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for Environment  
Food & Rural Affairs

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Angus MacNeil  
Chairman International Trade Committee  
House of Commons  
London  
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Dear Angus,

I am writing to notify you of the government's intention to implement secondary legislation which will make certain changes to the UK's fisheries management measures, which may be of interest to you and your committee members. These cover (a) changes to technical measures in UK waters in the Celtic Sea; and (b) changes to seabass management measures. Following progress in relation to annual consultations with the EU on fishing opportunities, the Department for Environment, Food and Rural Affairs (Defra) is this week laying a Statutory Instrument (SI), "The Sea Fisheries (Amendment etc.) Regulations 2021", to enable these changes to be taken forward.

### **Amendments to Celtic Sea technical measures**

Our objectives in relation to Celtic Sea technical measures are to improve the selectivity in the fishery as a whole, to help enable the vulnerable stocks, including cod, to recover, and to enable the continuation of a profitable and sustainable fishery as stocks recover. New measures introduced should be practical for our fleets and as straightforward as possible to understand, while recognising the complex nature of the fishery.

The approach to Celtic Sea technical measures has been developed with scientists, fisheries managers and stakeholders. We have recognised that current measures linked with the composition of landings at the end of the fishing trip come with the risk that the most selective gears are not taken up in practice. Such provisions result in a tendency to default to the least selective options, and with it, a possible incentive to discard fish to meet the required thresholds. The new measures are evidenced-based and informed by collaborative industry-science fishing gear trials of different trawl cod ends (collection bag), escape panels and other trawl modifications; also by the risk to fishing businesses of quotas being used up early in the fishing season; and by numeric forecasts of the expected benefits to fish stocks and future fishing opportunities. The new measures have been empirically assessed, in terms of risks and gains, to provide long-term benefits to depleted stocks and other important commercial fish stocks. With less reliance on assumptions around implementation, there is more confidence in the measures delivering the expected positive outcomes.

The new SI will enable the Government to implement this change by revoking current Celtic Sea technical measure legislation (Art 9 of EU Reg 123/2020, Art 13 of EU Reg 223/2019 and EU Reg 737/2012 as retained in UK law following the end of the Transition Period). The

new technical measures will then be applied through licence conditions applied to both UK and foreign vessel licences. The new measures will apply from 5 September 2021.

The effect of this SI will be to introduce improvements to technical measures within the Celtic Sea otter trawl and bottom seine fishery by retaining more effective selective gear options in the Celtic Sea Protection Zone and introducing improvements across the wider Celtic Sea area. The key change in the west Channel (ICES division 7e) is applying a baseline of minimum 100mm codend which will replace current complex rules based on catch composition. A 100mm square mesh panel will also be required except in the area of 7e east of 5° west. In the whole area (UK waters of 7e,f,g,h,j) a maximum twine thickness of 6mm single or 4mm double will apply and strengthening bags will be prohibited for otter trawl and bottom seine vessels, other than for vessels targeting *Nephrops* (currently by derogation, but this will be subject to further consultation with stakeholders).

The detail of the proposed measures is set out at Annex A.

### **Amendments to commercial seabass management measures**

Our objective in amending seabass measures is to better utilise, not increase, current seabass fishing mortality by rebalancing the ratio between landings and wasteful discards. This package of measures complements and improves the agreed 2020 seabass management measures already rolled forward for 2021, addressing the discarding of seabass without increasing total removals.

The package has been discussed with industry, scientists and fisheries managers. We recognised that current measures allow for large amounts of seabass to be discarded, with ICES estimating that 482 tonnes were wastefully discarded in 2018. The new measures increase flexibility through (a) a per month kilogram cap within the existing 5% per trip limit for trawl and seine bycatch; and (b) the retention and sale of seabass caught in locally regulated nets fixed at levels before the general seabass fishing prohibition was instated in 2017. In relation to the increased flexibility in the bycatch allowance for trawls and seines, we have estimated the impacts of the changing cap by applying these changes to historical data for the UK fleet.

For locally regulated shore-based nets, seabass is caught whether there is an adjustment to exclude locally regulated beach nets from the general fishing prohibition or not. This means there is an economic sanction on not being able to market such tidal net shore-based catches and wasting fish, without achieving a reduction in fishing mortality. Removing this prohibition, while limiting this adjustment to pre-2017 beach net levels, would avoid the risk of any increase in usage of beach nets (which could put pressure on the stock). The relevant level of shore-based nets will continue to be locally regulated subject to a range of requirements. We will monitor the implementation and impact of this change.

These measures will also be implemented via the new SI, which will amend UK legislation (Art10 of EU Reg 123/2020, as retained in UK law following the Transition Period), as to the level of seabass by-catch caught within British fisheries limits that can be landed and/or marketed, and also make incidental and consequential adjustments to the seabass management measures. The changes will apply in the English and Welsh zones from 30 July 2021.

