



Marine  
Management  
Organisation

# Formal Consultation, Lyme Bay, Potential Management Measures for Sole Fishery

March 2023



...ambitious for our seas and coasts

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## 1. Introduction

The MMO is consulting on potential new management measures for the sole fishery in Lyme Bay. This is in response to feedback from some fishers in Lyme Bay who have experienced competition for space and gear conflict and some also report a reduction in the amount and size of sole caught.

The total available quota for sole in the International Council for Exploration of the Sea (ICES) Area 7.e, for English vessels, increased year on year from 513t to 1211t between 2015 and 2022. This allowed the Marine Management Organisation (MMO) to increase the monthly catch limits for the non-sector, under-10m and over-10m fleets from between 30kg to 225kg per month in 2015 up to 3t in 2019 and 2.8t maximum in 2022. The increase in availability led to increased uptake and an increase in the total value earned by those fleets from sole caught in 7.e.

The location of Lyme Bay in the wider context of Area 7.e can be seen in Figure 1.

The MMO, has however, received reports that the increased availability of quota has resulted in increased fishing activity which, specifically in Lyme Bay, has caused competition for space. The competition for space was initially reported in 2018 by vessels whose home port was in Lyme Bay: Beer, Lyme Regis, Axmouth and West Bay, using fixed nets who were experiencing competition from other vessels from further afield, who set more net and took up space or entangled other vessel's nets.

In 2021 the frequency of these reports increased and there was an additional concern from smaller vessels regarding an increase in trawlers and scallop dredges fishing for sole. There were also reports of fixed nets being towed away and a further reduction in safe space to set fixed nets. Some fishers were reporting knock-on effects in terms of reduced earnings from sole and increased barriers to entering the fishery for young fishers who are not setting nets for fear of nets being towed away.

In 2021 some fishers in Lyme Bay also expressed concern that the increased sole fishing activity has had a negative impact on fish populations in the Bay, reporting a decrease in the number and size of fish caught.

To investigate these points raised, the MMO took a variety of approaches to gather data on different aspects of the fishery in partnership with the Southern Inshore Fisheries and Conservation Authorities (IFCA), Cefas and fishing industry representatives. These approaches were:

- Cefas conducted additional fisheries observer trips onboard fixed net vessels in Lyme Bay.
- Cefas used landings and observer data to analyse the quantity and size of sole caught in Lyme Bay and the wider Area 7.e from all gear types going back to 2020. The report can be found on the South West Regional Fisheries Group web-page: <https://www.gov.uk/guidance/regional-fisheries-groups-south-west-7efg> and is attached to this consultation.

- Southern IFCA and the MMO carried out patrols in Lyme Bay to look for evidence of gear conflict and examine the catches and gear being used in the sole fixed net fishery.
- The MMO conducted a survey of fishers on the social and economic aspects of the fishery. The report can be found on the South West Regional Fisheries Group web-page: <https://www.gov.uk/guidance/regional-fisheries-groups-south-west-7efg> and is attached to this consultation.

Following an analysis of these data gathered, the MMO concludes that there is sufficient evidence to suggest that, in line with the precautionary principle, potential management measures in Lyme Bay must be considered.

This consultation aims to gather views on various management options, their area of implementation, their effectiveness, and potential impacts, and any other suggestions for management. This consultation has been developed in partnership with a steering group of fishers that fish in Lyme Bay, scientists, government policy makers and managers.

An assessment of the different gear types and their interactions with the habitats and species of Lyme Bay will also be considered alongside the consultation responses, in line with the Fisheries Act (2020) (the Act) Ecosystem and Sustainability Objectives as outlined in Sections 1 and 25 of the Act.

