



**Synopsis of responses to the consultation on fisheries management measures in marine protected areas and the development of scallop enhancement sites.**

*Sustainability at the heart of a living, working, active landscape valued by everyone.*

## Contents

Introduction.....	2
Consultation responses .....	3
Post Consultation Engagement. ....	3
General consultation responses .....	5
Responses per MPA.....	9
Wider matters arising from consultation process .....	30
Annex 1 – Groups that responded to the consultation. ....	35

## Introduction

On 30th November 2020, the Department of Agriculture, Environment and Rural Affairs (DAERA) opened a 12 week consultation on fisheries management proposals for marine protected areas (MPAs) and proposed scallop enhancement sites, located in the Northern Ireland inshore region.

The consultation was issued electronically to a wide range of stakeholders and was made available on the DAERA website. A copy of the consultation document can be found at: <https://www.daera-ni.gov.uk/consultations/consultation-development-fisheries-management-measures-marine-protected-areas-mpas-and-establishment>

Stakeholders requested extra time to consider the consultation document because COVID-19 was impacting on normal stakeholder engagement methods and industry was dealing with matters related to the end of the EU Exit transition period. The original closing date of 22nd February 2021 was subsequently extended until 31st March 2021. The total consultation period was 17 weeks.

The consultation was accompanied by several supporting documents, including:

- [The Agri-Food Biosciences Institute \(AFBI\) fisheries impact assessment report](#)
- [Habitats Regulations assessment](#)
- [Marine conservation zone \(MCZ\) assessment](#)
- [Equality impact and human rights screening](#)
- [Rural needs impact assessment](#)
- [Partial regulatory impact assessment](#)

The consultation invited views on proposed fisheries management measures for Skerries and Causeway Special Area of Conservation (SAC); Rathlin Island SAC/Special Protected Area (SPA) and MCZ; Red Bay SAC; Waterfoot MCZ; Maidens SAC; Outer Belfast Lough MCZ; Strangford Lough MCZ; Murlough SAC and Carlingford Lough MCZ.

Views were also invited on the establishment of scallop enhancement sites at Whitehead; Drumfad Bay; Ballyquintin Point and Roaring Rock.

## Consultation responses

In total, 75 responses were received from members of the public (22), recreational bodies (3), Non-Governmental Organisations (NGOs) (13) and the fishing industry (28). Of the total responses received 60% were supportive of the proposed measures, while 39% opposed the proposals. One response acknowledged the consultation but did not offer any views. Although the Department asked specific questions to assess support for proposals set out in the consultation document, not all respondents answered all questions and it is therefore not possible to provide quantitative figures for each of the management measures. This summary of responses is therefore qualitative.

Responses from public and NGOs were generally supportive and on a number of matters provided views on how the proposed measures could be improved. The majority of responses from the fishing industry did not support the proposed measures and expressed dissatisfaction with how the Department had engaged with the industry, and the methods that had been used to assess the impact of the proposed measures on fishers.

Northern Ireland Scallop Fishermen's Association wished to clarify that their endorsement of the proposed scallop enhancement sites should in no way be taken as support for the fisheries management measures in Marine Protected Areas.

## Post Consultation Engagement.

In June and July 2021 DAERA officials met with stakeholders from the fishing industry to explore issues raised in their consultation responses.

During this period, DAERA engaged with:

- Individual fishers (4 sessions)
- North Coast Lobster Fishermen's Association
- Northern Ireland Fishermen's Federation
- Northern Ireland Scallop Fishermen's Association.

Such meetings provided opportunities for alternative management options to be explored and for fishers to provide evidence to support their position. A number of the proposed

management measures have been adapted as a result and these will be outlined in the summary of responses for each MPA. The meetings also provided an opportunity for the Department to clarify issues that appeared to have been misunderstood during the consultation period.

## **Part 1 – Fisheries management measures for Marine Protected Areas**

### **General consultation responses**

There were a number of matters raised in consultation responses that related to the overall approach the Department had taken to the development of fisheries management measures for MPAs and these are summarised in this section. Comments on specific sites will be outlined in the next section.

### **Engagement with the fishing industry**

Fishers and their representative organisations considered the Department had not engaged effectively with industry in developing the proposals. Where the Department had engaged with industry and sought views through the Inshore Fisheries Partnership, some considered these to be passive requests.

The Northern Ireland Fishermen's Federation (NIFF) considered the Department had taken a top-down only approach to developing management measures. NIFF believes that with robust and consistent engagement within industry stakeholders, Northern Ireland can be a world leader in successful inshore fisheries management and marine conservation. The management system should be based on a system of co-design and co-management that fosters collaboration through a top-down and bottom-up approach.

A number of responses requested that engagement with stakeholders continues during the planning, implementation and review periods of the adaptive management process.

### **Departmental response**

The Department first presented a discussion paper to the Inshore Fisheries Partnership Group on 6 March 2018 regarding management measures for MPAs. This paper outlined why management measures were considered necessary and that MPAs can also be used to protect important areas for fisheries, and can be used as a tool for issues such as stock management and fish stock recovery. The management measures for MPAs and proposals to establish scallop enhancement sites followed the approach outlined in paper, and updates

were given at subsequent meetings of the Inshore Fisheries Partnership. The Department also met with fishers on an individual basis, in local groups, and with representative organisations. Information provided at these meetings informed the development of management measures for each site.

The Department accepts that, on balance, information flow tended to be top-down. Additional evidence such as chart plotter data was only provided by fishers during the consultation period. The Department is in agreement that a successful inshore fisheries management and marine conservation programme should be based on a system of co-design and co-management and intends to establish a management group that will provide a platform for all stakeholders to engage and contribute to the design of effective management and monitoring programmes within the MPA network. This working group will be central to the proposed adaptive management framework.

### **Methodology and evidence used to assess the value of fishing in MPAs**

Many respondents expressed concerns that the Department had underestimated the monetary value of the loss to fishers should the proposed management measures be implemented. It was also considered that the Department had not been transparent about the methods used, did not state the caveats and limitations, and made no attempt to solve problems with missing data. This was referring to gaps in data because under 12-metre vessels are not required to have a vessel monitoring system (VMS).

Responses suggested alternative methodologies for collecting data, including a survey of scallop fishers, chartplotter data from individual fishers and automatic identification system (AIS). There was also criticism that the impact assessment was based on fishing activity between 2012 and 2016, and had used inappropriate methods of analysis.

A respondent made the recommendation that the values used to illustrate losses to the industry should be quoted as a percentage of overall fleet landings as opposed to average figures with the aim of providing a greater degree of clarity to consultees.

