

Minutes: Lemon Sole meeting

Meeting Date: 20th Feb 2023

Location: Online

Attendees	Organisation
Anton Dietschel-Buehler (ADB)	Flatfish
Bill Lart (BL)	Seafish
Claire Moore (CM)	Hilton Seafood
Iain Glasgow (IG)	Defra
Jo Pollett (JP)	Marine Stewardship Council
Leendert Hakvoort (LH)	Osprey Group
Lisa Bennett (LB)	Marine Stewardship Council
Rod Cappell (RC)	Poseidon
Sophie Jenkinson (SJ)	Morrisons
Teresa Fernandez (TF)	Hilton Seafood
William Davies (WD)	Young's Seafood
Apologies:	
Lisa Readdy (LR)	Cefas
Emma Ulyatt (EU)	Defra

Purpose of the meeting

- 1) To discuss harvest strategy and harvest control rules, and the potential for a single species Total Allowable Catch for lemon sole
- 2) To discuss the FIP Fisheries Management Plan and discuss the next steps with the final annual review due in March/April
- 3) To update the group on the upcoming social policy deadlines
- 4) To discuss the next steps for this FIP following the timeline ending in April

Agenda Item 1: Harvest Strategy and Harvest Control Rules (Action 2)

Lemon sole is currently listed in the North Sea Multi-Annual Plan (MAP) as a bycatch species, and is managed through a joint Total Allowable Catch (TAC) with witch. Due to concerns over the witch biomass, there have been recent discussions in Defra about separating the TAC of witch and lemon sole. This would provide more specific harvest strategy and harvest control rules for lemon sole.

Principle 1 assessor feedback

Following the 2022 annual review, the Steering Group commissioned Giuseppe Scarcella, a Principle 1 (P1) expert, to review the performance indicator scores for P1, and provide actual scores (not ranges). Giuseppe scored P1 favourably and following this, LH contacted a Conformity Assessment Body (CAB) to discuss putting the fishery into the MSC program. The feedback from multiple P1 assessors was varied on whether the fishery was likely to score SG>80 on Principle 1.

This highlights the importance of a single species TAC, which would likely improve the scores for harvest strategy and harvest controls rules, increasing the P1 score overall. The area that this Steering Group can best influence score changes are in harvest strategy and harvest control rules. The Secretariat will circulate the PI scoring slides.

Discussion

RC said there is consistency from the three assessors in relation to scores for harvest control rules and harvest strategy, however it was interesting that the assessors had varied scores for stock assessment. It would be helpful to understand from the assessors why there were discrepancies in the scoring for stock assessment. LH has already requested this information from his advisor and will share with the Secretariat when available.

Southern North Sea flatfish FMP update

JP updated on behalf of Emma Ulyatt (Defra) that the Southern North Sea Flatfish Fishery Management Plan (FMP) is due to be published at the end of 2024. Defra are focussed on gathering evidence for this FMP. If anyone in the Steering Group has any reports or data to share that would help support management decisions, they are encouraged to share with EU directly, or via the Secretariat.

Discussion

BL and JP discussed that the Southern North Sea FMP only covers the southern part of the stock, and they are not aware of any FMP that will cover the northern North Sea component, where most of the lemon sole are caught.

Single species TAC update

IG updated on behalf of Defra. The European Union (EU) and UK have committed to review the TAC management arrangements for lemon sole, witch, turbot and brill. The ICES advice is that a joint TAC is not effective for sustainable management of either species, and in addition the TAC area and the advice area do not match for three out of four of the stocks.

Last December, ICES confirmed that management should be using single species TAC covering the stock distribution area. The next steps are for Defra to work with the EU through the Specialised Committee for Fisheries to review the management arrangements during 2023, and understand how a single species TAC could be implanted in practice. This includes the distribution of quota between the EU and the UK, and the timing of the change.

Discussion

RC asked if Defra had a UK position on the matter and what the timelines are. Overall, Defra do not see joint TACs as a way of sustainably managing fisheries and want to move to single species TAC management, and for stocks to be managed in line with the ICES advice. This would bring new challenges with it, and exactly how it would work is still to be considered.