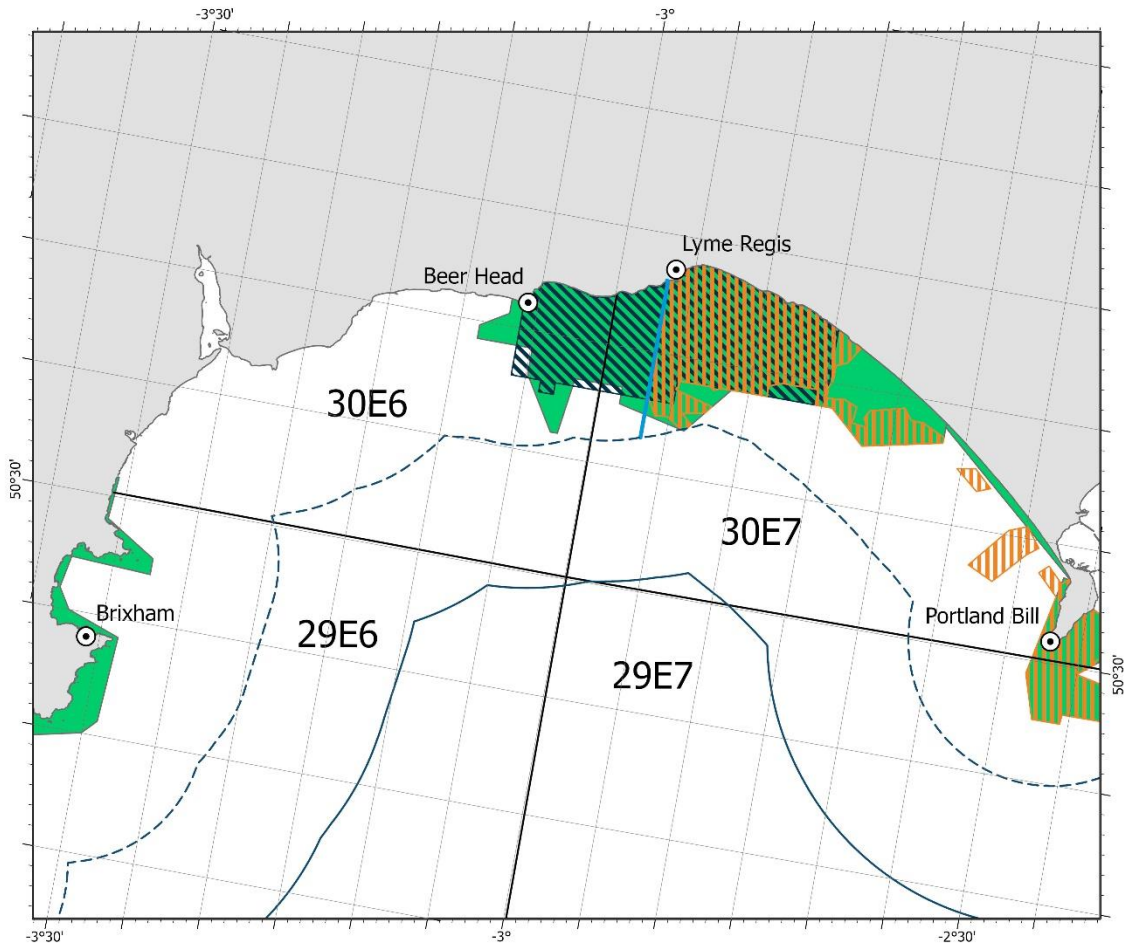
When referring to Lyme Bay, the MMO intends that to be defined by the ICES rectangles 30E6 and 30E7, west of Portland, 2° 27" West, inside 12 nautical miles (nm) (Figure 1). Figure 1 also shows the existing management areas where bottom towed gear is either prohibited via Statutory Instrument or regulated by IFCA byelaw.