A number of responses considered that wider economic aspects beyond the value of the fishing opportunity should have been assessed, including the value to the wider fishing

supply chain and associated industries. Others considered that it is essential to consider the multiple values people hold about marine areas, such as societal and financial values to communities from activities such as diving, recreational angling and tourism, emphasising that such values would increase as MPAs were maintained or restored.

### **Departmental response**

The Department accepts that providing hyperlinks between the consultation document, the impact assessment undertaken by AFBI, and the draft Regulatory Impact Assessment (RIA) would have made it easier for consultees to follow how the figures in the consultation document had been calculated. The AFBI analysis followed a standardised methodology and the limitations and data gaps are clearly outlined in the AFBI report. The draft RIA also outlines the limitations and notes the Department would be seeking to gather further evidence during the consultation period. A number of individual fishers provided evidence from their chartplotters.

The rationale for using data between 2012 and 2016 was because the MCZs were designated in 2016 and therefore this discounts any bias from changes in fishing activity as a result of the designations. The Department has requested AFBI to undertake further analysis on data since 2016.

The updated analysis will be shared with fishers through the Inshore Fisheries Partnership group and the methodology clearly explained. This assessment along with any further evidence provided by fishers on under 12m activity will be included in the final RIA.

Data on the value of the wider blue economy in Northern Ireland is limited and the Department intends to commission a study that could inform future decision making. AFBI has obtained funding from the European Maritime and Fisheries Fund (EMFF) to undertake a natural capital assessment of the Northern Ireland marine area, with particular focus on the value of the MPA network. The project is in progress and results will not be available for inclusion in the RIA.



## **Adaptive management of MPAs**

Responses welcomed the use of an adaptive management framework but requested further information on how it will be implemented, for example, what monitoring will be required, review periods, resource requirements and how the management measures will be enforced. A number of responses emphasised that there must be investment in better monitoring and data gathering to improve the current baseline knowledge, and to enable long term evaluation of the management measures put in place. A response suggested that each measure implemented must be treated as an experiment so that the effectiveness can be measured over time. Several responses asked how the proposed management measures would be enforced in the face of potential government resourcing difficulties.

A response suggested that if the evidence suggested that the management measures were not delivering their intended returns then protection of the MPA should be upgraded to Highly Protected Marine Areas where all extractive activities are prohibited.

## **Departmental response**

The Department is working with AFBI to establish a monitoring programme that can be used to assess the effectiveness of the management measures. The proposed management group will provide a forum for evidence to be presented, considered, and make recommendations for adapting measures. The management group will operate on the principle of co-design and co-management,

## **Inshore Vessel Monitoring Systems (iVMS)**

Responses gave mixed views on the proposal for mandatory vessel position monitoring for all vessels operating in an MPA. Responses from those opposed to the proposal had a number of recurring themes and issues, such as:

- The cost of purchase / installation / use and servicing of the equipment
- The reliability of equipment on-board
- Who would be liable to repair the equipment in the event of breakdown
- The suitability of electronics for their use on open boats

- The requirement of vessels to be monitored when engaged in activities not associated with fishing

Responses that were supportive of the proposal recognised the benefits of iVMS and how it could fill the data gap that exists for under 12m vessels. A response also considered iVMS beneficial for increasing knowledge around the safety of navigation.

In addition to the proposed mandatory use of iVMS for fishers operating in MPAs, some stakeholders' responses have indicated their wish for iVMS to be used by every vessel throughout the Northern Ireland inshore region while engaged in commercial fishing. Some responses that were supportive of the proposal recognised the implications that mandatory iVMS may have for fishers and encouraged further discussions to ensure the system is advantageous for the fishing industry, while also expanding the evidence base for marine and fisheries management.

### Departmental response

The Department accepts there is need for further consultation on the proposals for iVMS. As indicated in the consultation document, there will be a specific consultation on proposals for iVMS on all under 12m vessels.

### Responses per MPA

#### Skerries and Causeway SAC

Table 1: Proposed management options for Skerries and Causeway SAC

Fishing type	Option 1 (Minimum)	Option 2 (Preferred)
Demersal	Prohibition of demersal mobile gear use on reef and sandbank features.	Prohibition of demersal mobile gear use throughout entire SAC.

Static	Prohibition of static gear use on the seagrass and managed pot fishery throughout the rest of the SAC	
--------	---	--

*Questions asked in consultation*

- Do you support the preferred option (No 2), to prohibit demersal mobile gear fishing throughout Skerries and Causeway SAC?
- If you answered no to question 1.1, do you support the minimum option (No.1) to prohibit demersal mobile gear fishing on reef and sandbank features within Skerries and Causeway SAC?
- Do you support the recommended option to prohibit static gear fishing, on the seagrass feature and to manage static gear fishing throughout the remainder of Skerries and Causeway SAC?
- Do you support the proposed measures to manage pot fishing, such as following best practice on biosecurity, mandatory vessel position monitoring, pot tagging, recording of bycatch and entanglements of protected species and the continued use of more selective gear?
- Do you agree with the assessment of the current value of fishing within Skerries and Causeway SAC?
- Is there any further evidence that should be considered in terms of values, costs or benefits?

The majority of responses supported the proposal to prohibit the use of mobile gear throughout the SAC and to prohibit pot fishing within the seagrass beds. Responses highlighted the rare and priority species that are found within the mosaic of sandbank and reef habitats, which when in healthy condition is proven to be an essential nursery habitat for juvenile stages of many commercially important fish (e.g. haddock, cod, and whiting).

Some responses highlighted the benefits of seagrass beds for carbon storage and considered the Department should have given more focus to the benefits of blue carbon (natural carbon storage) habitats and the how MPAs can mitigate the effects of climate

change. Whilst supportive of the prohibition of potting in the seagrass beds, some respondents describe the marked sea grass boundary as too small to allow for expansion or recovery of the feature, and that the evidence is not current. Responses suggested the area must be remapped before making a final decision on any boundary.

The respondents are keen to engage further with the Department to explore opportunities to address the impacts of climate change and to develop strategies that guide management of current MPAs and the designations of future areas.

Responses encouraged the monitoring of the effectiveness of the management of static gear across the entire site, suggesting further prohibitions may be required to those on the seagrass feature, as the mosaic habitat can be negatively impacted by pot fishing. Responses welcomed the attention given to bycatch within the consultation, especially given the records for the designated harbour porpoise (*Phocoena phocoena*) throughout the year within this MPA.

A response suggested an extension of the boundary of the SAC to provide protection for juvenile lobsters.