In an ideal scenario, there would be agreement to implement a single species TAC in line with the 2024 ICES advice, although this is unlikely. There would also be difficulties in terms of how UK quotas are then allocated in 2024 due to the structure of the Fixed Quota Allocation system. There may need to be interim arrangements for 2024 until the internal UK distribution system is review and consulted on.

RC asked about the fact that the FMP is in the southern North Sea, but a lot of the catches have been identified as in the central and northern North Sea. IG said the southern North Sea flatfish FMP will 'take over' the North Sea Multi-Annual Plan once it's instigated, and that it will apply to UK waters only. The North Sea MAP has been retained in UK legislation and will remain as such until any new laws take over from it, like an FMP.

IG is not aware of anything in the Retained EU Law Bill (2022) that will affect the management discussed at this meeting

Actions from Item 1:

- LH to share CAB justification for stock assessment scores with Secretariat

Agenda Item 2: FIP Fisheries Management Plan (FMP)

BL and LB updated on the progress of the FIP FMP. Most of the remaining gaps can be filled with information found online or in other similar MSC certified fishery certificates. The following information was shared:

Section 1: Description of the fishery

Good information –BL to update some data

Section 2: Goals and Objectives

Good Information, few bits to update in Governance and Policy section

Section 3: Fisheries Management Structure

Information from other similar fisheries needed – LB and BL to review

3.3 Consultation and Co-management Arrangements - some information needed

Section 4: Harvest Strategy and Control Rules

Some Defra input needed, and discussion with Steering Group needed to discuss the process that would be taken if it looked like the TAC limit was reached in a particular year.

Section 5: Ecosystem Management Strategies

5.4 EMS – information to be added from other similar fisheries

Section 6: Stock assessment, fishery monitoring and research

Good information

Section 7: Compliance and Monitoring

Good information

Discussion

In regards to Section 4, RC suggested having a discussion with industry to agree what to do should this scenario occur may be appropriate. LB reminded the group that RC will review the FMP as part of the annual review in March/April, and BL, WD and LB agreed to have a version ready for review by mid-March.

RC said the FMP could be updated to include information that IG provided during this meeting in relation to the North Sea MAP being retained in UK legislation until it is superseded by any relevant Fisheries Management Plans. LB, BL and WL will work together to finalise the FMP and have a version ready to be reviewed for this years' annual review.

Actions from Item 2:

- Secretariat to send BL information from Cefas paper on primary and secondary species
- Secretariat to coordinate BL and WL to review and finalise FIP FMP by mid-March

Agenda Item 3: Review of alternative measures report (Action 4)

LB updated that she has requested that Defra review the alternative measures report but has not been able to get commitments to do so.

Discussion

RC said that he still recommends the report is reviewed by Defra, and that the information is also integrated into the FIP FMP. In the meantime, it would be useful to try to get a response from Defra on whether they already have a process in place to consider alternative measures for minimising unwanted catches. At the annual review RC will review this and determine if this action is complete or not.

LH said that the Landings Obligation will also be a point of discussion at the next Osprey Group surveillance audit this year. The Landings Obligation was not relevant during the last audit as the Osprey Vessels mostly fish using mesh sizes >120mm

Actions from Item 3:

- Secretariat to continue trying to get feedback from Defra on the Review of Alternative Measures report and/or comments on the Defra processes in place to consider alternative measures for minimising unwanted catches.

Agenda Item 4: Habitats (Action 6)*Highly Protected Marine Areas (HPMAs)*

LB updated on behalf of Kenny Coull (SWFPA) on the Scottish HPMA process and other related topics. Kenny provided a detailed update which LB will circulate with the minutes. The Scottish Government public consultation on HPMAs is open now until 20th March 2023. The consultation is seeking views on key documents that will help inform and shape HPMA policy development. Identifying potential HPMA Search Areas is planned for mid-2023, with site designation expected in 2026.

Offshore Marine Protected Areas (MPAs)

On offshore MPAs, an online workshop was held in December 2022 for stakeholders to provide feedback on the assessments undertaken for proposed management measures. Feedback from this workshop will be considered before public consultation, which is planned for later in 2023, with implementation in 2024.