**Figure 1 – Existing management areas within Lyme Bay**



Marine Management Organisation

# Figure 1 Lyme Bay Statistical Rectangles and Existing Management Areas

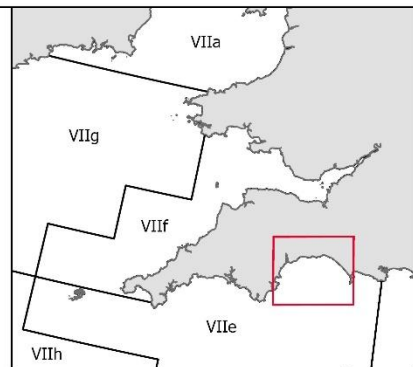


### Administrative Boundaries

- Boundary Between Devon & Severn IFCA and Southern IFCA
- Relevant Southern IFCA Bottom Towed Fishing Gear Byelaw Area
- Lyme Bay Statutory Instrument Area
- Special Areas of Conservation (SACs)
- ICES Statistical Rectangles

### Maritime Limits

- 6 Nautical Mile Limit (1983 Baseline)
- 12 Nautical Mile Limit (2020 Baseline)



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## 2. Co-management and Voluntary Measures

In line with the MMO's co-management approach to quota management for vessels in the non-sector (those vessels that do not have their quota managed by a Producer Organisation), in 2018 and 2019 the MMO discussed the issue with the South-West Quota Advisory Group and suggested a voluntary catch limit cap for Lyme Bay. This approach was not agreed by all in the group and therefore was not adopted.

In 2021 in response to significant concern from some fishers regarding increased effort, gear conflict, and potential environmental concerns, the MMO organised bespoke meetings with industry to try to gain agreement between those who thought there was too much effort in the area and those who did not. A restriction on the amount of net that could be used per vessel or fisher was suggested but no agreement on a way forward was reached.

In 2022 the MMO created a steering group made up of representatives from the industry, Devon and Severn, and Southern IFCA's, Cefas and Defra and in September 2022 the group agreed on some best practice voluntary measures as follows:

For sole fishing with gill nets in Lyme Bay, defined as the area inside a line from Beer Head to Portland:

- A minimum mesh size 5 inches (127mm) for gill nets targeting sole.
- All fixed nets should be marked with a buoy showing the PLN of the vessel at both ends of the net.
- Flags and radar reflectors are used where possible and practical to mark the location of nets.

## 3. Existing Management Measures and Marine Plan Policies

### 3.1 Statutory Measure

The Lyme Bay Designated Area (Fishing Restrictions) Order 2008 prohibits dredging and trawling in an area of the Special Area of Conservation as shown in figure 1.

### 3.2 IFCA Measures

Devon and Severn IFCA and Southern IFCA both have byelaws and permit schemes relating to the use of fixed nets and bottom towed gear in Lyme Bay.

Devon and Severn IFCA require the use of Inshore Vessel Monitoring by all vessels using towed gear in their district. Southern IFCA have designated areas where towed gear is prohibited or only permitted under certain conditions. The Southern IFCA areas are highlighted in figure 1.

Devon and Severn IFCA require nets to be marked with a floating marker displaying vessel identifiers.

Southern IFCA currently have a byelaw awaiting quality checks by the MMO and sign off from Secretary of State which will require enhanced marking of nets using buoys that contrast in colour to the surface and include vessel identifiers.

Their respective legislation can be found here:  
<https://www.devonandsevernifca.gov.uk/> and  
<https://www.southern-ifca.gov.uk/all-regulations>

### 3.3 Marine Plans

Lyme Bay falls within the South Inshore marine plan area. The following policies are considered relevant to this consultation:

Policy S-AQ-2, Policy S-BIO-1, Policy S-BIO-3, Policy S-BIO-4, Policy S-CO-1, Policy S-DIST-1, Policy S-EMP-1, Policy S-EMP-2, Policy S-FISH-1, Policy S-FISH-2, Policy S-FISH-3, Policy S-FISH-4, Policy S-MPA-1, Policy S-MPA-2, Policy S-SOC-1, Policy S-TR-1.

The south marine plan documents can be found here:  
<https://www.gov.uk/government/collections/south-marine-plans>

## 4. Balancing the Environmental, Social, and Economic Factors

Under the Fisheries Act 2020, (Section 25), the MMO as a National Fisheries Authority for England, is required to balance environmental, social, and economic factors when distributing fishing quotas. This requirement is developed in the Joint Fisheries Statement (section 2.1.2 – 2.1.4) which states that: “short-term socio-economic decisions should not significantly compromise the long-term health of the marine environment...” and “This will need to be delivered in a manner that is sensitive to the needs of fishing interests, including coastal communities...”.