Fishers indicated that these are locally important fishing grounds and they take care to avoid the reef habitats and to not overfish the scallop stocks that are within the area. Fishers considered that the fishery had been undervalued in the consultation which stated the average value of scallop landings between 2012-2016 was £5,992. The value of landings ranged from £1,293 in 2012 to £13,392 in 2016 which is indicative of cyclical pattern of effort that fishers employ in this area. This is important income for the local inshore vessels that operate in this area.

A response disagreeing with the proposals drew attention to the impacts of weather and tide on the area, which the respondent claimed to be greater than the impact from scallop dredging. They suggested monitoring the impacts from fishing and comparing to those from natural sources before considering a ban on mobile gear.

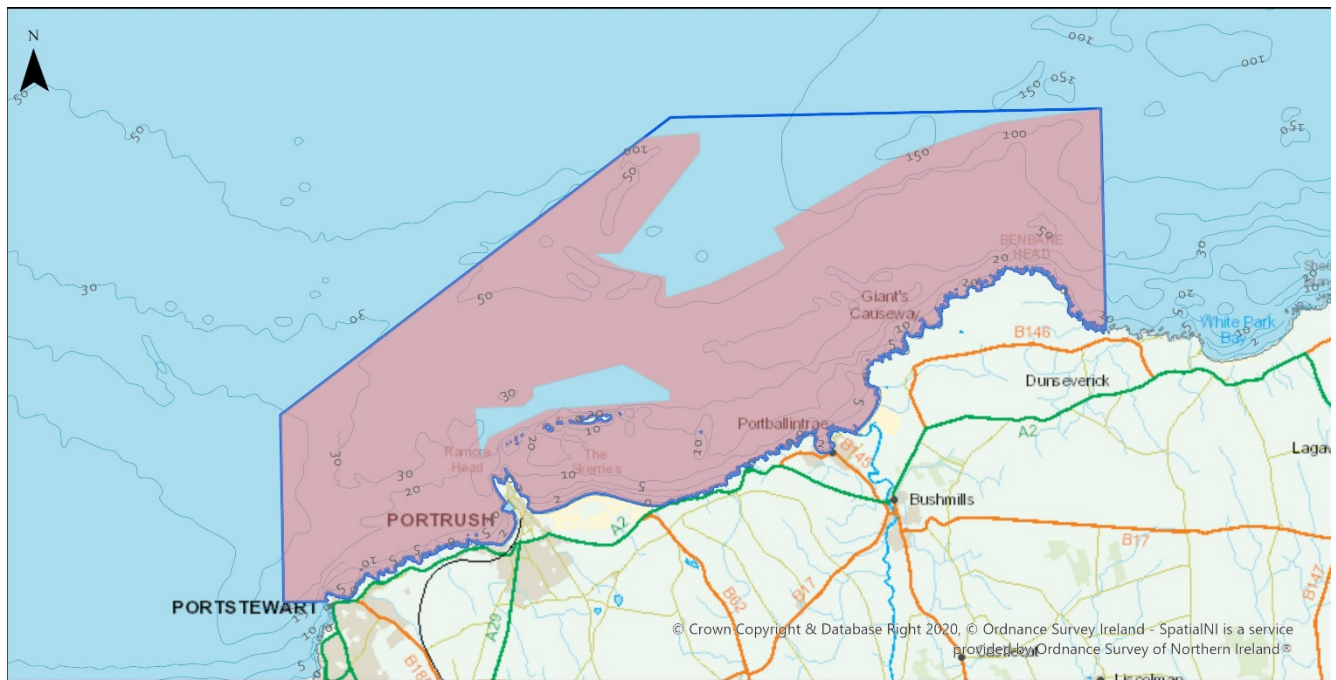
## **Departmental response**

The Department has resurveyed in the seagrass beds using underwater video and divers, and is content that the full extent is within the boundary of the proposed potting prohibition zone. There will be further consultation with fishers on the mandatory use of iVMS, pot tagging and measures to control potting effort.

The Department recognises the importance of this area to local scallop fishers and the efforts that are being made voluntarily to avoid the protected features. Regulations provide a framework for managing fishing in this area and a mechanism to take enforcement action against anyone causing damage to the protected features. The Department therefore intends to prohibit the use of demersal mobile gear on the designated reef and sandbank features. There is a need for further engagement with fishers on management measures for the parts of the SAC that do not have designated features. This presents an opportunity to advance fisheries and conservation science, and with experimental controlled fishing, evidence can be gathered on the effectiveness of management measures for both protected habitats and scallop stocks.

The following conditions will be explored further through the Inshore Fisheries Partnership:

- Seasonal permitted access to fish with mobile demersal gear in specified zones
- Permits granted on evidence of a previous track record of fishing in the area
- Mandatory use of vessel position monitoring while fishing within the SAC (3 minute pings)
- Mandatory recording of protected species that are accidentally caught
- Fishers permitted to use mobile gear will participate in scientific research being undertaken to assess impact and recovery of the seabed habitats
- Scallop vessels transiting through the SAC prohibition area must have scallop dredges inboard, stowed and secured unless fishing within the boundaries of permitted areas



Reproduced with the permission of Land & Property Services under delegated authority from the Keeper of Public Records, © Crown copyright and databaseright MOU577.2 (2020). Unauthorised reproduction infringes © Crown copyright and may lead to prosecution or civil proceedings.

Scale: 1:117,621  
Date: 25/08/2021

Proposed prohibition of demersal mobile gear fishing  
 Special Area of Conservation


 Department of  
**Agriculture, Environment  
 and Rural Affairs**  
[www.daera-ni.gov.uk](http://www.daera-ni.gov.uk)

*Figure 1: Revised management measure for Skerries and Causeway demersal mobile gear.*

The Department intends to commence the process of making fishing regulations to introduce the following management measures:

*Table 1: Revised fisheries management measures for Skerries and Causeway SAC*

Fishing type	Management measure
Demersal	Prohibition of demersal mobile gear use throughout the SAC with the exception of 2 specific areas that do not contain the designated features of the SAC. Permit required for fishing in the specified areas.
Static	Prohibition of static gear use on the seagrass and managed pot fishery throughout the rest of the SAC

## Rathlin Island SAC / SPA and Rathlin MCZ

Table 2: Proposed management options for Rathlin Island SAC / SPA and Rathlin MCZ

Fishing gear type	Recommended option
Demersal	Extend existing prohibition of demersal mobile gear use in the SAC to include Deep-sea bed and habitat associated with black guillemot habitat (will include full extent of the SAC and the MCZ).
Static	Prohibition of static gear use on fragile sponge and anthozoan communities on rocky outcrops feature, and managed pot fishery throughout the full extent of the SAC and the MCZ

### Questions asked in consultation

- Do you support the recommended option, to extend the existing prohibition of demersal mobile gear fishing in the SAC, to include the full extent of the SAC and the MCZ?
- Do you support the recommended option to prohibit static gear fishing, on the fragile sponge and anthozoan communities on rocky outcrops feature and to manage pot fishing throughout the remainder of the SAC and the MCZ?
- Do you support the proposed measures to manage pot fishing, such as following best practice on biosecurity, mandatory vessel position monitoring, pot tagging, recording of bycatch and entanglements of protected species and the continued use of more selective gear?
- Do you agree with the assessment of the current value of fishing within Rathlin Island SAC/SPA and Rathlin MCZ?
- Is there any further evidence that should be considered in terms of values, costs or benefits?

