



Project UK: Round 1 North Sea Lemon Sole & Plaice

Year 5 report

April 2022

Report Information

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Contents

1.	INTRODUCTION.....	2
2.	ANNUAL REVIEW AND BENCHMARK	3
2.1	ANNUAL REVIEW.....	3
2.2	YEAR 5 BENCHMARKING.....	22
3.	REVISED PRE-ASSESSMENT.....	24
3.1	SUMMARY OF PERFORMANCE INDICATOR LEVEL SCORES	24
4.	FIP EXTENSION ACTION PLAN.....	29



1. Introduction

1.1.1 Introduction

Project UK includes 12 fisheries, through eight Fishery Improvement Projects (FIPs). These fisheries were selected by the supply chain because they bring commercial, economic, and cultural benefits to UK communities. As part of Project UK, these FIPs address 61 individual actions. These actions address multiple milestones across a five-year period, representing best practice in working towards an environmentally sustainable future.

The first round of FIPs¹ to participate in Project UK (Channel scallop, monkfish, plaice & lemon sole, and crab & lobster) were launched in 2017. So far, these fisheries have made demonstrable progress against their Action Plans, focusing on developing and documenting progress in stock assessment, fisheries data and mitigating environmental impacts.

With these five year FIPs coming to their end in April 2022, there is a need to review their overall progress to date and agree on the next steps to be taken. In the case of this North Sea Plaice & Lemon sole FIP, the stakeholders have agreed to extend the FIP by one year to April 2023. As a result these next steps will be embedded into a new Action Plan for Year 6 of the FIP. This review documents the position of the FIP with respect to individual Performance Indicators (PI) and scoring guideposts (SG) of the current (version 2.1) MSC Fisheries Standard.

The **Marine Stewardship Council** (MSC) has contracted **Poseidon Aquatic Resource Management Ltd** to provide technical advice to the FIPS and conduct annual benchmarking of progress against the action plans. This contract also covers this final review and action plan update.

1.1.2 Structure of the report

This report has been divided into three main parts:

1. **Annual review and benchmarking:** this assesses what progress has been made over the past year in addressing the actions in this FIP up to the end of the original five year FIP timescale.
2. **Revised pre-assessment:** this section documents the position of the FIP with respect to individual Performance Indicators (PI) and scoring guideposts (SG) of the current (version 2.1) MSC Fisheries Standard.
3. **Action plan extension:** this provides a revised action plan that extends any remaining unclosed actions over the extension period.


¹ Following the success of Round 1, the Round 2 UK scallop and Nephrops FIPs were launched in 2019. Each includes three fishery areas around the UK (North Sea, West of Scotland, and Irish Sea), and so operate on a larger scale than Round 1 FIPs.

2. Annual Review and Benchmark

2.1 Annual Review

This section presents the annual review for the North Sea Plaice and Lemon sole FIP based on work progressed during year 5.

Overview

Fishery name: North Sea Lemon Sole and Plaice		Start date: 01 January 2017
Fishery location: ICES Subarea 4 (North Sea) 7d (Eastern Channel) and Subdivision 3.a.20 (Skagerrak). <i>(98% of UK lemon sole catch in North Sea, 2% in Eastern Channel)</i>	Fishing method: Seine Demersal trawl UoA vessels: SFSG members + Osprey Trawlers vessels.	Annual reviews: End Year 1: January 2018 Review Completed March 2018 End Year 2: January 2019 Review Completed April 2019 End Year 3: January 2020 Review Completed April 2020 End Year 4: January 2021 Review Completed April 2021 End Year 5: January 2022 Review Completed April 2022 (this version)
Project leaders: Project UK Fisheries Improvements – Stage 1		Improvements recommended by: 
<p>Overview of the Action Plan (updated for v 6.1):</p> <p>P1: Plaice P1 action is completed through the adoption of North Sea Demersal Multi-Annual Plan (MAP) in 2018. The FIP will maintain a watching brief on the relevant P1 conditions for certified North Sea plaice fisheries (incl. SFSAG joint demersal North Sea with its follow-on condition). Lemon sole is managed under a precautionary combined TAC for lemon sole and witch. ICES states that "Management of lemon sole and witch under a combined species TAC prevents effective control of the single-species exploitation rates and could potentially lead to overexploitation of either species". FIP research in 2021 on ICES assessment & WKLIFE indicates RBF would not be required and stock status >80. The North Sea MAP forms the basis of the Harvest Strategy for lemon sole, but as an un-named bycatch species, specific HCR lacking and tool (joint TAC) may not be effective. Additional Harvest Control Rules & Tools have been drafted and should be further developed with the main fishing nations.</p> <p>P2: The poor status of North Sea cod, currently identified as a main primary species, and the unknown status of Devil's Hole Nephrops FU causes 2.1.1 to be below 80. A review of alternative measures to reduce unwanted catch was finalized and shared with fishery managers, with response awaited.</p> <p>P3: P3 research for Project UK indicates several general fisheries management PI scores that dropped below 80 while UK management post-Brexit is untested are expected to have recovered, but a lack of specific fisheries management and evidence of effective control & enforcement (in relation to the Landing Obligation) remains. The MSC fisheries management plan template was used to develop a Fisheries Management Plan for lemon sole to ensure 3.2.1 is met.</p>		

Annual Review (end of year 5)

This section, prepared by Rod Cappell of Poseidon, summarises the annual review process at the end of year 5 for what was a five-year Fisheries Improvement Project (FIP) for the UK North Sea lemon sole & plaice fishery, now extended for a year due to delays caused by Covid-19 and Brexit. The report provides a review of the progress made to date and what further actions need to be taken. This is aligned with the revised action plan presented in later sections of this report based on updated pre-assessment scoring.

Main findings

The FIP for the North Sea lemon sole and plaice fisheries continues to progress, but is behind the expected milestones set for year 5 mainly as a result of continuing Covid disruption in 2021. The SG agreed that the UoA should include area 7d as some catch is from this area and the implications of including this area for information collated to date has been explored. Following changes to the lemon sole ICES assessment, re-scoring has indicated that stock status (1.1.1) and assessment (1.2.4) continue to meet SG80 or above. Progress has been made by the SG in exploring what additional Harvest Strategy and associated HCR & tools may involve, but wider industry discussions are still to happen. North Sea cod's MSC certificate remains suspended, which along with ongoing uncertainty for one functional unit (Devils Hole FU), result in a score below 80 for 2.1.1. Appropriate alignment is needed on ETP lists across FIPs and on current actions across UoA fleets (SFSAG and Osprey). The outcome and management of ETPs are therefore behind schedule until this is clarified. Habitat actions are also now behind schedule as it is still to be confirmed if additional habitat management actions are needed. General fisheries management was reviewed again for 2022 as new UK/EU have shown to function resulting in some improved P3 scores. P3 FIP actions focus on addressing Fisheries Specific Management, which is being progressed through the drafting a Fisheries Management Plan (FMP).

Recommended actions for year 6

Defra recently informed the FIP that the witch/lemon sole joint TAC is being reviewed by Cefas due to concerns of over-harvesting witch. The FIP needs to engage with this review. However, a change to a single species TAC is unlikely for lemon sole in the coming years, so the key action in year 6 remains to further develop and agree on the draft Harvest Strategy and Harvest Control Rules and Tools with the main fishing nations (Denmark and Netherlands) for inclusion in the FMP. These should detail (in relatable terms to the MSC standard) what measures would be introduced and when to ensure ongoing delivery of the North Sea MAP objectives. Addressing HS/HCR for lemon sole should be the focus of efforts in this extension period.

The revised PA in the following section of this report reviews all PI scores and harmonises with the SFSAG North Sea demersal fisheries assessment (Final report April, 2022).

The FMP should be further progressed and its role with the planned 'Southern North Sea & Eastern Channel Mixed Flatfish FMP' specified in the draft Joint Fisheries Statement needs to be clarified with Defra. The FMP will also be useful to structure and signpost information collated and developed by the FIP in preparation for the fishery to enter full assessment.