Increased access to quota for sole in 7.e has led to an increase in sole caught from Lyme Bay which it is assumed has an associated economic and social benefit to the fishers who catch it and their wider community. The increased activity has however also displaced some fishers to the point where they are choosing not to fish for sole anymore for fear of losing nets or because their catch is reduced. Additionally some younger fishers have said that they are deterred from entering the fishery because it is not financially viable. These are some of the negative economic and social impacts that the MMO is aware of. Some fishers and Environmental Non-Governmental Organisations have also expressed concern that increased fishing effort is negatively impacting on the fish populations in Lyme Bay.

The MMO needs to understand and balance, as best as possible, the needs and priorities of the different fishers and stakeholders of Lyme Bay whilst also ensuring environmental sustainability. To do this, this consultation will gather your views on the environmental, social and economic sustainability of the fishery in Lyme Bay as well as potential management measures that could be implemented.

## 5. Pre-Consultation

The consultation has been developed in partnership with stakeholders who fish in Lyme Bay. A meeting was held online for members of the steering group and the MMO met with groups of fishers in Lyme Regis and Mevagissey. Some of the questions in the consultation have been added specifically at the request of industry and other questions removed at their request. For example, there was unanimous agreement that questions surrounding limiting days at sea should be removed because ‘days at sea’ schemes had the potential to incentivise fishing in adverse weather conditions in order to maximise use of allocated days.

## 6. Responding to the Consultation

You can respond to the consultation by following this link:

<https://consult.defra.gov.uk/fisheries-management-team/formal-consultation-lyme-bay-potential-management>

The consultation will run from 29 March until 28 May



There are 28 questions, the majority are yes / no answers or multiple choice and there is space for free text should you wish to explain why you have answered in certain ways. The consultation is in three parts, the first part focuses on gaining views on the environmental, social, and economic sustainability of the fishery, the second part asks for information from commercial fishers and the third part asks for opinion on potential management measures. Some of the questions ask for your response in relation to within 6nm of the coast and within 12nm of the coast. The consultation should take no more than 10 minutes to complete.

Whilst the consultation is live the MMO will be visiting ports along the south coast to discuss the consultation and record individual responses. A timetable of port visits is below. They are also listed on the Citizen space landing page. The MMO will also provide paper copies to complete on request and will also take responses by phone. You can contact the regional fisheries group team on 07917552479.

### Timetable of port visits

Date	Port	Venue
Wednesday 20/04/2023	Mevagissey (12:30 – 14:30)	She sells Café
Thursday 03/05/2023	Brixham (9:30 – 11:00)	Shipmates
	Exmouth (13:30 – 15:30)	Dockside Café
Friday 04/05/2023	Beer (9:00 – 11:00)	Duckys Café
Wednesday 10/05/2023	Mevagissey (10:00 – 12:00)	She sells Café
	Plymouth (15:00 – 17:00)	Quayside
	Poole (9:30 – 11:00)	Quayside
	Weymouth (13:30 – 15:30)	The Ship Inn
Thursday 11/05/2023	Brixham (10:00 – 12:00)	Shipmates Café
	Axmouth (14:00 – 16:00)	Chris Café EX12 4AA
Thursday 11/05/2023	West Bay (9:00 – 11:00)	Cherries Café DT6 4ER
	Lyme Regis (12:30 – 14:30)	Beach House Café DT7 3JF

## 7. Future Monitoring and Management

An adaptive co-management approach will be taken regarding future management. If management measures are introduced, the effectiveness of those measures will be monitored, from an environmental social and economic perspective and the measures may then be changed or removed accordingly following discussion with stakeholders.

In line with the UK government's goal to provide world class fisheries management, the effectiveness of the consultation in terms of levels of participation and co-management by industry will also be monitored by an independent party. This is to ensure future management processes are refined as necessary to achieve the best possible engagement and collaboration.