The majority of responses supported the proposals to prohibit demersal mobile gear throughout Rathlin MCZ and the prohibition of pot fishing in the O’Birne Bay area where fragile sponge and anthozoan communities are present.

Some responses highlighted that other habitat types are sensitive to pot fishing, including seagrass, reefs and submerged caves, and requested further engagement on measures to protect these habitat types.

Scallop fishers considered that the extension of the demersal mobile gear prohibition compounded the impact of the existing Rathlin prohibitions, in particular the area to the south that is protecting the black guillemot feeding habitats and questioned the impact that mobile gear fishing would have on features such as deep seabed, black guillemots and geological features.

A number of responses highlighted that the O’Birne Bay area has been traditionally fished by Rathlin Island families for more than six generations. They suggested that the area could continue to be fished using single pots lines. These are placed in the kelp line at depths up to 8 meters and would cause no impact to the sponges that are in depths greater than 15 meters.

### **Departmental response**

The Department considers it necessary to prohibit the use of demersal mobile gear on the deep-sea bed and black guillemot habitat. Monitoring will be put in place to assess the effectiveness of these measures for protecting the designated habitats, and given that this was once an important scallop fishery, will seek to assess if the closed area provides benefits to scallop stocks in adjacent areas.

The Department recognises that pot fishing in the O’Birne Bay area is an important part of local fishing heritage. The Department will continue to liaise with local fishers to develop measures that will enable continued fishing using traditional methods while also protecting the sensitive sponge and anthozoan communities.

The following conditions will be explored further with local fishers:

- Fishing using pots will be permitted in O’Birne Bay from the shore to a boundary marked by the 10m contour line on the admiralty charts



- Pots must be set individually and must not be joined together
- Fishing using pots will be prohibited in the O'Birne Bay area at depths greater than 10m (see Fig. 2)

The Department intends to commence the process of making fishing regulations to introduce the following management measures:

Table 3: Revised management measures for Rathlin Island SAC / SPA and Rathlin MCZ

Fishing gear type	Management Measure
Demersal	Extend existing prohibition of demersal mobile gear use in the SAC to include Deep-sea bed and habitat associated with black guillemot (will include full extent of the SAC and the MCZ)
Static	Prohibition of static gear use on fragile sponge and anthozoan communities on rocky outcrops feature, and managed pot fishery throughout the full extent of the SAC and the MCZ

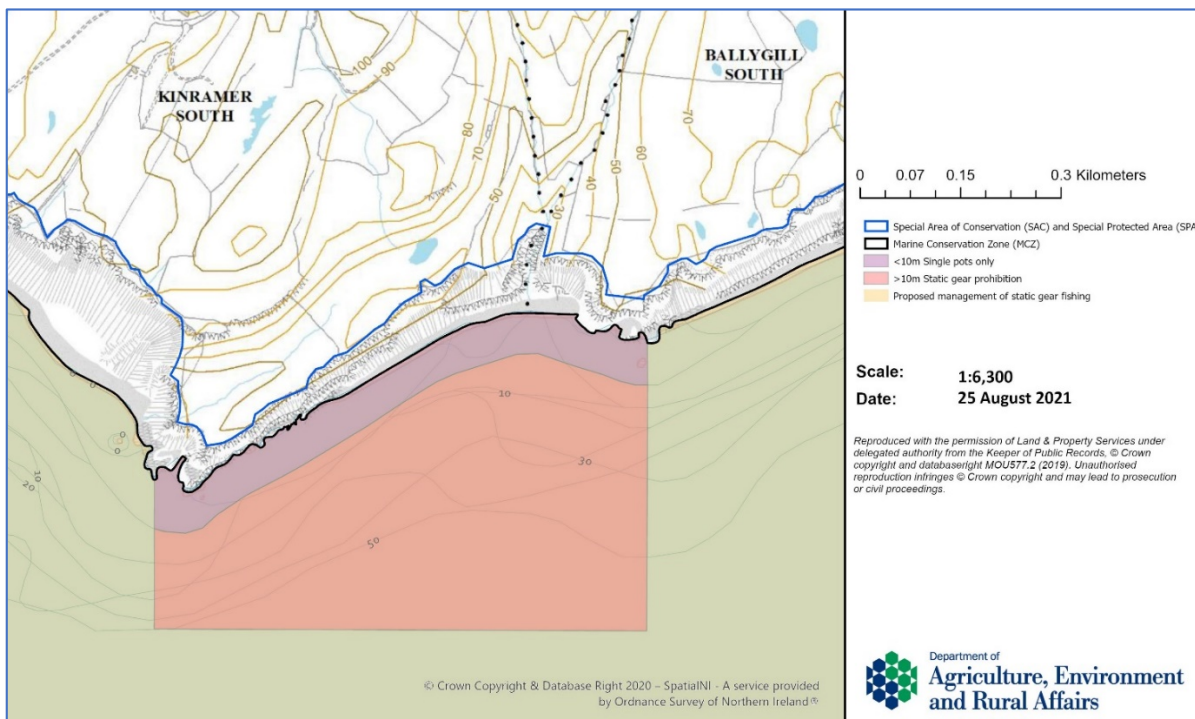


Figure 2: Revised management measure for Rathlin static gear.

## Responses for Red Bay SAC

Table 4: Proposed management options for Red Bay SAC

Fishing type	Recommended Option
Demersal	Prohibition of demersal mobile gear use throughout entire SAC
Static	Prohibition of static gear use throughout entire SAC

### Questions asked in consultation

- Do you support the recommended option, to prohibit demersal mobile gear fishing throughout the entire protected area?
- Do you support the recommended option to prohibit static gear fishing throughout the entire protected area?
- Do you agree with the assessment of the current value of fishing within Red Bay SAC?
- Is there any further evidence that should be considered in terms of values, costs or benefits?

The majority of responses supported the proposal to prohibit the use of both demersal mobile gear and static gear throughout the SAC. Responses emphasised the importance of maerl beds as a blue carbon store and their protection will be an important aspect of Northern Ireland's climate action response. Scallop fishers confirmed they only have small interest in this area and did not provide any additional evidence.