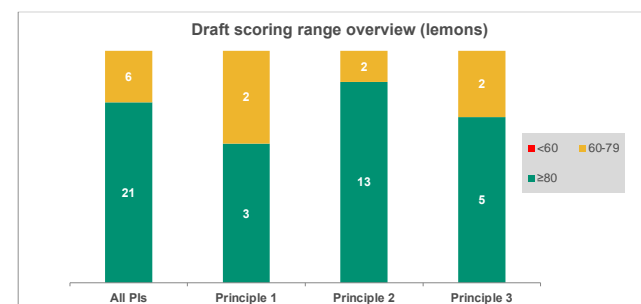
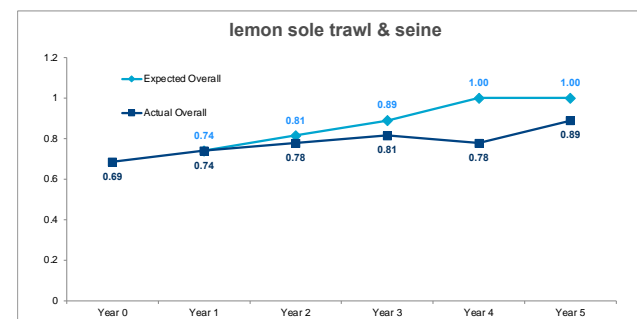


Table 1: Action Plan

Standard requirement	Actions/leads	Timescale / milestones	Progress / outcome	Revised milestone
<p>Action 1: Stock status (lemon sole)</p> <p>Overview Stock area identification and providing basis for management</p> <p>Performance indicator</p> <p>1.1.1 Stock status</p> <p>≥80</p> <p>1.2.4 Stock assessment</p> <p>≥80</p> <p><u>Requirement at SG80:</u></p> <p>1.1.1 Stock Status (lemons) It is highly likely that the stock is above the PRI. The stock is at or fluctuating around a level consistent with MSY.</p> <p>1.2.4 Assessment of stock status</p>	<p>Lemon sole stock assessment review</p> <p>SG to review ICES advice.</p> <p>FIP commissioned P1 expert to review based on ICES advice and WKLIFE outcomes.</p> <p>Indicated 1.1.1 and 1.2.4 scores remain above 80.</p>	<p>1a. Yr 1: Stock Assessment review</p>	<p>Complete</p> <p>Explore current status & European interest via the Advisory Council. Review current information levels to determine requirements for stock assessment. By end of year 1, 2017 ICES advice provided reference points showing stock highly likely to be above PRI. The assessment was also expected to achieve 1.2.4 SG80 level</p>	<p>None</p>

Standard requirement	Actions/leads	Timescale / milestones	Progress / outcome	Revised milestone
<ul style="list-style-type: none"> - The assessment is appropriate for the stock and for the harvest control rule. - The assessment estimates stock status relative to reference points that are appropriate to the stock and can be estimated. - The assessment takes uncertainty into account. - The assessment of stock status is subject to peer review. 		<p>1b. Yr 4: Review stock assessment.</p> <p>Review latest ICES advice (expected June 2020) to determine if any changes and implications for scoring.</p>	<p>Completed</p> <p>A P1 review was conducted due to the 2019 ICES assessment and ICES WKLIFE proposals for revised assessment approaches.</p> <p>Actions:</p> <p>Finalise P1 review and share with other Project UK FIPs (informs likely scoring for 1.2.4).</p> <p>The annual review re-scored these PIs:</p> <p>1.1.1 Stock Status (>80 on target)</p> <p>F can be used as a proxy where biomass reference points are not available. The Length-Based Indicator (LBI) analysis suggests that fishing mortality is below proxies of the MSY reference points (ICES, 2019)</p> <p><i>GSA 2.2.4: At least an 80 score is justified (B highly likely above the PRI and at or fluctuating around BMSY) if F is likely to have been at or below F MSY for at least two generation times (or for at least four years, if greater).</i></p> <p>Fishbase gives age at maturity for lemon sole in North Sea as 4 years. Figure 2 (ICES, 2019) shows the LBI index ratio to have been above 1 (and therefore below the F_{MSY} proxy) since at least 2002. Therefore, it is considered that 1.1.1 continues to score >80.</p> <p>1.2.4 Assessment of Stock status (>80 on target)</p> <p>ICES (2019) revised the assessment following a benchmark in 2018 where ICES explored the appropriateness of the assessment in relation to the stock, which remains a category 3 (data limited) stock. While the resulted in no B reference points being presented, a Length Based Indicator (LBI) is used to determine fishing mortality in relation to MSY and F reference points continue to be presented.</p> <p>a.80 The assessment is appropriate for the stock and the harvest control rule (Y)</p> <p>b.80 The assessment estimates stock status relative to reference points that are appropriate to the stock and can be estimated (Y)</p> <p>c.80 The assessment takes uncertainty into account (Y)</p> <p>e.80 The assessment of stock status is subject to peer review (Y).</p> <p>Keep a watching brief on Lemon sole assessment changes as a consequence of adopting WKLIFE proposals</p>	None

Standard requirement	Actions/leads	Timescale / milestones	Progress / outcome	Revised milestone
<p>Action 2: Harvest Strategy (lemon sole)</p> <p>Overview Develop harvest strategy & appropriate HCR & tools.</p> <p>Performance indicator 1.2.1 Harvest Strategy 60-79 1.2.2 HCRs & tools 60-79 <u>Requirement at SG80:</u> 1.2.1 Harvest Strategy The harvest strategy is responsive to the state of the stock and the elements of the harvest strategy work together towards achieving stock management objectives reflected in PI 1.1.1 SG80. The harvest strategy may not have been fully tested but evidence exists that it is achieving its objectives.</p>	<p>Change to a lemon sole TAC</p> <p>SWFPA to provide AC updates.</p> <p>Require the harvest strategy and HCRs to be sufficiently responsive to the state of the stock.</p>	<p>2a. YR1: Discussion with the North Sea AC.</p>	<p>Completed MP to review AC discussions in relation to single species TAC. With the introduction of the Landing Obligation the AC was exploring options for potential choke species like lemon sole, including removal of TAC which is at odds with SG intentions.</p>	None
		<p>2b Yr2 Agreement on changes to the TAC arrangements.</p>	<p>Completed In 2019 ICES provided advice to the EC that the removal of TAC for lemon sole would not risk the sustainability of the stock. However, no stated intent to do so by EC and the TAC remains in place for 2020. The introduction of the North Sea MAP, in July 2018, and the continuation of a precautionary TAC for lemon sole (being responsive to the state of the stock) suggest that the Harvest Strategy could reach SG80 when there is evidence it is achieving its objectives.</p>	Added v3.2
		<p>2c. YR4: exploration of single species TAC</p>	<p>Completed Adhering to the North Sea Demersal MAP using a single species TAC for lemon sole remains the simplest approach to achieving SG80 for HS and HCRs. However, no such change is likely in the timeframe of this FIP. Brexit gives the UK more flexibility from 2021 to adopt its own measures, including single species TACs. With the downturn in cod status, lemon sole is less of a priority for action so change is unlikely. Unclear UK intentions re. future MAP involvement. Will remain a shared stock with EU so expect continuation of situation for non-priority/bycatch stocks.</p>	Added v3.2

Standard requirement	Actions/leads	Timescale / milestones	Progress / outcome	Revised milestone
<p>1.2.2 Harvest Control Rules and tools</p> <p>Well-defined harvest control rules are in place that are consistent with the harvest strategy and ensure that the exploitation rate is reduced as limit reference points are approached.</p>		<p>2d Yr 4. Review of alternative Harvest Strategy, HCR and tools</p>	<p>Completed</p> <p>With change to a single species TAC unlikely in the next two years, alternative approaches are required to ensure SG80 is met. It is proposed these focus on additional measures in line with the North Sea MAP for bycatch species. HCRs need to be well-defined to ensure exploitation rates reduce as limit ref points are approached. The actions to be taken need to be formalised.</p> <p><u>Year 5 update</u></p> <p>A review was carried out with fishers and their representatives asked what measures would be workable and acceptable to see exploitation rate is reduced. A document setting out an alternative harvest strategy (in-year review of uptake to ensure within TAC) and harvest control rules & tools (if uptake above an agreed level, move-on rules triggered above specified catch levels) has been drafted. The milestone can therefore be considered completed. However, a follow-on milestone is proposed to better ensure the HS and HCRs are effective (see 2e below).</p>	<p>Added v4.1</p>