## 8. After the Consultation Closes

The consultation is live now and will close at Midnight on 28<sup>th</sup> May.

After the consultation closes the MMO will hold a meeting with interested stakeholders to present the analysed results and discuss next steps. An environmental impact assessment of the different gear types used in the sole fishery in terms of their interaction with the habitats and species in Lyme Bay will also be presented for consideration.

After discussion with industry management measures may or may not be introduced. If measures are deemed necessary, they may be introduced in 2023 or subsequent years depending on the type and complexity of measure.

The MMO looks forward to receiving your response to this consultation and working with industry collaboratively to enhance the fishing in Lyme Bay.

## 9. Confidentiality and Data Protection Information

1. A summary of responses to this consultation will be published on the Government website at: [www.gov.uk/defra](http://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.

1.1 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).

1.2 If you say '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 responses to this consultation may be subject to release to the public or other parties in accordance with the access to

information law (these are primarily the Environmental Information Regulations 2004 (EIRs), the Freedom of Information Act 2000 (FOIA) and the Data Protection Act 2018 (DPA)). We have obligations, mainly under the EIRs, FOIA and DPA, to disclose information to particular recipients or to the public in certain circumstances. In view of this, your explanation of your reasons 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, 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.

1.3 If you click on '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.

1.4 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.

1.5 This consultation is being conducted in line with the Cabinet Office "Consultation Principles" which can be found at:  
<https://www.gov.uk/government/publications/consultation-principles-guidance>.

1.6 Please find our latest privacy notice uploaded as a related document alongside our consultation document.

1.7 If you have any comments or complaints about the consultation process, please address them to:

[Consultation Title]

Consultation Coordinator, Defra

2nd Floor, Foss House, Kings Pool,

1-2 Peasholme Green, York, YO1 7PX

Or email: [consultation.coordinator@defra.gov.uk](mailto:consultation.coordinator@defra.gov.uk)

## 10. Consultation Questions

### Confidentiality and Data Protection Information

1. Would you like your response to be confidential?

(Required)

Yes

No

2. If you answered Yes to this Question, please give your reason.

Why do you wish for your information to remain confidential?

3. What is your name

Name (Optional)

4. What is your email address?

Email Address (Optional)

5. What is your age?

0-17

18-24

25-34

35-44

45-54

55-66

66+

### Your relationship with the Lyme Bay sole fishery

We would like to understand the impact of the sole fishery on all users of the Lyme Bay area and any concerns they may have.

1. Are you or your organisation affected by the sole fishery in Lyme Bay?

Yes

No

Are you? (Select all that apply)

a commercial fisher

a fish producer/processor

a fishmonger

a sea angler

a local business

a public body/council

a charity

a community member/resident

other (please add details below)

If "Other" please expand

2. What percentage of your annual income is derived from the sole fishery in Lyme Bay, either directly or indirectly?

Note: "sole fishery" includes any by-catch when fishing for sole

- 0%
- 25%
- 50%
- 75%
- 100%

3. Why is the sustainable management of the Lyme Bay sole fishery important to you? (please rank the top three most important elements to you)

The fishery:

is my only income

contributes towards part of my income

is a part of who I am

supports the local economy

brings me and others together as a community

should be there for future generations

### **Fishing Activity**

If you are a commercial fisher, please read and complete the questions below. If you are not a commercial fisher, please complete question 1 then skip to the next section.

1. Are you a commercial fisher

Yes

No

If no, please continue to the next section. If yes please complete the questions below.

2. How many years have you been fishing commercially?

- 0-5
- 6-10
- 10-20
- 20-40
- 40+

3. Are you a skipper or crew member on a commercial fishing vessel?

Skipper

Crew

What are the Port Letters and Numbers (PLN) for the vessel you work on?

Optional: Vessel PLN

4. Do you own your own fishing vessel(s)?

Yes

No

If yes, what are the Port Letters and Numbers (PLN) for your vessel(s)?