Local fishers raised concerns with the proposed pot fishing prohibition throughout the SAC and identified that currently potting only takes place in a limited area that does not contain any of the features that the MPA has been designated to protect. The respondents claim the current area of value is a small zone extending 200m seaward from the shore and that if fishing were to continue in this area there would be no detrimental effect to any features, and it would not impact the condition of the protected habitat features.

### Departmental response

The Department recognises the importance of this area to local pot fishers and undertook a number of site inspections to verify the location of pots. These inspections confirmed that pots are laid in the kelp zone rather the maerl habitat that is found in deeper waters. The

kelp zone is a shallow area extending from the shore of the SAC to a seaward boundary of approximately 200m.

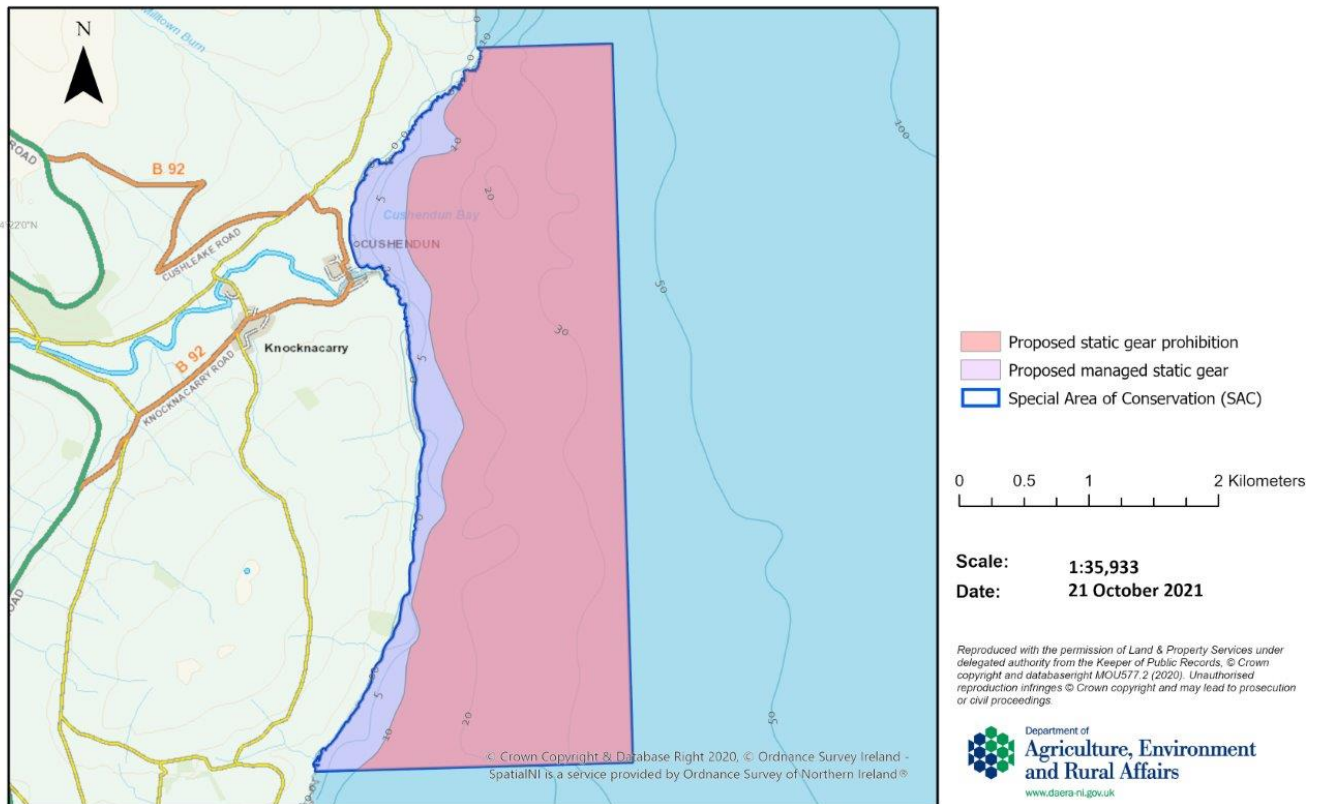
The Department will continue to liaise with local fishers to develop measures that will provide continued pot fishing in an adjacent area. The zone will be determined by either a specified depth or distance from the shore.

The introduction of fisheries management measures to prohibit the use of demersal mobile gear and static gear throughout Red Bay SAC will help provide protection for the blue carbon habitats located within this SAC.

The Department intends to commence the process of making fishing regulations to introduce the following management measures:

*Table 5: Revised fisheries management measures for Red Bay SAC*

Fishing type	Recommended Option
Demersal	Prohibition of demersal mobile gear use throughout entire SAC
Static	Prohibition of static gear use in the SAC, with the exception of a specified area adjacent to the shore where maerl habitat is not present.



## Responses for Waterfoot MCZ

Table 6: Proposed management measures for Waterfoot MCZ

Fishing type	Recommended Option
Demersal	Prohibition of demersal mobile gear use throughout entire site.
Static	Prohibition of static gear use throughout entire site.

### Questions asked in consultation

- Do you support the recommended option, to prohibit demersal mobile gear fishing throughout the entire protected area?
- Do you support the recommended option to prohibit static gear fishing throughout the entire protected area?

- Do you agree with the assessment of the current value of fishing within Waterfoot MCZ?
- Is there any further evidence that should be considered in terms of values, costs or benefits?

The majority of responses support the proposed measures, highlighting the benefit of protecting seagrass beds because of their important carbon storage role. Some respondents urged the Department to allow sufficient buffer zones around features to allow for their recovery and expansion.

A number of responses questioned the need for prohibiting fishing given the seagrass had been present long enough and survived any fishing impact up to this point.

### Departmental response

Throughout the consultation process and subsequent stakeholder engagement no meaningful objection was presented to the Department that suggested that the proposed management measures should not go ahead in their entirety as planned.

The Department intends to commence the process of making fishing regulations prohibiting the use of both mobile demersal and static gear throughout the entire MCZ.