Standard requirement	Actions/leads	Timescale / milestones	Progress / outcome	Revised milestone
		2e Yr 6. Agreement on Harvest Strategy, HC rules and tools	<p>The draft HS/HCR document was reviewed by a P1 expert, who recommended that to be considered well-defined and ensure reduced exploitation rates:</p> <ol style="list-style-type: none"> the HCR and tools should be further defined; and it must be applied to most fishers (i.e. Danish & Dutch vessels as well as the UoA vessels) <p>The SG decided that further details related to the harvest strategy and HCR should be developed as part of discussions with Danish and Dutch fishing interests, but to date they have not agreed to a meeting on this issue.</p> <p>In March 2022, Defra announced that it has asked Cefas to review the joint lemon sole/witch TAC as the area covered by the TAC (Area 4 and 2a) differs to stock assessment area (Area 4, 3a and 7d) and there are concerns over witch exploitation levels. The latest ICES advice was 2020 advice re-issued in 2021, indicating that the stock is above $MSY_{Btrigger}$, but showed a decline in 2020 and fishing pressure remains above MSY. In 2019 the catch of witch was 2,797 with less than 2,390 advised (Ices, 2020).</p> <p>Actions:</p> <ul style="list-style-type: none"> The HS/HCR should be discussed and further detailed with other key lemon sole fishing interests (Denmark & The Netherlands). The SG should engage with Defra and Cefas to contribute to the UK review of lemon sole/witch joint management. 	Added v6.1
<p>Action 3: Primary species</p> <p>Overview Additional information on catch composition needed.</p> <p>Performance indicator</p> <p>2.1.1 Outcome 60-79</p> <p>2.1.2 Management >80</p>	<p>Catch Composition Review</p> <p>Cefas commissioned task.</p> <p>Explore main species status and management (P2 stocks required to be above Blim)</p>	3a. Yr 1 Catch composition review	<p>Completed</p> <p>Cefas were commissioned to provide a comprehensive review of catches by UoC vessels to determine catch composition and with it identify what the MSC standard would consider to be 'main' primary and secondary species. It identified two species in the trawl UoA catch profile that would be considered 'main' secondary species: Nephrops and Monkfish</p> <p>Cefas were also asked to assess <i>Nephrops</i> status in relation to 2.2.1 requirements. Stock status for the ten relevant Functional Units in the North Sea were provided. Six of these were data limited stocks (DLS) and the stock status unknown.</p>	Revised yr2 due to delay.

Standard requirement	Actions/leads	Timescale / milestones	Progress / outcome	Revised milestone
<p>2.1.3 Information >80 Requirement at SG80: 2.1.1 Main primary species are highly likely to be above biologically based limits OR If below biologically based limits, there is either evidence of recovery or a demonstrably effective partial strategy... 2.1.2 There is a partial strategy in place, if necessary, ... There is some objective basis for confidence that the measures/ partial strategy will work...</p>	<p>Where other FIPs are addressing P2 species, harmonise.</p> <p>Nephrops and Monkfish moved to Primary species – harmonised with existing assessments. Addition of N. Sea Cod</p>	<p>3b Yr 4 Align PA outcomes and actions with Nephrops FIP</p>	<p>Completed Review Pre-Assessment and FIP actions to ensure outcomes are harmonised. Nephrops is a Stage 2 FIP being progressed by Project UK since 2019.</p>	<p>Added v4.1</p>
		<p>3c Yr4 Align PA outcomes and actions with Monkfish FIP</p>	<p>Completed Reviewed Monkfish PA and FIP status, but status of monkfish now >80.</p>	<p>Added v4.1</p>
		<p>3d Yr5</p>	<p>Completed Actions yr5 The re-assessment of SFSAG Demersal stocks is at final report stage. The ACDR (before site visit) indicates a score of 60-79 for 2.1.1 due to Nephrops FU 34 (Devils Hole) and cod. But >80 for 2.1.2 due to overall partial strategy addressing Nephrops as an area 4 stock (rather than a UoA per FU as the Nephrops stage 2 FIP does). The UoAs will harmonise with this fishery and so outcomes likely to be same.</p> <ul style="list-style-type: none"> SG to keep a watching brief on progress in the <i>Nephrops</i> FIP & N Sea Demersal re-assessment 	<p>Added v.5.1</p>

<p>... is being implemented successfully</p>			<p>A review and re-scoring of main primary and secondary species during the year 4 annual review found the following:</p> <p>Main Primary Species</p> <p>Whiting: stock dropped below B_{MSY} but remains above B_{lim}. No change in score.</p> <p>Cod: North Sea cod's MSC certificate was suspended as the stock dropped below B_{lim}. A strategy is in place, but the result is a reduced score on 2.1.1.</p> <p>Score on 2.1.1 reduced to 60-79 (due to cod)</p> <p>Score on 2.1.2 remains >80 (due to cod strategy being put in place)</p> <p>NB. This is the scoring for both UoAs as cod is a main species for trawl & seine.</p> <p>Nephrops. Based on SFSAG ACDR (April 2021): since the combined TAC seems to be working in practice (see 2.1.1), it is considered a 'partial strategy' when combined with gear specifications, mesh sizes and spatiotemporal restrictions (EU 2019). SG60 and SG80 and met, but SG100 is not met on the basis that the stocks are not managed at the FU level.</p> <p>Score on 2.1.1 remains at 60-79 (due to Devil's Hole FU the stock size in relation to ref points is unknown for Devils Hole FU34 34(SG60 met but not SG80.)</p> <p>Score on 2.1.2 increases to >80 (harmonised with Nephrops FIP, but note SFSAG Re-assessment ACDR currently at 60-79 due to cod)</p> <p>NB. This is the scoring for the Trawl UoA due to Nephrops fleet, but not the Seine UoA, which should score >80.</p> <p><u>Year 5 update</u></p> <p>The final report of the SFSAG demersal stocks was published in April 2022. At present the North Sea fisheries pass with nine conditions, with 2 conditions relating to NS cod (2.1.1 and 2.1.2). However, the lengthy period for this complex assessment meant that the latest ICES advice for North Sea cod was from 2020 and 2021 advice (which included revisions following benchmarking in 2021) was not considered. This shows a reduction in F and a slower decline in SSB, which</p>	
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Standard requirement	Actions/leads	Timescale / milestones	Progress / outcome	Revised milestone						
			<p>could be interpreted as objective basis for confidence that the strategy will work and evidence it is being implemented successfully.</p> <p>The Nephrops FIP considers each functional unit separately (as ICES continues to advise). For one, the Devil's hole FU34, reference points remain undefined, resulting in a score below 80 for 2.1.1 here. In terms of management (2.1.2), the SFSAG demersal stocks assessment considers all North Sea (Area 4) functional units together as it is a single TAC for area 4 and scores above 80 for 2.1.2.</p> <p>It is therefore concluded that the scores given in the yr4 remain valid:</p> <table border="1"> <thead> <tr> <th>2.1.1 Outcome</th> <th>2.1.2 Management</th> <th>2.1.3 Information</th> </tr> </thead> <tbody> <tr> <td>60-79</td> <td>>80</td> <td>>80</td> </tr> </tbody> </table>	2.1.1 Outcome	2.1.2 Management	2.1.3 Information	60-79	>80	>80	
2.1.1 Outcome	2.1.2 Management	2.1.3 Information								
60-79	>80	>80								
<p>Action 4: Alternative measures for bycatch</p> <p>Performance indicator</p> <p>2.2.2 (e)</p> <p>>80</p> <p>Requirement at SG80:</p> <p>There is a regular review of the potential effectiveness and practicality of alternative measures to minimise UoA-related mortality of unwanted catch of main secondary species and they are implemented as appropriate.</p>	<p>Review of Alternative Bycatch Reduction Measures</p> <p>D Parker & B Lart drafted a paper outlining the alternative measures that are being considered to reduce unwanted bycatch in the North Sea fisheries.</p> <p>Paper reviewed and integrated into FMP.</p>	<p>4a. Draft paper on alternative bycatch reduction measures</p>	<p>Completed (integration into FMP – see actions below)</p> <p>Paper drafted by members of the Steering Group and circulated to wider group. To be incorporated into the Management Plan.</p> <p>Actions</p> <ul style="list-style-type: none"> • CM to add gear matrix to the alternative measures paper • BL and CM to continue work on the alternative measures paper • BL to access Shetland's discards data and incorporate into the alternative measures paper • BL to ask ICES for <i>LS</i> length distribution data tables for 2002-2018 • LH to send Osprey data to CM 	<p>Year 3:</p> <p>Finalise review paper.</p>						
		<p>4b Seek response from fishery managers</p>	<p>Behind target</p> <p>Mainly due to Brexit, and now Covid-19, the review is still to be shared with fishery managers for their consideration.</p> <p>The UK as an independent coastal state is considering future fishery management from 2021 onwards and it is therefore timely to provide fishery managers with this review. It is they who should determine whether appropriate to implement alternative measures.</p> <p><u>Year 5 update</u></p> <p>No response from Defra on this document to date despite requested on behalf of the steering group. Defra to be asked to specify who within the organisation can engage and will respond.</p>	<p>Share with fishery managers and explore implementation of measures where necessary.</p>						