Optional: Vessel PLN

5. How many people does your fishing business employ?

Number of Crew members employed

Number of admin staff employed

Number of processing staff employed

Number of sales staff employed

Note - People do not have to be paid a wage to be counted as an employee e.g. unpaid family members that work for the business can be counted as employed

6. Do you fish for sole in Lyme Bay (30E6 and 30E7)?

Yes, I fish for sole in Lyme Bay

No, I fish in Lyme Bay but not for sole

No, I fish for sole but not in Lyme Bay

No, I do not fish for sole and I do not fish in Lyme Bay

7. What gear type(s) do you use for fishing in Lyme Bay? (Select all that apply)

pots / traps

fixed nets

otter trawls

beam trawls

hooks and lines

hand diving

8. How many months a year do you fish in Lyme Bay? (Inside rectangles 30E6 and 30E7)

0

1-3

4-5

6-7

8-9

10-12

For those months that you fish, roughly how many days per month do you fish?

1-5

6-10

11-15

16-20

21-25

26-31

### Potential Management Measures

Some of the questions in this section use technical language and may require industry knowledge to understand. If you feel you do not understand the proposed measures well enough to give an informed judgement, please skip to the next question.

1. Do you have any environmental concerns for Lyme Bay?

- Habitat destruction
- Overfishing of sole stock
- Overfishing of other fish stock
- No concerns
- Other

2. In your opinion are changes required to fisheries management in Lyme Bay?

- Yes
- No
- I don't know

If yes, would you prefer to see industry lead voluntary measures or legal measures?

- Industry led voluntary measures
- Legal measures
- A mixture of both
- Please explain why

3. In your opinion should there be an increase in the minimum landing size to 28cm for sole in 7.e to match the size at which 50% of sole are considered sexually mature.

Cefas report: Common sole (*Solea solea*) in Lyme Bay

- Yes
- No
- I don't know

4. Do you think there should be a separate catch limit for sole when fishing inside 30E6 and 30E7 compared to the rest of Area 7.e?

Yes inside 0-6nm

Yes inside 0-12nm

No

I don't know

If so, do you think this limit should be the same or different for different sizes of vessel or for different gear types and why?

Please explain your answer

5. Do you think that there should be some form of separation between the use of certain gear types in certain areas at certain times inside 30E6 and 30E7?

Yes inside 0-6nm

Yes inside 0-12nm

No

I don't know

If yes, which gear types and when?

Please explain why

6. Do you think there should be enhanced visibility requirements for fixed net markers in Lyme Bay e.g. the use of flags or specifically coloured marker buoys? When fishing for sole inside 30E6 and 30E7?

Yes within 0-6nm

Yes within 0-12nm

No

I don't know

7. For fixed nets do you think the minimum mesh size should be increased to 5" (127mm) when fishing for sole inside 30E6 and 30E7?

Yes within 0-6nm

Yes within 0-12nm

No

I don't know

8. For otter trawls do you think the minimum mesh size should be increased above 80mm when fishing for sole inside 30E6 and 30E7?

Yes within 0-6nm

Yes within 0-12nm



No  
I don't know

9. For beam trawls do you think the minimum mesh size should be increased above 80mm when fishing for sole inside 30E6 and 30E7?

Yes 0-6nm  
Yes 0-12nm  
No  
I don't know

10. For scallop dredges do you think there should be increased selectivity requirements e.g. an escape mechanism for fish when fishing inside 30E6 and 30E7?

Yes 0-6nm  
Yes 0-12nm  
No  
I don't know

11. Do you have any other comments or suggestions for management of the sole fishery in Lyme Bay?

Type suggestions for management of Sole fishery in Lyme Bay

## **Consultee Feedback on the Consultation**

Dear Consultee

Thank you for taking your time to participate in this consultation.

1. Overall, how satisfied are you with our consultation process? Please give us any comments you have including suggestions on how we could improve it.

(Required)

Very satisfied

Satisfied

Neither satisfied nor dissatisfied

Dis-satisfied

Very dissatisfied

Don't know

Please give us any comments you have, including suggestions on how we could improve the consultation process.

suggested improvements