### Responses for The Maidens SAC

Table 7: Proposed management measures for The Maidens SAC

Fishing type	Option 1 (Minimum)	Option 2 (Preferred)
Demersal	Prohibition of demersal mobile gear use on reef and maerl features.	Prohibition of demersal mobile gear use throughout entire SAC.
Static	Prohibition of static gear use on the maerl feature;	

	and managed pot fishery throughout the rest of the SAC.	
--	---	--

*Questions asked in consultation*

- Do you support the preferred option (No 2), to prohibit demersal mobile gear fishing throughout entire protected area?
- If you answered 'No' to question 20, do you support the minimum option (No.1) to prohibit demersal mobile gear fishing on reef and maerl features within the protected area?
- Do you support the recommended option to prohibit static gear fishing, on the maerl feature and to manage pot fishing throughout the remainder of the protected area?
- Do you support the proposed measures to manage pot fishing, such as following best practice on biosecurity, mandatory vessel position monitoring, pot tagging, recording of bycatch and entanglements of protected species and the continued use of more selective gear?
- Do you agree with the assessment of the current value of fishing within The Maidens SAC?
- Is there any further evidence that should be considered in terms of values, costs or benefits?

The majority of responses supported the proposed measures. Some responses considered that additional measures were necessary, such as extending the proposed demersal fishing gear prohibition to the full extent of an Area of Search for common skate (flapper skate) in the Maidens and Red Bay area. It was also suggested the boundary should be extended to include the area from Portmuck to Ballygalley so that it may continue to be enjoyed by diving clubs, and that the economic benefits to recreation and tourism should have been considered as part of the consultation process.

Responses raised concerns about wrasse fishing in this area used to supply cleaner fish for the aquaculture sector, and highlighted the interest of this species to both divers and recreational sea anglers. Concerns were also raised about potential impacts to the area from the outfall of the proposed Islandmagee gas storage project.

Fishers challenged the location of the maerl beds and the evidence base that had been used to determine the extent of the proposed pot fishing prohibition. They claimed that the area of the proposed pot fishing prohibition was an important lobster fishery and was not maerl habitat.

Fishers highlighted the Maidens area has been a base of significant scallop activity in the recent past and an important contributor to the economy of the Northern Ireland scallop fishery. Fishers considered that the fishery had been undervalued in the consultation which stated the average value of scallop landings between 2012-2016 was £6,155. The value of landings ranged from £0 in 2012 to £13,550 in 2016.

As the current features are assessed to be in favourable condition with the Department's associated objective to maintain this condition, the respondents questioned the justification for a fisheries closure. A response suggested that the features in the SAC would experience greater impact from natural forces than from fishing.

### **Departmental response**

The Department will await the evidence from ongoing studies before considering the location and extent of an MCZ for common skate (flapper skate). The proposed prohibition of demersal mobile gear will provide protection to common skate within The Maidens SAC. Any potential impacts of the proposed Islandmagee gas storage project on The Maidens SAC is being considered through the Marine Licensing process.

The Department has had further discussions with the pot fishers in this area and undertook a site inspection to verify the habitat type in the area identified as important for lobster fishing. The Department had based the initial proposal using evidence that was available at 1km resolution and following the site inspection is satisfied there is no pot fishing in areas of maerl habitat and the sea conditions are not suitable. On the basis of evidence provided from chartplotters and the site inspection, the Department no longer considers it necessary to prohibit pot fishing in any part of The Maidens SAC.

The mosaic of habitat types in The Maidens SAC is not considered suitable for a zoned approach and therefore the Department considers it necessary to prohibit the use of

demersal mobile gear throughout the SAC. Recognising the importance of the scallop fishery along the Antrim Coast, monitoring will be put in place to assess the effectiveness of these measures for protecting the designated habitats and will seek to assess if the closed area provides benefits to scallop stocks in adjacent areas.

The Department intends to commence the process of making fishing regulations to introduce the following management measures.

Table 8: Revised management measures for The Maidens SAC

Fishing type	Management Measures
Demersal	Prohibition of demersal mobile gear use throughout entire SAC.
Static	Managed pot fishery throughout entire SAC.

## Outer Belfast Lough MCZ

Table 9: Proposed management measures for Outer Belfast Lough MCZ

Fishing type	Recommended Option
Demersal	Prohibition of demersal mobile gear throughout entire site.
Static	Managed pot fishery throughout MCZ

### Questions asked in consultation

- Do you support the recommended option, to prohibit demersal mobile gear fishing throughout the entire protected area?
- Do you support the recommended option to manage pot fishing throughout the entire protected area?
- Do you support the proposed measures to manage pot fishing, such as following best practice on biosecurity, mandatory vessel position monitoring, pot tagging, recording



of bycatch and entanglements of protected species and the continued use of more selective gear?

- Do you agree with the assessment of the current value of fishing within Outer Belfast Lough MCZ?
- Is there any further evidence that should be considered in terms of values, costs or benefits?

The majority of responses support the proposed measures. A number of respondents criticised the proposed management measures for not going far enough, stressing that the designated feature of ocean quahog (*Arctica islandica*) is a long-lived species that, when damaged, is slow to recover and unlikely to undergo internal recruitment if lost from the site. Stakeholders encouraged the Department to take a precautionary approach and to prohibit the use of static gear throughout the site. They also encouraged additional areas of protection within the site for ocean quahog, alongside the current area at the mouth of the Lough.

A number of respondents considered the MCZ to be too small an area to be effective, suggesting that the size of the MCZ be increased along with the associated restrictions to allow the protected features to recover and expand.

A response questioned how the MCZ differed from the rest of Belfast Lough in relation to ocean quahog, claiming that as it is such a long lived species it must be oblivious to any fishing pressure. It claimed that designation and the subsequent ban on use of demersal mobile gear are illogical.

### **Departmental response**

The Department recognises the prohibition of the mobile demersal gear within the MCZ will impact on scallop fishers but this was previously taken into consideration when the MCZ was designated and the boundary adjusted at that time to minimise impacts to fishing while providing protection to the ocean quahog feature.

Full consideration was given to the location and extent of the MCZ during the designation process, and Department does not intend making any adjustments to either increase or decrease the MCZ.

The Department intends to commence the process of making fishing regulations to prohibit the use of mobile demersal gear throughout the entire MCZ. The regulations will allow a managed pot fishery throughout the MCZ.

## Responses for Strangford Lough SAC / SPA and MCZ

Table 10: Proposed management measures for Strangford Lough SAC / SPA and MCZ

Fishing gear type	Recommended option
Demersal	Extend existing prohibition of demersal mobile gear use in the SAC to include full extent of the MCZ and associated habitats and Priority Marine Features (PMFs) in that area (outside the SAC).
Static	Managed pot fishery throughout the rest of the MPA (MCZ outside SAC)

### Questions asked in consultation

- Do you support the recommended option, to extend the existing prohibition of demersal mobile gear fishing in the SAC, to include the full extent of the MCZ?
- Do you support the proposed measures to manage pot fishing, such as following best practice on biosecurity, mandatory vessel position monitoring, pot tagging, recording of bycatch and entanglements of protected species and the continued use of more selective gear within the MCZ area outside the SAC?
- Do you agree with the assessment of the current value of fishing within Strangford Lough SAC/SPA and MCZ?
- Is there any further evidence that should be considered in terms of values, costs or benefits?