Standard requirement	Actions/leads	Timescale / milestones	Progress / outcome	Revised milestone
<p>Action 5: ETP</p> <p>Overview ETP strategy</p> <p>Performance indicator</p> <p>2.3.1, 2.3.2, 2.3.3 ETP species outcome, management & information</p> <p>2.3.1 – >80</p> <p>2.3.2 – >80</p> <p>2.3.3 – >80</p> <p><u>Requirement at SG80:</u> 2.3.1 Where national and/or international requirements set limits for ETP species, the combined effects of the MSC UoAs on the population /stock are known and highly likely to be within these limits</p>	<p>ETP Strategy</p> <p>WWF led on revised ETP list, which was aligned with Nephrops FIP (taking into account Scottish PMFs).</p> <p>SFSAG Re-assessment should confirm UK North Sea ETP list. ACDR info and so scoring is v preliminary.</p> <p>A North Sea ETP strategy may still need to be developed.</p>	<p>5a. Yr1 strategy developed</p>	<p>Completed</p> <p>Discussion within the SG identified that an ETP strategy had been developed for the SFSAG certified fisheries. This was shared with the group and it was agreed that this would be fit for purpose in this fishery.</p>	
		<p>5b yr2 data collection programme developed</p>	<p>Completed</p> <p>Data collection is ongoing within the SFSAG.</p>	
		<p>5c Yr 3 Analysis of data collection and review of strategy</p>	<p>Completed</p> <p>Assessment of UoA interaction with the latest ETP species list was undertaken by WWF. This identified need to consider Scottish Priority Marine Features in line with other assessments.</p> <p>A further review was required with the introduction of the Osprey vessels in Yr 3. This showed that the Starry Ray was another ETP species with known interactions with UoA vessels – an existing condition (under Osprey’s plaice certificate) was collecting information on the extent and impact of this interaction. The programme would need alignment with the SFSAG vessel programme unless a separate UoA.</p> <p>Scoring by SFSAG Re-assessment team still to be confirmed</p> <p>Actions:</p> <ul style="list-style-type: none"> • MSC to share ETP list with WD • WD to ground truth the ETP list with industry • KC to follow up with SFF and SFSAG regarding ETP observer data and Marine Scotland data 	<p>Year 3: [Alignment with <i>Nephrops</i> PA ETP list]</p>

		<p>5d Harmonise with SFSAG re-assessment</p>	<p>Completed</p> <p>ACDR shows 2.3.1 at 60-79, but for harbour porpoise (due to low observer coverage) stating additional data required at site visit. Elasmobranchs (the reason for conditions under SFSAG certificates and this FIP) meet SG.80 for all PIs. Scoring re. harbour porpoise appears highly precautionary given ICES WGBYC (2018) and WGMME (2019) which show that demersal trawl and Danish seine are low risk gears that do not significantly impact on the North Sea harbour porpoise population (these documents also contribute to improved information. Therefore SG80 may be an expected outcome in relation to harbour porpoise.</p> <p>The Nephrops FIP, which includes West of Scotland, scores 60-79 due to benthic invertebrate PMFs (still to be considered by the re-assessment at site visit), however, their extent and level of fishery interaction in the North Sea should be confirmed to determine likely score (for this FIP).</p> <table border="1" data-bbox="1093 624 1962 927"> <thead> <tr> <th>Priority Marine Feature (PMF)</th> <th>Species name</th> <th>Scottish marine area</th> </tr> </thead> <tbody> <tr> <td>Burrowing sea anemone</td> <td><i>Arachnanthus sarsi</i></td> <td>Territorial waters</td> </tr> <tr> <td>European spiny lobster</td> <td><i>Palinurus elephas</i></td> <td>Territorial waters</td> </tr> <tr> <td>Fan mussel</td> <td><i>Atrina fragilis</i></td> <td>Both</td> </tr> <tr> <td>Heart cockle</td> <td><i>Glossus humanus</i></td> <td>Territorial waters</td> </tr> <tr> <td>Northern feather star</td> <td><i>Leptometra celtica</i></td> <td>Both</td> </tr> <tr> <td>Ocean quahog</td> <td><i>Arctica islandica</i></td> <td>Both</td> </tr> <tr> <td>Pink sea fingers</td> <td><i>Alcyonium hibernicum</i></td> <td>Territorial waters</td> </tr> <tr> <td>White cluster anemone</td> <td><i>Parazoanthus anguicomus</i></td> <td>Territorial waters</td> </tr> </tbody> </table> <p>Need to review PCDR of SFSAG Re-assessment approach on North Sea ETP species (site visit in June). Finalise ETP list based on outcomes and harmonise scoring.</p> <p><u>Year 5 update</u></p> <p>SFSAG re-assessment FR scores all three ETP PIs at 80. The species list for ETPs does not include the benthic PMFs listed in the table above. It does, however, include several mobile PMFs (shark and ray species) and considers some benthic PMFs under the habitats PIs.</p> <p>In 2018 Marine Scotland consulted on how to adequately protect certain PMFs outside of the existing MPA network in Scotland². This was mostly focused on the PMFs that form beds and certain ‘aggregations’ which are considered as VME habitats. In the North Sea there is limited presence compared to West of Scotland, but some such as Ocean quahog are present and may be the subject of future management measures. It is not yet known if those measures would include UoA vessels as OSPAR specifically</p>	Priority Marine Feature (PMF)	Species name	Scottish marine area	Burrowing sea anemone	<i>Arachnanthus sarsi</i>	Territorial waters	European spiny lobster	<i>Palinurus elephas</i>	Territorial waters	Fan mussel	<i>Atrina fragilis</i>	Both	Heart cockle	<i>Glossus humanus</i>	Territorial waters	Northern feather star	<i>Leptometra celtica</i>	Both	Ocean quahog	<i>Arctica islandica</i>	Both	Pink sea fingers	<i>Alcyonium hibernicum</i>	Territorial waters	White cluster anemone	<i>Parazoanthus anguicomus</i>	Territorial waters	v.5.1
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Standard requirement	Actions/leads	Timescale / milestones	Progress / outcome	Revised milestone
			<p>notes damage by beam trawl, not all bottom-contacting gear. This does, however illustrate that the relevant authorities are in the process of implementing any additional measures deemed necessary.</p> <p>The Nephrops FIP environment working group decided that benthic PMFs should be included as ETPs. This is understandable with the wider UK (incl. West Coast of Scotland) scope of that FIP and its longer timeline when additional measures to protect PMFs may be expected. While some benthic PMFs are reported in the North Sea, the plaice and lemon sole FIP would harmonise with the SFSAG at assessment and it is therefore the SFSAG interpretation of ETPs/habitats and associated scoring that is followed for scoring under this FIP.</p>	
		<p>5e Yr 5 Implement any necessary additional actions.</p>	<p>Completed Review Re-assessment and resulting ETP conditions to determine if and where additional actions needed.</p> <p><u>Year 5 update</u> SFSAG re-assessment FR scores all three ETP PIs at 80, resulting in no ETP conditions for the vessels within this UoA (Osprey vessel ETP conditions were closed and 2021 Ekofish/Osprey re-assessment resulted in no conditions under ETP PIs).</p> <p>A review and re-scoring of ETP PIs during the annual review found the following: 2.3.1 – >80 harmonised with SFSAG FR & Ekofish/Osprey N Sea plaice RA 2.3.2 – >80 harmonised with SFSAG FR & Ekofish/Osprey RA N Sea plaice 2.3.3 - >80 harmonised with SFSAG FR & Ekofish/Osprey RA N Sea plaice</p>	<p>v.5.1</p>