Inshore MPAs and Priority Marine Features (PMFs)

Industry groups met recently with Marine Scotland to follow up on stakeholder engagement on PMFs. Marine Scotland will be considering feedback and developing options for public consultation later in 2023, with a view to implement in 2024.

Other strategies

Marine Scotland advised resources have been redirected to the ongoing avian influenza outbreak and the impacts to seabirds. Into 2024, they are reviewing resource requirements across Marine Scotland, and timelines for the Dolphin and Porpoise Strategy and the Seabird Strategy. Once they have an up-to-date timeline on the strategies they will provide a further update.

Discussion

As part of the FIP annual review, Poseidon will review the various ongoing MPA and HPMA processes, along with iVMS rollout to see how those processes will impact the habitat PI scores. Management measures in MPAs are planned to be legislated in the UK by the end of 2024. RC reminded the group that Gudrun Gaudian, a Principle 2 expert, previously reviewed the habitat scores and concluded that the MPA process coordinated by fisheries authorities should be considered the appropriate mechanism for identifying and managing vulnerable marine ecosystems (VMEs).

Actions from Item 4:

- RC to review the timelines for rollout of the Scottish REM.

Agenda Item 5: Fishery Progress social policy updates

LB reminded the group of the FIPs remaining actions for the Fishery Progress social policy requirements. The vessel list is required by May and the grievance mechanism is required by July. The Secretariat also intends to reapply for external funding through a partnership with Seafood Ethics Action (SEA) Alliance to help complete social policy requirements. The Secretariat will send an email to the Steering Group to finalise the vessel lists, and asked if anyone knew of any local grievance mechanisms that existed within industry already.

Discussion

LH will check if there is mechanism in place in the Osprey fishery, however as the majority of the crew are family related, he does not believe so.

Actions from Item 5:

- LH to share any information on local grievance mechanisms within Osprey Group with the Secretariat
- Secretariat to confirm with Steering Group members that vessel list gathered so far are representative of their membership

Agenda Item 6: Next Steps

In-Transition to MSC program

JP reminded the group that the FIP finishes in April 2023, and that the new version of the MSC Standard 3.0 will be applicable for any new fishery entering the programme from April 2023. The Steering Group have been working towards Version 2.0 for the last five years. An option available to the FIP could be to enter the MSCs 'In-Transition to MSC' program, which would enable the FIP to

enter the program using Version 2.0 of the MSC Standard and have until November 2028 to transition to Version 3.0. Poseidon will undertake a gap analysis for the FIP with this year's annual review, which will indicate how the FIP is currently scoring compared to the requirements of V3.0. JP will circulate a memo to the Steering Group, which will provide more information on the requirements to enter ITM and the various steps involved, and the group are invited to decide on the course of action following the gap analysis and annual review in April.

In regards to Fishery Progress, after April if the group are not reporting progress on outstanding actions (including social policy requirements), the FIP will be listed as 'inactive'. LB is trying to find more information on this process and will share when available

Discussion

JP confirmed that the Secretariat can coordinate the ITM process on behalf of the Steering Group, but reiterated that there should be a clear commitment from the Steering Group to form a client group that would take the fishery into certification against Version 2.0 in the near future.

Actions from Item 6:

- Secretariat to share any additional information from Fishery Progress on the status of the FIP when the timeline officially ends in April

Any Other Business

N/A

Meeting Close

Actions Arising	Responsibility
LH to <ul style="list-style-type: none"> - share CAB justification for stock assessment scores with Secretariat - share any information on local grievance mechanisms within Osprey Group with the Secretariat 	Leendert Hakvoort
Secretariat to <ul style="list-style-type: none"> - send BL information from Cefas paper on primary and secondary species - Secretariat to coordinate BL and WL to review and finalise FIP FMP by mid-March - continue trying to get feedback from Defra on the Review of Alternative Measures report and/or comments on the Defra processes in place to consider alternative measures for minimising unwanted catches. - confirm with Steering Group members that vessel list gathered so far are representative of their membership - share any additional information from Fishery Progress on the status of the FIP when the timeline officially ends in April 	Secretariat
RC to review the timelines for rollout of the Scottish REM	Rod Cappell