The majority of responses were supportive of the proposed measures. A response drew attention to a recently discovered seagrass bed at Kearney, which falls within the MCZ boundary; the respondent therefore encouraged consideration of this when making decisions of fisheries management measures within the site, especially given seagrass's blue carbon value.

Numerous responses highlight that the Ballyquintin scallop enhancement site lies within the MCZ boundary and the surrounding area forms the basis of a scallop fishery, stressing the fact that vessels that were originally displaced from Strangford Lough are to be displaced again. As the consultation document does not list any features nor management proposals, the respondents consider a fishery closure premature, calling for the deferral of a decision on fisheries management measures in this case.

Responses queried the map illustrating the proposed pot fishing measures as it appears that vessels will need to have a Strangford Lough permit to fish using pots in the MCZ.

### **Departmental response**

The Department confirms that pot fishing in this area will not require a Strangford Lough permit and pot fishers who currently fish in this area will be entitled to continue doing so.

The Department has become aware of the seagrass beds at Kearney and will be reviewing the evidence to determine the need for measures similar to those proposed for seagrass beds in other MPAs. There will be a need for further discussions with local fishers to assess the level of fishing effort in proximity to the Kearney seagrass beds.

The Department has had further discussions with local scallop fishers and reviewed chartplotter evidence. This has clarified that the scallop fishing areas are outside the boundary of Strangford Lough MCZ. Recognising the importance of the scallop fishery in proximity to this area and the proposed scallop enhancement site, monitoring will be put in place to assess the effectiveness of these measures for protecting the designated habitats, and will seek to assess if the closed area provides benefits to scallop stocks in adjacent areas.

The Department intends to commence the process of making fishing regulations to extend the existing prohibition of demersal mobile gear to include the full extent of the MCZ. The regulations will provide for a managed pot fishery from the boundary of the SAC to the remaining extent of the MCZ.

## Responses for Murlough SAC

Table 11: Proposed management measures for Murlough SAC

Fishing type	Recommended Option
Demersal	Maintain existing Dundrum Bay Prohibition Regulations and extend demersal mobile gear prohibition to the SAC boundary to protect features.
Static	Managed pot fishery throughout SAC

### Questions asked in consultation

- Do you support the recommended option, to extend the existing prohibition of demersal mobile gear fishing in Dundrum Bay, to include the entire protected area?
- Do you support the recommended option to manage pot fishing throughout the entire protected area?
- Do you support the proposed measures to manage pot fishing, such as following best practice on biosecurity, mandatory vessel position monitoring, pot tagging, recording of bycatch and entanglements of protected species and the continued use of more selective gear?
- Do you agree with the assessment of the current value of fishing within Murlough SAC?
- Is there any further evidence that should be considered in terms of values, costs or benefits?

The majority of responses supported the proposed management measures. A response highlighted that Ballykinler is an important haul-out for common seal (*Phoca vitulina*) and welcomed the attention given in the consultation to the issue of by-catch.

Some respondents urged the Department to allow sufficient buffer zones around features to allow for their recovery and expansion.

Scallop fishers highlighted that the SAC contains the Roaring Rock scallop enhancement site thus any benefits of the reseeded ground would be lost to fishers due to the prohibition within the SAC. The respondent also claimed the additional designated area does not contain any features that would merit a ban on mobile fishing gear.

### Departmental response

The Department considers it necessary to prohibit the use of demersal mobile gear in the full extent of Murlough SAC. Recognising the proximity to important scallop fishing areas and the proposed scallop enhancement sites, monitoring will be put in place to assess the effectiveness of these measures for protecting the designated habitats, and will seek to assess if the closed area provides benefits to scallop stocks in adjacent areas.

The Department intends to commence the process of making fishing regulations to extend the existing prohibition of demersal mobile gear to include the full extent of the SAC. The regulations will permit a managed pot fishery throughout the entire SAC.

## Responses for Carlingford Lough MCZ

Carlingford Lough MCZ

Table 12: Proposed management measures for Carlingford Lough MCZ

Fishing type	Option 1 (preferred)
Demersal	Prohibition of demersal mobile gear use throughout entire site.
Static	Managed pot fishery throughout MCZ.

*Questions asked in consultation*

- Do you support the recommended option, to prohibit demersal mobile gear fishing throughout the entire protected area?
- Do you support the recommended option to manage pot fishing throughout the entire protected area?
- Do you support the proposed measures to manage pot fishing, such as following best practice on biosecurity, mandatory vessel position monitoring, pot tagging, recording of bycatch and entanglements of protected species and the continued use of more selective gear?
- Do you agree with the assessment of the current value of fishing within Carlingford MCZ?
- Is there any further evidence that should be considered in terms of values, costs or benefits?

The majority of responses supported the proposed management measures. A number of responses called on the Department to provide a greater level of protection than was proposed in the consultation document and suggested pot fishing should be prohibited within the MCZ. The respondents state that this is the only area in Northern Ireland where sea pens and white lobe shells (*Virgularia mirabilis* and *Philine quadripartita*) occur in high densities in soft stable infralittoral mud and they have been assessed as moderately vulnerable to pot fishing.

The prohibition of demersal fishing gear is welcomed, as it reduces abrasion, penetration and disturbance to the surface of the seabed. Additionally some responses asked for further restrictions, insisting that the Department should prohibit anchoring within the MCZ.

### **Departmental response**

The Department will give further consideration to the need for pot fishing restrictions in Carlingford Lough MCZ alongside the development of measures to manage anchoring. This will require engagement with stakeholders to develop appropriate measures.

The Department intends to commence the process of making fishing regulations to prohibit the use of mobile demersal gear and permit a managed pot fishery throughout the entire MCZ.

## Wider matters arising from consultation process

A number of additional matters were raised in consultation responses and during post-consultation discussions with stakeholders. These are summarised below:

### Effort Control within Pot Fisheries

During engagement with pot fishers it was apparent that the industry has concerns that current levels of fishing for species like brown crab are not sustainable. The Industry is frustrated as it has been calling for legislation to protect the future of its fisheries for a long time and considers the effects of overfishing already evident, as the fishers must now set additional pots to catch the same amount of crab as in previous seasons.

**Department response** – The Department has established a working group of the Inshore Fisheries Partnership to develop effort control measures.

### East Coast proposed Special Protection Area (pSPA)

There was a concern among fishers that the Department was seeking to ban all fishing activity within a proposed East Coast Special Protected Area (pSPA) and the industry had submitted objections to the perceived proposal. These concerns were particularly strong among fishers from Portavogie.