² <https://consult.gov.scot/marine-scotland/priority-marine-features/>

Standard requirement	Actions/leads	Timescale / milestones	Progress / outcome	Revised milestone
<p>Action 6: Habitats</p> <p>Overview Spatial scale, intensity and impact of the fishery on habitats assessed and management measures developed where appropriate.</p> <p>Performance indicator</p> <p>2.4.1, Habitat outcome >80 2.4.2, management 60-79 2.4.3, information >80</p>	<p>Habitat Assessment</p> <p>Cefas commissioned to provide a quantitative assessment of the scale of overlap, the level of impact and the rate of recovery.</p> <p>In relation to commonly encountered habitats and VMEs.</p> <p>Further work by P2 expert.</p> <p>Results indicate some voluntary action may be needed ahead of UK</p>	<p>6a. Habitat assessment</p>	<p>Completed</p> <p>Cefas were commissioned to carry out a habitat assessment in 2018. Two indicators were estimated to quantify the impact of the FIP vessels on different types of North Sea habitats: overlap and recovery. It found that the impact of the vessels on commonly encountered habitats is low according to MSC standards. However, the fishing effort of the FIP fleet overlaps with > 20% (up to 60%) of sea pens, sponges and cup corals (VMEs), and sea-pen and burrowing megafauna communities (OSPAR threatened and declining habitats) in the North Sea. These habitats have low recoverability and based on MSC standards overlap should be lower than 20%.</p> <p>A final report was provided in Jan 2019, which clarified a number of issues, but did not conclude whether a habitat strategy was necessary. It was also evident that the VME habitats reported to be over 20% overlap did not correspond to those identified in other MSC assessments, such as the recent Joint Demersal Fisheries in the North Sea³. Specifically sponges and cup corals as only 'deep sea sponge aggregations' and 'coral gardens' are identified as VMEs in these assessments.</p>	

³ <https://fisheries.msc.org/en/fisheries/joint-demersal-fisheries-in-the-north-sea-and-adjacent-waters/@assessments>

Standard requirement	Actions/leads	Timescale / milestones	Progress / outcome	Revised milestone
	implementation of MPA management.	6b.Habitat strategy	<p>Completed</p> <p>Dr G. Gaudian, P2 MSC assessor was commissioned to provide clarity on the issues arising from the habitat assessment and advise on the need for a habitat strategy. Reporting in Nov 2019, with follow up Q&A section in Feb 2020, Dr Gaudian stated that....</p> <p>The Cefas report appears to use VME and VME indicator species interchangeably which may have led to confusion. A specimen of a possible VME indicator species in a trawl sample does not make a VME as defined above.</p> <p>An official body, government research department etc, will decide what is considered a Vulnerable Marine Ecosystem, and designate the area as protected after much research and surveys.</p> <p>The report concludes that it is the designation of MPAs and subsequent adherence to management measures associated with the MPAs that will be critical to the MSC assessment.</p> <p>The report was presented to the SG meeting Feb 2020. The implications of this report still need to be discussed by the Steering Group and a decision on whether any additional measures are needed to ensure SG80 is met for habitat PIs.</p> <p>LH informed the group that Osprey re-certification is due in April 2020 and any reports or data this group has should be used to support it, as assessors can only go on the data they are provided or can access.</p> <p>Actions:</p> <ul style="list-style-type: none"> • Group to make a decision on data provision for Osprey re-certification in April • Secretariat to share latest habitat report with the Steering Group • Osprey and SFSAG to share list of current management measures in their UoA • Group to consider adding the Cod certification details to the FMP as a gap analysis 	Added v3.2, Revised to Yr4

			<p>Rescoring of the habitat PIs . This is based on the two reports provided through the FIP and the results from recent MSC assessments of North Sea using v2.0 of the standard. Most recent MSC assessments SFSAG ACDR Northern Demersal shows below 80 across the board. NS: burrowed mud (Fladen SG80, SG60 elsewhere) (Arctica, but may move to ETP SG60).</p> <p>2.4.1 – 60-79 Potential condition with overlap of FIP vessel activity and MPAs for Central Fladden, East of Gannet & Montrose Fields in relation to burrowed mud (SG80 met for Fladden, not elsewhere). Requires proof of MPA avoidance to score >80.</p> <p>2.4.2 - 60-79 Assessments state it is not evident that measures in place in offshore MPAs are sufficient to ensure avoidance.</p> <p>2.4.3 - >80 The information presented in the habitat reporting shows that what is available through VMS and logbooks for these vessels, and its comparison against existing habitat information, is sufficient to score >80. Note SFSAG re-assessment needs more info and currently scores it at 60-79 due to a lack of iVMS on <12m vessels, which is not considered an issue for the plaice and lemon sole vessels.</p> <p><u>Year 5 Update</u> The SFSAG FR scores outcome (2.4.1) at 85 and Ekofish/Osprey RA scores it at 100. For 2.4.2 the SFSAG assessment scored below 80 stating “research by Dunkley and Solandt (2021)⁴ indicates that fishing does continue in MPAs, regardless of protections, indicating that compliance is poor. One cannot discern individual fishing companies from the analysis, but the result is the same – the MPAs do not appear to be effectively managed and protected.” While the data used is 2015-2018, without more recent evidence to the contrary, a score below 80 is likely. For 2.4.3 the SFSAG assessment scored below 80 stating “from the location information of the vessels made available to the assessment team it was not possible to clearly identify when and where fishing vessels were located in relation to the clearly demarcated marine protected areas (in relation to VMEs). Furthermore, the observer data nor catches appear to be recording any interactions with VME-related species.”</p> <p>Re-scoring of habitat PIs: 2.4.1 – >80</p>	
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Standard requirement	Actions/leads	Timescale / milestones	Progress / outcome	Revised milestone
			<p>Evidence of vessel avoidance of VMEs was sufficient for SFSAG and Ekofish/Osprey to score >80.</p> <p>2.4.2 - 60-79</p> <p>Recent research shows that measures in place in offshore MPAs are either not currently in place or sufficient to ensure avoidance by bottom contacting gears.</p> <p>2.4.3 - >80</p> <p>The information presented in the habitat reporting shows that what is available through VMS and logbooks for these vessels, and its comparison against existing habitat information, is sufficient to score >80. Note SFSAG scores it at 75 due to a lack of iVMS on <12m vessels, which is not considered an issue for the UoA vessels in the plaice and lemon sole fishery.</p>	
<p>Action 7 : Fishery-specific management (Lemons) Performance indicator</p> <p><u>Requirement at SG80:</u> 3.2.1, short & long term objectives are explicit within fishery specific management system 3.2.2, Decision making processes respond to serious and other important issues 3.2.4 The fishery specific management system is subject to regular internal and occasional external review.</p>	<p>CM (SG Chair) leading on development of a Management Plan for North Sea Lemon Sole with support from SG members.</p>	<p>7a Yr1-2 Review progress on North Sea mixed fishery plan</p>	<p>Completed</p> <p>The North Sea Demersal Multi Annual Plan was introduced in 2018. Lemon sole is considered under the plan as a by-catch species.</p> <p>“This Regulation also applies to by-catches caught in the North Sea ...where ranges of F_{MSY} and safeguards linked to biomass are established for those stocks under other Union legal acts establishing multiannual plans, those ranges and safeguards shall apply.”</p> <p>Article 5 specifies the objectives under the CFP and MSY targets apply to by-catch species. These support the >80 scoring of 3.1.3 long term objectives, but are not considered sufficient to address the SG80 requirements for 3.2 Fishery Specific Management.</p>	
		<p>7b Yr3-5 develop specific management plan if required</p>	<p>On target</p> <p>In 2019 the SG chair with support from SG members began drafting a Lemon Sole Fisheries Management Plan. The MSC Fisheries Management Plan (FMP) template is being used as the basis for this document.</p> <p>The primary aim of the document is to set out HCRs and other fishery specific management measures to be agreed by the SG and FIP vessel groups. It will also identify the information sources, including those documents produced under the FIP to facilitate future assessment.</p> <p>This is to be finalised in year 5 with Defra updates on general framework and agreed actions for lemon sole HS/HCR (see Action 2).</p>	Revised v5.1

⁴ Dunkley, F. and Solandt, J.-L. (2021) MARINE PROTECTED UNPROTECTED AREAS A case for a just transition to ban bottom trawl and dredge fishing in offshore Marine Protected Areas. Available at: <https://media.mcsuk.org/documents/marine-unprotected-areas.pdf> (Accessed: 24 April 2022).

