

## Minutes: Lemon sole Steering Group meeting

Meeting Date: 10<sup>th</sup> March 2022

Location: Teams

Attendees	Organisation
ADB: Anton Dietschel-Buehler	Flatfish
BL: Bill Lart	Seafish
CM: Cameron Moffat	Young's Seafood
EB: Ella Brock	Seafish
HS: Hayley Swanlund	WWF-UK
IG: Iain Glasgow	Department for environment, food and rural affairs.
JP: Jo Pollett	Marine Stewardship Council
KC: Kenny Coull	Scottish White Fish Producer Association
LH: Leendert Hakvoort	Osprey
MS: Matt Spencer	Marine Stewardship Council
MP: Mike Park	Scottish White Fish Producers Association
RC: Rod Cappell	Poseidon
RH: Rachel Hanbury	Hilton Seafoods
RS: Richard Stansfield	Flatfish
TF: Theresa Fernandez	Hilton Seafoods

### Purpose of the meeting

This call was an opportunity for the Steering Group to review progress made against each of the actions in the lemon sole Fishery Improvement Project (FIP) action plan and discuss the timeline of the FIP in relation to the recently agreed extension.

### Agenda Item 1: FIP extension

The Steering Group previously agreed that an extension of the FIP timeline was required due to the impact of covid and Brexit on the progress of some of the FIP actions. The FIP is expected to finish in April 2022, and the Project UK funders have agreed to extend the timeline by one year.

After the annual review at the end of March a new action plan will be drafted. The FIP has Principle 2 actions that need completing and aligning with the Scottish Fish Sustainable Accreditation Group (SFSAG) demersal stocks public certification report.

JP highlighted the Fishery Standard Review (FSR) currently underway. The new version of the MSC Standard is expected before the end of 2022. New fisheries entering the MSC program can choose whether to use V2.0 or V3.0 for six months after the release of V3.0, at which point they must be assessed against V3.0. The Steering Group discussed the importance of delivering the FIP actions within the next year to allow the fishery to be assessed against the current standard that the FIP has been working towards. JP said the Secretariat intends to arrange a pan-Project UK webinar to review the impact of V3.0 on the FIPs.

**Action from Item 1:**

1. Secretariat to arrange for a pan-Project UK webinar to review the impact of V3.0 on the FIPs once the Standard has been finalised.

**Agenda Item 2: Harvest strategy and harvest control rules**

Lemon sole is considered a bycatch species in the North Sea Multi-Annual Plan (NS-MAP) and has a joint total allowable catch (TAC) with witch. The MSC Standard requires a fishery to have a harvest strategy and harvest control rules (HCRs) which are responsive to the state of the stock and ensures that the exploitation rate is reduced as the point of recruitment impairment is approached.

Principle 1 expert Lisa Borges was commissioned by the Steering Group to review KC's draft harvest strategy. LB's review highlighted:

- the need for all major lemon sole fishing nations in the North Sea – the Netherlands and Denmark – to commit to the draft harvest strategy for it to be successful.
- the best approach would be to have a single species total allowable catch (TAC) for lemon sole.
- whether the NS-MAP had been fully adopted by UK legislation, and whether the Fisheries Act adequately covered the requirements to manage a pan-North Sea stock.
- the misalignment between stock and management areas, with TAC for witch and lemon sole covering multiple ICES assessment areas.

JP informed the Steering Group that ICES are updating the ICES Category 3 species assessments. Two workshops have already taken place and a third is being scheduled for spring 2022 to discuss Category 3 stock assessments further.

**Discussion:**

The Steering Group discussed the best approach to engage the Danish and Dutch fleets fishing lemon sole in the North Sea. JP had previously spoken with the Danish Fish Producer Organisation (DFPO) who said their immediate focus was on the joint demersal fishery (JDF) part suspension, with lemon sole not a primary focus for their organisation.

JP informed the group that the approach to managing non-quota species under the Trade and Cooperation Agreement (TCA) uses a similar harvest strategy to the FIP's proposed strategy for lemon sole; whereby once uptake of TAC reaches 80%, management measures are implemented through the Specialised Committee on Fisheries (SCF). The Steering Group discussed whether the SCF could play a similar role for bycatch species such as lemon sole, reducing the need for Dutch and Danish involvement.

RC agreed with LB that a single species TAC would be the best management approach, but that previously industry had requested removal of the TAC to avoid lemon sole becoming a choke species. RC suggested Project UK should respond to the Joint Fishery Statement consultation to highlight the need to align Fishery Management Plans (FMPs) across the North Sea. KC said it was unlikely a single species TAC would be introduced as lemon sole is not a target species. MP said that he participates as an observer in the European fishery advisory meetings (NSAC) and that there had not been any discussions about lemon sole TAC in those meetings, so it is unlikely there will be traction in Europe for a single species TAC.

