.

If you answer 'No' in response to the question asking if you would like anything in your response to be kept confidential, we will be able to release the content of your response to the public, but we won't make your personal name and private contact details publicly available.

There may be occasions when Defra will share the information you provide in response to the consultation, including any personal data, with external analysts. This is for the purposes of consultation response analysis and provision of a report of the summary of responses only.

This consultation is being conducted in line with the Cabinet Office 'Consultation Principles' and can be found at:

<https://www.gov.uk/government/publications/consultationprinciples-guidance>.

Our privacy notice is uploaded as a related document alongside our consultation document.

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

Consultation questions

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

The consultation survey has four parts:

1. Personal details and confidentiality (required)
2. Questions on the Crab and Lobster FMP
3. Questions on the Crab and Lobster FMP environmental report
4. 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.

If you have an active interest in both documents, Defra encourage you to complete part one and three in full.

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: [Joint Fisheries Statement \(JFS\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/joint-fisheries-statement-jfs)

The Act can be found here: [Fisheries Act 2020 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2020/12)