The seabass measures are set out in more detail at Annex B.

As noted, we anticipate the new seabass rules to apply from 30 July 2021 and the technical measures in the Celtic Sea from 5 September 2021. Once the SI has been laid I would be happy to invite any interested parties to a meeting where the measures can be discussed further. I am writing in similar terms to Sir William Cash (EU Scrutiny Committee (Commons)), Neil Parish (EFRA), and Lord Kinnoull (European Union Committee (Lords)). Grateful if you could share this letter with the International Trade Committee.

Please do not hesitate to get in touch if you need further information.

Yours sincerely,

*Victoria Prentis*

**VICTORIA PRENTIS MP**

## Annex A – UK Celtic Sea technical measures

These conditions are intended to apply in United Kingdom waters from 5 September 2021.

1. Where the vessel fishes using otter trawls or bottom seines in those parts of British fishery limits which fall within the Celtic Sea Protection Zone it must use a codend<sup>1</sup> with minimum 110 mm mesh size and fitted with a square mesh panel with 120 mm minimum mesh size.
2. Where the vessel fishes using otter trawls or bottom seines in those parts of British fishery limits which fall within ICES divisions 7e-j other than those referred to in condition 1 above, it must use a codend with minimum 100 mm mesh size, and when fishing west of longitude 5° W it must also use a square mesh panel with minimum 100 mm mesh size.
3. Where the vessel fishes using otter trawls or bottom seines in ICES divisions 7e-J it must use a codend that is constructed of a single twine of a maximum of 4 mm or a double twine of a maximum of 6mm.
4. Where the vessel fishes using otter trawls or bottom seine in ICES divisions 7e-j, other than when targeting *Nephrops*, it must not use or carry on board a strengthening bag<sup>2</sup>.
5. The obligation in condition 1 does not apply to a vessel which fishes using otter trawls or bottom seines in ICES division 7f within 12 nautical miles of the baseline from which the breadth of the territorial sea adjacent to the United Kingdom is measured, which must instead use a codend with minimum 100 mm mesh and square mesh panel with minimum 100 mm mesh size.
6. The obligation in condition 1 does not apply to a vessel whose catch comprises 5% or more of *Nephrops*, which must instead use any one of the following gear configurations:
  - (a) a codend of at least 80mm mesh size coupled with a 300 mm square mesh panel (for vessels in excess of 12 metres in length) or a 200 mm square mesh panel (for vessels below 12 metres in length);
  - (b) Seltra panel;
  - (c) Sorting grid with a 35 mm bar spacing;
  - (d) 100 mm codend with a 100 mm square mesh panel;
  - (e) Dual codend with the uppermost codend constructed with T90 mesh of at least 90 mm and fitted with a separation panel with a maximum mesh size of 300 mm.
7. The obligation in condition 1 does not apply to a vessel whose catch comprises more than 55% of whiting, or 55% of anglerfish, hake or megrim combined, which must instead use a codend with minimum 100 mm mesh size and square mesh panel with minimum 100 mm mesh size.

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<sup>1</sup> Including any extension piece attached thereto.

<sup>2</sup> As defined by Article 6 of Commission Regulation (EEC) No 3440/84 of 6 December 1984 on the attachment of devices to trawls, Danish seines and similar nets, as retained in UK law.

8. The obligation in condition 1 does not apply to a vessel which fishes solely in ICES division 7f to the east of longitude 5° West and whose catch comprises less than 10% gadoids (*Gadidae*), which must instead use a codend with minimum 80 mm mesh and a square mesh panel with minimum 120 mm mesh.
9. The obligation in condition 1 or condition 5 does not apply to a vessel which fishes west of longitude 5° West, in ICES divisions 7e, or in ICES division 7f within 12 nautical miles of the baseline from which the breadth of the territorial sea adjacent to the United Kingdom is measured, provided that the vessel instead uses a 100mm single twine codend with maximum 5mm twine thickness.
10. For the purposes of this condition, the Celtic Sea Protection Zone shall mean ICES divisions 7f, 7g, that part of ICES division 7h which is north of latitude 49° 30' North and that part of ICES division 7j which is north of latitude 49° 30' North and east of longitude 11° West.
11. Square mesh panels as referred to in this condition shall be placed into the top panel of the codend. The rearmost edge of the square mesh panel, which is the part closest to the codline, shall be no more than 9 metres from the codline.

## **Annex B – European seabass management measures**

These conditions are intended to apply in the English and Welsh zones from 30 July 2021.

1. The commercial trawl/seine flexibility will be amended from a 520kg cap per two months to a 380kg cap per month within the 5% seabass per trip limit.
2. Bycatches of seabass in shore-based commercial netting will be removed from the scope of the general seabass fishing prohibition. This exemption will only apply to historic numbers of locally regulated beach nets set at pre-2017 levels.