Standard requirement	Actions/leads	Timescale / milestones	Progress / outcome	Revised milestone																																																				
		7c Yr 4 Review of UK fisheries management post-transition period.	<p>Completed</p> <p>A review of P3 PIs was completed based on Defra response to SG questions and work commissioned for SW Monkfish FIP: 'General Review of P3 scoring for Project UK FIPs.' April 2021</p> <p>The review found that at time of writing (April 2021) several uncertainties remain with UK management arrangements, resulting in reduced scores for some P3 PIs.</p>	Added v4.1																																																				
		7d Yr 5 Engage with Defra re UK North Sea management and lemon sole FMP	<p>On target</p> <p>SG to maintain communications with Defra regarding further development of UK management framework & activities to enable FMP to be completed – this will also inform update of P3 scoring.</p> <p>P3 scoring based on '2021 and 2022 Reviews of P3 scoring for Project UK FIPs'</p> <table border="1"> <thead> <tr> <th colspan="3">2021</th> <th colspan="3">2022</th> </tr> <tr> <th>PI</th> <th>Name</th> <th>Likely scoring</th> <th>PI</th> <th>Name</th> <th>Likely scoring</th> </tr> </thead> <tbody> <tr> <td>3.1.1</td> <td>Legal and customary framework</td> <td>60-79</td> <td>3.1.1</td> <td>Legal and customary framework</td> <td>≥80</td> </tr> <tr> <td>3.1.2</td> <td>Consultation, roles & responsibilities</td> <td>60-79</td> <td>3.1.2</td> <td>Consultation, roles & responsibilities</td> <td>>80</td> </tr> <tr> <td>3.1.3</td> <td>Long term objectives</td> <td>≥80</td> <td>3.1.3</td> <td>Long term objectives</td> <td>≥80</td> </tr> <tr> <td>3.2.1</td> <td>Fishery specific objectives</td> <td>60-79</td> <td>3.2.1</td> <td>Fishery specific objectives</td> <td>60-79</td> </tr> <tr> <td>3.2.2</td> <td>Decision making processes</td> <td>60-79</td> <td>3.2.2</td> <td>Decision making processes</td> <td>≥80</td> </tr> <tr> <td>3.2.3</td> <td>Compliance and enforcement</td> <td>60-79</td> <td>3.2.3</td> <td>Compliance and enforcement</td> <td>60-79</td> </tr> <tr> <td>3.2.4</td> <td>Management performance evaluation</td> <td>≥80</td> <td>3.2.4</td> <td>Management performance evaluation</td> <td>≥80</td> </tr> </tbody> </table> <p>Note: 3.2.2 is scored >80 for UK/EU shared stocks as processes established, for UK stocks FMPs are still to be developed.</p>	2021			2022			PI	Name	Likely scoring	PI	Name	Likely scoring	3.1.1	Legal and customary framework	60-79	3.1.1	Legal and customary framework	≥80	3.1.2	Consultation, roles & responsibilities	60-79	3.1.2	Consultation, roles & responsibilities	>80	3.1.3	Long term objectives	≥80	3.1.3	Long term objectives	≥80	3.2.1	Fishery specific objectives	60-79	3.2.1	Fishery specific objectives	60-79	3.2.2	Decision making processes	60-79	3.2.2	Decision making processes	≥80	3.2.3	Compliance and enforcement	60-79	3.2.3	Compliance and enforcement	60-79	3.2.4	Management performance evaluation	≥80	3.2.4	Management performance evaluation
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Standard requirement	Actions/leads	Timescale / milestones	Progress / outcome	Revised milestone
			<p>Year 5 update</p> <p>A further review of fisheries management was carried out in 2022 as it was felt that some of the uncertainties resulting in reduced scores under 3.1 were now clarified and there is now evidence of the functioning of some of the post-Brexit procedures. As a result the scores for 3.1 are considered to have recovered to above 80 (see table above). Scores under 3.2 regarding fisheries specific management are unchanged.</p> <p>The devolved fishery authorities of the UK have now drafted a Joint Fishery Statement (JFS), which was published for consultation in January 2022. Within this is a proposed 'Southern North Sea and Eastern Channel Mixed Flatfish Fisheries Management Plan' to be developed by Defra by 2024. In its present form this only applies to English waters. The SG should agree with Defra on how the lemon sole FMP can integrate with the intended FMPs under the JFS in terms of species and geographic scope. Those discussions can be combined with the engagement on HS/HCR as per action 2 above.</p>	

2.2 Year 5 Benchmarking

2.2.1 North Sea Plaice trawl & seine

Principle	Component	Performance Indicator	Pre-Assessment Year 0	Actual Year 1	Actual Year 2	Actual Year 3	Actual Year 4	Actual Year 5	Expected Year 1	Expected Year 2	Expected Year 3	Expected Year 4	Expected Year 5	
1	Outcome	1.1.1 Stock status	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	
		1.1.2 Stock rebuilding		—	—			—	—	—	—	—	—	
	Management	1.2.1 Harvest Strategy	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	
		1.2.2 Harvest control rules & tools	60-79	≥80	≥80	≥80	≥80	≥80	≥80	60-79	60-79	≥80	≥80	≥80
		1.2.3 Information and monitoring	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80
		1.2.4 Assessment of stock status	≥80	≥80	≥80	≥80	≥80	≥80	60-79	60-79	≥80	≥80	≥80	
2	Primary species	2.1.1 Outcome	≥80	≥80	≥80	60-79	60-79	60-79	≥80	≥80	≥80	≥80	≥80	≥80
		2.1.2 Management	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80
		2.1.3 Information	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80
	Secondary species	2.2.1 Outcome	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80
		2.2.2 Management	<60	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80
		2.2.3 Information	60-79	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80
	ETP species	2.3.1 Outcome	60-79	60-79	60-79	60-79	60-79	60-79	≥80	60-79	60-79	≥80	≥80	≥80
		2.3.2 Management	60-79	60-79	60-79	60-79	60-79	60-79	≥80	60-79	60-79	≥80	≥80	≥80
		2.3.3 Information	60-79	60-79	≥80	≥80	≥80	≥80	≥80	60-79	≥80	≥80	≥80	≥80
	Habitats	2.4.1 Outcome	60-79	60-79	60-79	60-79	60-79	60-79	≥80	60-79	≥80	≥80	≥80	≥80
		2.4.2 Management	60-79	60-79	60-79	60-79	60-79	60-79	60-79	60-79	≥80	≥80	≥80	≥80
		2.4.3 Information	60-79	60-79	60-79	≥80	≥80	≥80	≥80	60-79	≥80	≥80	≥80	≥80
	Ecosystem	2.5.1 Outcome	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80
		2.5.2 Management	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80
		2.5.3 Information	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80
3	Governance and Policy	3.1.1 Legal and customary framework	≥80	≥80	≥80	≥80	60-79	≥80	≥80	≥80	≥80	≥80	≥80	≥80
		3.1.2 Consultation, roles and responsibilities	≥80	≥80	≥80	≥80	60-79	≥80	≥80	≥80	≥80	≥80	≥80	≥80
		3.1.3 Long term objectives	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80
	Fishery specific management system	3.2.1 Fishery specific objectives	≥80	≥80	≥80	≥80	60-79	60-79	≥80	≥80	≥80	≥80	≥80	≥80
		3.2.2 Decision making processes	≥80	≥80	≥80	≥80	60-79	≥80	≥80	≥80	≥80	≥80	≥80	≥80
		3.2.3 Compliance and enforcement	≥80	≥80	≥80	≥80	60-79	60-79	≥80	≥80	≥80	≥80	≥80	≥80
		3.2.4 Management performance evaluation	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80
Total number of PIs equal to or greater than 80			18	21	22	22	17	23	19	23	27	27	27	
Total number of PIs 60-79			8	6	5	5	10	4	8	4				
Total number of PIs less than 60			1						0					
Overall BMT Index			0.81	0.89	0.91	0.91	0.81	0.93	0.85	0.93	1.00	1.00	1.00	