New ICES advice for lemon sole is expected in June, and any new information will be incorporated into the harvest strategy. BL did not think the June advice would change much from the present status as lemon sole is generally a stable stock, unless there is progress from ICES on the data limited assessments. CM expressed concern that if the Steering Group waits until June to begin discussions on the harvest strategy that would not leave enough time complete the action before the end of the FIP extension. RC said there was no need to wait until June, as the Steering Group can focus on other remaining actions whilst simultaneously engaging with Danish and Dutch to review the harvest strategy.

BL has a revised estimate of discards across different mesh sizes, which he will add to the harvest strategy.

IG said Defra's main concern for lemon sole was the misalignment of TAC and ICES advice. IG raised the deterioration to the condition of witch stock, which is a priority for Defra. IG explained that witch is caught in greater densities than in the Northern North Sea – which is within the Unit of Assessment (UoA) of the FIP. Cefas and Defra are reviewing the deterioration of witch stocks, and intend to go out to consultation on the best approach to management in Spring. IG said eNGOs and industry would be contacted and offered to notify JP when the consultation is available to review. IG asked that any requests for Defra be shared with him via email.

### ***Actions from Item 2:***

1. Secretariat to:
  - a. Share the recent Cefas paper on Category 3 species recommendations with the Steering Group.
  - b. Request DFPO review the draft harvest strategy again.
  - c. Email IG with the specific requests for Defra from the Steering Group.
2. BL to add updated discard information to the harvest strategy and FMP.
3. KC and BL to address LB's and Cefas' feedback on the draft harvest strategy.
4. CM/JP to discuss lemon sole supply chain engagement that might influence Denmark and improve further engagement with the Danish.
5. RC to find out the remit of the SCF.
6. IG to share witch recommendation consultation with JP when available.

### **Agenda Item 3: Habitats**

The Marine Management Organisation (MMO) and Marine Scotland have each set out timelines for introducing management measures in protected areas. Until management measures are agreed the Steering Group must decide on proactive actions to reduce the impact of the fishery on benthic habitats.

KC said that industry, Marine Scotland and Joint Nature Conservation Committee (JNCC) have been in calls about the Scottish Marine Conservation Zone (MCZ) rollout, where JNCC provided new recommendations for offshore MPAs and the use of static gear in MPAs. There were recommendations for 50% of offshore MPAs to be closed to mobile gear, and the next step is to identify which 50% could be closed whilst ensuring minimal gear conflict in the areas that remain open to fishing. KC said that these measures should be finalised by 2024.

Since the Bute House agreement between the Scottish National Party and the Scottish Greens the delivery of highly protected marine areas (HPMAs) has become a priority for government. There are regular meetings to discuss these potential sites and a draft of policy framework is expected soon, ready for implementation of HPMAs by 2026.

KC concluded that the inshore MPA and priority marine feature (PMF) discussions between industry and government were taking place through Regional Inshore Fisheries Group (RIFG) forums. KC expressed concerns that input from fishermen might not be incorporated into management.

#### ***Actions from Item 3:***

1. KC to share his presentation on MPAs with the Steering Group.

#### **Agenda Item 4: Primary and secondary species**

The re-assessment of the Sustainable Fisheries Accreditation Group (SFSAG) northern demersal fishery is underway, with the consultation period running until March 11<sup>th</sup>. The public comment draft report (PCDR) shows that fishery passing all Principle 2 performance indicators, and the FIP will need to harmonise with this certificate once the report is finalised.

The Steering Group previously drafted an alternative measures report, which is awaiting formal review by Defra. The Secretariat agreed to speak with IG to find the most appropriate person to review the report. BL offered to update the report once IG provided feedback.

#### ***Actions from Item 4:***

1. Secretariat to follow up with IG to review the alternative measures report.
2. BL to update the report based on feedback from IG.

#### **Agenda Item 5: Endangered, threatened and protected species**

A sub-group was set up to update a wheelhouse guide based on one developed by the Sustainable Fisheries Accreditation Group (SFSAG), using the list of ETP species and Priority Marine Features previously agreed by the Steering Group. The sub-group requested additional guidance from the Shark Trust, but also need wider input as they will include more than. MS requested Steering Group members provide any high quality and detailed imagery of the ETP species on the list. MS shared a draft of a page of the guide, with two species per page, and a QR code that could link to further information.

Next steps were for MS to update the sub-group on industry feedback and to determine costings for producing the guide.

#### ***Actions from Item 5:***

1. Secretariat to:
  - a. Identify remaining ETP images and information needed for the wheelhouse guide.
  - b. Arrange another meeting of the sub-group to provide feedback from Shark Trust and industry representatives to the ETP sub-group.
  - c. Determine costs for printing a hard copy of the wheelhouse guide.