**Departmental response** - Officials were able to give clarification and reassurance that the Department had assessed potential impacts of fishing activities on the East Coast pSPA and that fisheries management measures were not considered necessary.

### Impacts on MPAs from unregulated activities

Some responses highlighted the concern that currently, hand gathering of shellfish e.g. winkle picking is unregulated and occurring at high levels within MPAs. This has a potential detrimental impact on features within the inter-tidal regions of the MPA network. Such regions are important and play valuable roles in carbon sequestration, contributing to the mitigation of the effects of climate change. Responses highlighted that this lack of regulation means there

is no potential management measures which could be applied to the MPA network to protect vulnerable features from this activity.

**Departmental response** - The Department is developing proposals to manage intertidal harvesting in MPAs.

### **Pot fishery for wrasse to support aquaculture industry**

A common topic raised was the issue of pot fisheries targeting wrasse, with some specifically mentioning a fishery in The Maidens SAC. Responses highlighted that management measures within MPA's would not provide protection for the species in the remainder of the Northern Ireland inshore region.

**Departmental response** - A further consultation will be initiated by DAERA to discuss the specific issue of future management of the wrasse fishery.

### **Tourism and recreation**

A respondent commented on the decline of fish stocks available to recreational sea anglers in the Skerries and Causeway SAC, Redbay SAC, Waterfoot MCZ, and Carlingford Lough MCZ, as well as the Whitehead area and Belfast Lough. The respondent referenced an AFBI report which showed that recreational sea angling in Northern Ireland has the potential to be worth £72 million. They claimed that the potential to achieve this value is being hampered by the impacts from commercial fishing on nursery grounds for fin fish species, stating that inshore clam dredging and trawling have destroyed these fragile systems. They would like to see a three mile limit re-imposed from the shoreline within which demersal fishing gear is prohibited. A number of responses considered that other values of marine areas should be considered alongside that of fishing opportunity, giving examples of societal and financial values to communities from activities such as diving, recreational angling and tourism, and emphasising that such values would increase as MPAs were maintained or in fact restored.

**Departmental response** -The Marine Protected Area network has been established to protect the marine environment, but it will also provide wider societal and economic benefits. The Department has commissioned research to assess the Natural Capital benefits of the MPA network and wider marine environment. The Department does not consider the 3 mile



limit to be an appropriate mechanism for managing impacts of fishing on the marine environment.

### **Issues with format of consultation**

A number of respondents found that the format of the questions on the web based portal prevented them from providing accurate answers to some of the questions. In some instances they had multiple answers that they wished to give but were forced to choose between them using the menus in the on-line questionnaire. The respondents highlighted this as a flaw, recommending that such issues were rectified in future consultations.

**Departmental response** - Concerns raised with the formation of the consultation questionnaire are valid and will be taken into consideration when undertaking future consultations.

### **Lack of Ecosystem approach applied to management of MPAs**

There was criticism directed at the Department for focussing solely on the management of fishing effort within MPAs. Responses stressed that anthropogenic activities on land had effects on freshwater and ultimately marine systems and that such activities should be considered if management measures were to be truly effective on the marine environment.

**Department response** - The purpose of this consultation was to focus on measures to manage the potential impacts of fishing on MPAs. These measures will be incorporated into the overall management plans for MPAs, which will consider potential impacts of other activities and freshwater inputs.

## Part 2 – Scallop enhancement sites

The proposals to establish scallop enhancement sites detailed in Part 2 of the consultation document have been developed at the request of the Northern Ireland Scallop Fishermen's Association. In summary, four potential scallop enhancement sites have been identified; Whitehead; Drumfad Bay; Ballyquintin Point and Roaring Rock.

Table 13: Proposed management measures for scallop enhancement sites

Fishing type	Recommended Option
Demersal	Prohibition of demersal mobile gear use throughout the entire scallop enhancement site

There was full support for the proposal to establish scallop enhancement sites, and responses recognised how the Northern Ireland Scallop Association had worked with AFBI and Seafish to develop the proposals. It was recognised that these are a type of MPA and will have a range of benefits to local biodiversity in addition to scallop stocks.

A number of respondents expressed the opinion that it was inappropriate to consult on fisheries management measures within MPAs and the development of scallop enhancement sites within the same document. They hold the belief that the objectives behind scallop enhancement sites and MPAs are in opposition to one another and that any reseeded areas that are contained within an MPA are ineffective. There was concern that prohibition within the MPA prevents fishers from taking advantage of any increase in scallop numbers that would spill over from the proposed enhancement zone.

A respondent pointed to the closures in the Isle of Man and the resultant problems such as over fishing in neighbouring waters that occurred, stressing that the establishment of scallop enhancement sites should be accompanied by effective effort control based on independent stock assessment.

## **Departmental response**

The Department appreciates that some scallop fishers view MPAs as impacting on their ability to fish. The Department has a duty to establish an MPA network to protect the marine environment and is committed to working with local fishers to explore and demonstrate how MPAs can also support and enhance fish stocks. The proposed scallop enhancement sites provide opportunities for future research and for reporting to international agreements such as OSPAR, and they may be considered as Other Effective Area-based Conservation Measures (OECMs).

The Department intends to commence the process of making fishing regulations to prohibit the use of mobile demersal gear in all four scallop enhancement sites.

## **Next Steps**

Where the introduction of regulations are required, DAERA intends to commence the legislative process stage with a view to having legislation in place early 2022.

## Annex 1 – Groups that responded to the consultation

- North Coast Lobster Fishermen's Association
- Northern Ireland Federation of Sea Anglers
- Northern Ireland Scallop Fishermen's Association
- Northern Ireland Fishermen's Federation
- Marine Conservation Society
- Council for Nature Conservation and the Countryside.
- Ulster Wildlife
- Love your Lough
- Northern Ireland Marine Task Force
- Friends of Belfast Lough
- National Trust
- Marine Conservation NI
- Royal Society for Protection of Birds
- Barracuda Sub Aqua Club
- Royal Yachting Association
- Commissioner of Irish Lights
- Centre for Environmental Data and Recording
- Ards and North Down Borough Council
- Newry Mourne and Down District Council
- Diver's Action Group Northern Ireland
- University of Ulster

For further information:

Marine Conservation and Reporting  
Klondyke Building  
Cromac Avenue  
Gasworks Business Park  
Malone Lower  
Belfast  
BT7 2JA



Department of  
**Agriculture, Environment  
and Rural Affairs**

[www.daera-ni.gov.uk](http://www.daera-ni.gov.uk)



**INVESTORS  
IN PEOPLE**