2.2.2 North Sea Lemon sole trawl & seine

Principle	Component	Performance Indicator	Pre-Assessment Year 0	Actual Year 1	Actual Year 2	Actual Year 3	Actual Year 4	Actual Year 5	Expected Year 1	Expected Year 2	Expected Year 3	Expected Year 4	Expected Year 5	
1	Outcome	1.1.1 Stock status	<60	≥80	≥80	≥80	≥80	≥80	<60	<60	60-79	≥80	≥80	
		1.1.2 Stock rebuilding		—	—			—	—	—	—	—	—	—
	Management	1.2.1 Harvest Strategy	60-79	60-79	60-79	60-79	60-79	60-79	60-79	60-79	60-79	60-79	≥80	≥80
		1.2.2 Harvest control rules & tools	60-79	60-79	60-79	60-79	60-79	60-79	60-79	60-79	60-79	60-79	≥80	≥80
		1.2.3 Information and monitoring	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80
		1.2.4 Assessment of stock status	60-79	≥80	≥80	≥80	≥80	≥80	60-79	60-79	≥80	≥80	≥80	
2	Primary species	2.1.1 Outcome	≥80	≥80	≥80	60-79	60-79	60-79	≥80	≥80	≥80	≥80	≥80	≥80
		2.1.2 Management	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80
		2.1.3 Information	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80
	Secondary species	2.2.1 Outcome	≥80	60-79	60-79	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80
		2.2.2 Management	<60	60-79	60-79	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80
		2.2.3 Information	60-79	60-79	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80
	ETP species	2.3.1 Outcome	60-79	60-79	60-79	60-79	60-79	≥80	≥80	60-79	60-79	≥80	≥80	≥80
		2.3.2 Management	60-79	60-79	60-79	60-79	60-79	≥80	≥80	60-79	60-79	≥80	≥80	≥80
		2.3.3 Information	60-79	60-79	≥80	≥80	≥80	≥80	≥80	60-79	≥80	≥80	≥80	≥80
	Habitats	2.4.1 Outcome	60-79	60-79	60-79	60-79	60-79	≥80	≥80	60-79	≥80	≥80	≥80	≥80
		2.4.2 Management	60-79	60-79	60-79	60-79	60-79	60-79	≥80	60-79	≥80	≥80	≥80	≥80
		2.4.3 Information	60-79	60-79	60-79	≥80	≥80	≥80	≥80	60-79	≥80	≥80	≥80	≥80
	Ecosystem	2.5.1 Outcome	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80
		2.5.2 Management	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80
		2.5.3 Information	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80
3	Governance and Policy	3.1.1 Legal and customary framework	≥80	≥80	≥80	≥80	60-79	≥80	≥80	≥80	≥80	≥80	≥80	≥80
		3.1.2 Consultation, roles and responsibilities	≥80	≥80	≥80	≥80	60-79	≥80	≥80	≥80	≥80	≥80	≥80	≥80
		3.1.3 Long term objectives	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80	≥80
	Fishery specific management system	3.2.1 Fishery specific objectives	60-79	60-79	60-79	60-79	60-79	60-79	60-79	60-79	60-79	60-79	≥80	≥80
		3.2.2 Decision making processes	60-79	60-79	60-79	60-79	60-79	60-79	≥80	60-79	60-79	60-79	≥80	≥80
		3.2.3 Compliance and enforcement	≥80	≥80	≥80	≥80	60-79	60-79	≥80	≥80	≥80	≥80	≥80	≥80
		3.2.4 Management performance evaluation	60-79	60-79	60-79	60-79	≥80	≥80	≥80	60-79	60-79	60-79	≥80	≥80
Total number of PIs equal to or greater than 80			12	13	15	17	15	21	14	18	21	27	27	
Total number of PIs 60-79			13	14	12	10	12	6	12	8	6			
Total number of PIs less than 60			2						1	1				
Overall BMT Index			0.69	0.74	0.78	0.81	0.78	0.89	0.74	0.81	0.89	1.00	1.00	

3. Revised pre-assessment

3.1 Summary of Performance Indicator level scores

3.1.1 Principle 1

Performance Indicator	Draft scoring range	Data deficient?	Issue	SG60	SG80
1.1.1 – Stock status [Plaice]	≥80	No	a	✓	✓
			b	-	✓
Rationale: SSB is above MSY $B_{trigger}$ and F is below F_{msy} (ICES, 2021) ⁵					
1.1.1 – Stock status [Lemon sole]	≥80	No	a	✓	✓
			b	-	✓
Rationale: F can be used as a proxy where biomass reference points are not available. The Length-Based Indicator (LBI) analysis suggests that fishing mortality is below proxies of the MSY reference points (ICES, 2019).					
1.1.2 – Stock rebuilding	na	Yes / No	a		
			b		
Rationale: not applicable					
1.2.1 – Harvest Strategy [Lemon sole]	60 – 79	No	a	✓	×
			b	✓	✓
			c	✓	-
			d	-	-
			e	N/A	N/A
			f	✓	×
Rationale: the continued use of a joint TAC for lemon sole and witch suggest the harvest strategy is not sufficiently responsive to the state of the stock (SGa80 not met). There is not a regular review of alternative measures (SGf80)					
1.2.2 – Harvest control rules and tools [lemon sole]	60 – 79	No	a	✓	×
			b	-	×
			c	✓	×
Rationale: HCRs are not well defined (as stated in the North Sea MAP for 'bycatch species') (SGa80); joint TAC does not ensure exploitation rate is reduced when PRI approached (SGb80); HCRs have not been tested and shown to be appropriate & effective (SGc80)					
1.2.3 – Information and monitoring [lemon sole]	≥80	No	a	✓	✓
			b	✓	✓
			c	✓	✓
Rationale: There is sufficient information available to support HS (SGa80); stock abundance and removals regularly monitored at a level to inform HCRs (SGb80); good information on all fishery removals (SGc80).					
1.2.4 – Assessment of stock status [lemon sole]	≥80	No	a	-	✓
			b	✓	✓
			c	✓	✓

⁵ <https://www.ices.dk/sites/pub/Publication%20Reports/Advice/2021/2021/ple.27.420.pdf>

Performance Indicator	Draft scoring range	Data deficient?	Issue	SG60	SG80
			d	-	-
			e	-	✓
Rationale: ICES (2019) revised the assessment following a benchmark in 2018 where ICES explored the appropriateness of the assessment in relation to the stock, which remains a category 3 (data limited) stock. While the resulted in no B reference points being presented, a Length Based Indicator (LBI) is used to determine fishing mortality in relation to MSY and F reference points continue to be presented.					

3.1.2 Principle 2

Performance Indicator	Draft scoring range	Data deficient?	Issue	SG60	SG80
2.1.1 – Primary Outcome	60 – 79	No	a	✓	X
			b	-	-
Rationale: Cod and Nephrops FU 34 (Devil's hole) score below 80 as both are 'not highly likely above PRI'. Cod is assessed as being below, FU34 status is unknown.					
2.1.2 – Primary Management	≥80	No	a	✓	✓
			b	✓	✓
			c	-	✓
			d	N/A	N/A
			e	✓	✓
Rationale: Cod: 2021 ICES advice for North Sea cod (which included revisions following benchmarking in 2021) shows a reduction in F and a slower decline in SSB, which could be interpreted as objective basis for confidence that the strategy will work and evidence it is being implemented successfully. This is in contrast to the SFSAG re-assessment score of 75 based on 2020 ICES advice, which did not provide evidence that management measures were being effective. Nephrops: the SFSAG demersal stocks assessment considers all North Sea (Area 4) functional units together as it is a single TAC for area 4 and scores above 80 for 2.1.2.					
2.1.3 – Primary Information	≥80	No	a	✓	✓
			b	-	-
			c	✓	✓
Rationale: Full quantitative information, in the form of landings, to measure the impact of the fishery on each stock is available. In addition, there are demersal surveys and catch composition sampling (for e.g., length, age) covering all main species.					
2.2.1 – Secondary Outcome	≥80	No	a	✓	✓
			b	-	-
Rationale: SFSAG RA and Ekofish/Osprey RA identify no main secondary species in the fisheries, scoring issue a. is not applicable and b (minor species) not scored at pre-assessment.					
2.2.2 – Secondary Management	≥80	No	a	✓	✓
			b	✓	✓
			c	-	✓
Rationale: SFSAG RA and Ekofish/Osprey RA identify no main secondary species in the fisheries, scoring issue a. is not applicable and b (minor species) not scored at pre-assessment.					
2.2.3 – Secondary Information	≥80	No	a	✓	✓
			b	-	-
			c	✓	✓
			d	N/A	N/A
			e	✓	✓
Rationale: Landings and catch data from observer trips and independent studies are adequate to confirm no main species & would be adequate to inform a strategy were there any.					
2.3.1 – ETP Outcome	≥80	No	a	N/A	N/A
			b	✓	✓