### **Agenda Item 6: Fishery Management Plan update**

The Fishery Management Plan (FMP) is a central document that summarises all aspects of management in the fishery. CM is the lead for the lemon sole FIP FMP, and he and RC provided an update of FMP and Principle 3 progress to the Steering Group.

RC reminded the Steering Group that the 2021 annual review saw many of the Principle 3 scores fall to 60 – 79 due to the uncertain political landscape in the UK. However, since this review there has been progress to address the uncertainty, with the formation of the UK Specialised Committee on Fisheries (SCF) and a better understanding of management of shared and non-quota stocks. RC added that species managed by TAC through the North Sea Multi-Annual Plan (NS-MAP) were likely to achieve SG80 scores, but the absence of a pan-North Sea FMP set out by government was an area of concern.

RC reiterated the need to have a comprehensive FMP drafted by the Steering Group, which can be adopted informally by industry, to be considered in the Principle 3 assessment for lemon sole. RC highlighted that PI 3.2.3 (compliance and enforcement) scored SG65 in the SFSAG northern demersal public certification draft report (PCDR). Unless progress is made demonstrate compliance with the Landing Obligation, the FIP will have to harmonise its score for PI3.2.3 with the SFSAG.

JP highlighted the Fishery Standard Review (FSR) underway at MSC and flagged the new evidence requirements that are being considered. The Steering Group need to consider whether to enter the assessment process on V2.0 of the MSC Standard, or make the additional improvements required under V3.0.

CM said that there had not been much change to the FMP since the last Steering Group meeting and he would update the document with the SFSAG public certification report when it was available.

#### ***Actions from Item 6:***

1. RC to harmonise FIP's action plan with SFSAG northern demersal PCR once published.
2. CM to incorporate information from SFSAG demersal stocks PCR into the FIP's FMP.
3. RC to share his Principle 3 review with the Steering Group.

### **Agenda Item 7: FisheryProgress.org social policy reminder**

In mid-2021 FisheryProgress.org introduced social policy requirements for all FIPs reporting on their website. MS provided the Steering Group with an update of progress to date, and upcoming actions and deadlines.

Prior social standards:

- A landscape analysis of social standards that the catching sector members of the FIP already adhere to was previously conducted.
- The Secretariat requested FisheryProgress.org conduct a gap analysis between their new requirements and the content of ILO-188.

Policy statement (ex-Code of Conduct):

- Previously the FIP needed to review and sign up to the FisheryProgress.org Code of Conduct.

- However, this requirement has been revised (March 2022) and now requires a fishery to demonstrate they have a public policy statement outlining a commitment to respect human and labour rights and to provide a description of their policy statement via a template.
- This requirement becomes active in January 2023.

#### Awareness of fisher rights:

- This requirement has also been revised and requires FIPs to make fishers aware of the fisheries own policy statement.
- This policy statement will be in a template format which FisheryProgress.org will share with FIP implementers.
- This requirement becomes active in January 2023.

#### Self-evaluation criteria & workplan:

- A general set of risk criteria was listed by FisheryProgress.org which, if met, triggered the requirement of a risk-assessment for the FIP and a workplan to address any issue found.
- The self-evaluation has been completed and a risk assessment triggered due to more than 25% foreign crew in the fishery.
- Next steps are for the Secretariat to identify a consultant to review the FIP's social dimension in more detail and produce a workplan. MS asked the Steering Group to provide suggested consultants.

#### Vessel lists:

- Key action due in May 2022 is to have accurate vessel lists for each of the FIPs.
- This FIP has had information from the Producer Organisations (POs) and the Steering Group will need to think about how best to get vessel information from any vessels not represented by POs.

#### Grievance mechanism:

- The fishery needs to have a publicly available grievance mechanism in place for fishers and crew to report human rights abuses.
- This policy does not require the FIP itself to have its own grievance mechanism. Rather, this policy requires the FIP to demonstrate the existence of one or more grievance mechanisms that cover all fishers in the FIP.
- This requirement becomes active in May 2022.

#### *Discussion:*

CM asked whether there was the funding in place to conduct the social review of the FIP and whether there was a list of what was required of the fishery. JP said that FisheryProgress.org were looking at funding sources to support these reviews but were still determining the eligibility and requirements needed to apply.

## Any Other Business

JP announced that the Secretariat was drafting a response to the Joint Fishery Statement (JFS) consultation on behalf of Project UK. JP said the response would be based on the FIP action plans and urged members to get in contact with the Secretariat with any questions or concerns.

## Meeting Closes

11.30hr

Actions Arising	Responsibility
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