Performance Indicator	Draft scoring range	Data deficient?	Issue	SG60	SG80
			c	-	✓
Rationale: SFSAG RA final report and Ekofish/Osprey RA scores all three ETP PIs at 80, resulting in no ETP conditions for the vessels within this UoA. The Nephrops FIP environment working group decided that benthic PMFs should be included as ETPs. This is understandable with the wider UK (incl. West Coast of Scotland) scope of that FIP and its longer timeline when additional measures to protect PMFs may be expected. While some benthic PMFs are reported in the North Sea, the plaice and lemon sole FIP would harmonise with the SFSAG at assessment and it is therefore the SFSAG interpretation of ETPs/habitats and associated scoring that is followed for scoring under this FIP.					
2.3.2 – ETP Management	≥80	No	a	N/A	N/A
			b	✓	✓
			c	✓	✓
			d	-	✓
			e	✓	✓
Rationale: see 2.3.1 above					
2.3.3 – ETP Information	≥80	No	a	✓	✓
			b	✓	✓
Rationale: see 2.3.1 above					
2.4.1 – Habitats Outcome	≥80	No	a	✓	✓
			b	✓	✓
			c	✓	-
Rationale: In line with the SFSAG RA, there is good information available about the location of VMEs (identified as burrowed mud, ocean quahog and modiolus beds) and generic information available about the impact of trawl fisheries on marine habitats. It is unlikely that the UoA will cause serious or irreversible harm to these VMEs (i.e. a reduction of 80% or more to structure or function compared to earlier recorded levels).					
2.4.2 – Habitats Management	60 – 79	No	a	✓	✓
			b	✓	✓
			c	-	✗
			d	✓	✓
Rationale: SGc80 not met as recent research (Dunkley and Solandt, 2021) ⁶ shows that measures in place in offshore MPAs are either not currently in place or sufficient to ensure avoidance by bottom contacting gears. While the data used in that research is 2015-2018, without more recent evidence to the contrary, a score below 80 may be expected. In contrast to the scoring in the SFSAG FR, SGd80 is considered met as the compliance with Fladen voluntary closure provides 'some quantitative evidence'.					
2.4.3 – Habitats Information	≥80	No	a	✓	✓
			b	✓	✓
			c	✓	✓
Rationale: The information presented in the habitat reporting shows that what is available through VMS and logbooks for these vessels, and its comparison against existing habitat information, is sufficient to score >80. Note SFSAG scores it at 75 due to a lack of iVMS on <12m vessels, which is not considered an issue for the UoA vessels in the plaice and lemon sole fishery.					
2.5.1 – Ecosystems Outcome	≥80	No	a	✓	✓
Rationale: the UoAs are highly unlikely to disrupt the key elements underlying ecosystem structure and function to a point where there would be a serious or irreversible harm					
2.5.2 – Ecosystems Management	≥80	No	a	✓	✓
			b	✓	✓

⁶ Dunkley, F. and Solandt, J.-L. (2021) MARINE PROTECTED UNPROTECTED AREAS A case for a just transition to ban bottom trawl and dredge fishing in offshore Marine Protected Areas. Available at: <https://media.mcsuk.org/documents/marine-unprotected-areas.pdf> (Accessed: 24 April 2022).

Performance Indicator	Draft scoring range	Data deficient?	Issue	SG60	SG80
			c	-	✓
Rationale: The MSFD, the CFP and associated ICES stock assessments and TAC recommendations constitute a strategy to address the main ecosystem impact, i.e. biomass removal from the ecosystem and ensure it remains within sustainable levels.					
2.5.3 – Ecosystems Information	≥80	No	a	✓	✓
			b	✓	✓
			c	-	✓
			d	-	✓
			e	-	✓
Rationale: Through ICES working groups, such as the Working Group on Integrated Assessments of the North Sea (ICES WGINOSE), and the Working Group on the Ecosystem Effects of Fishing Activities (ICES WGECO), ICES ecoregion overviews for the Greater North Sea, there are regular evaluations on various ecosystem components and information is regularly collected via landings data and surveys to inform what are considered to be the main ecosystem impact, ie. biomass removal.					

3.1.3 Principle 3

Performance Indicator	Draft scoring range	Data deficient?	Issue	SG60	SG80
3.1.1 – Legal and customary framework	≥80	No	a	✓	✓
			b	✓	✓
			c	✓	✓
Rationale: The UK has exited the EU with resulting amendments to UK legislation, but retains a robust framework in relation to P1 with the UK Fisheries Act 2020 and in relation to P2 through amended marine environmental regulations retaining & building upon the EU network.					
3.1.2 – Consultation, roles and responsibilities	≥80	No	a	✓	✓
			b	✓	✓
			c	-	✓
Rationale: Fisheries is a devolved matter and therefore managed by authorities in the UK's devolved authorities. Roles and procedures are well defined under a fisheries framework including the Fisheries Act and a Joint Fisheries Statement setting out how the various authorities will work together. The JFS is expected to be finalised in November 2022.					
3.1.3 – Long term objectives	≥80	No	a	✓	✓
Rationale: Fisheries Act 2020 and TCA agreement have MSY and precautionary objectives in line with the MSC criteria. The JFS (draft) sets out the fishery policy authorities interpretation of the eight objectives set out in the Act and how they will deliver them.					
3.2.1 – Fishery specific objectives [lemon sole]	60 – 79	No	a	✓	×
Rationale: Fishery specific management has mainly hinged on the EU Multi-Annual Plans, which are sufficient if the target species is a named species in the plan (e.g. plaice) and so with specific harvest strategy and HCRs), but inadequate if only a by-catch species (e.g. lemon sole)					
3.2.2 – Decision making processes	≥80	No	a	✓	✓
			b	✓	✓
			c	-	✓
			d	✓	✓
			e	✓	✓
Rationale: The Trade and Cooperation Agreement provides for annual negotiations on total allowable catches and related issues each year for shared stocks like plaice and lemon sole. The TCA requires the UK and EU to seek to agree the timetable for the following years' consultations no later than 31 January each year and the Specialised Committee on Fisheries is tasked with making preparations for the annual EU/UK negotiations. The decision-making processes in relation to these shared stocks are established.					
	60 – 79	No	a	✓	X

3.2.3 – Compliance and enforcement			b	✓	✓
			c	✓	✓
			d	-	✓
Rationale: SGa80 not met Risks of non-compliance with the EU LO exist in the fishery due to the MCS systems inability to enforce LO-specific management measures, strategies and rules. SFSAG RA also scores other 3.2.3 SGs below 80, also linked to the fisheries' inability to prove compliance with LO requirements.					
3.2.4 – Management performance evaluation	≥80	Yes / No	a	✓	✓
			b	✓	✓
Rationale: UK Fisheries Act includes review provisions for fisheries management plans. The TCA has provisions to be re-evaluated after 5.5 years, while the UK-EU TACs for shared stocks are agreed annually. ICES stock assessments are also reviewed bi-annually and benchmarked regularly. The fishery-specific management systems would be subject to an external review and so the scoring is likely to be at 80.					

4. FIP Extension Action Plan

This section presents the action plan for North Sea lemon sole & plaice for the year 6 extension (i.e. removing all completed actions and addressing any actions emerging from the revised pre-assessment).

Project UK: North Sea Lemon Sole & Plaice Action Plan

Version: 6.1

Date: 20 April 2022



Overview


Fishery name: North Sea Lemon Sole and Plaice		Start date: 01 January 2017
Fishery location: ICES Subarea 4 (North Sea) 7d (Eastern Channel) and Subdivision 3.a.20 (Skagerrak). <i>(98% of UK lemon sole catch in North Sea, 2% in Eastern Channel)</i>	Fishing method: Seine Demersal trawl UoA vessels: SFSG members + Osprey Trawlers vessels.	Annual reviews: End Year 1: January 2018 Review Completed March 2018 End Year 2: January 2019 Review Completed April 2019 End Year 3: January 2020 Review Completed April 2020 End Year 4: January 2021 Review Completed April 2021 End Year 5: January 2022 Review Completed April 2022 End Year 6: January 2023
Project leaders: Project UK Fisheries Improvements – Stage 1		Improvements recommended by: 
<p>Overview of the Action Plan (updated for v 6.1):</p> <p>P1: Plaice P1 action is completed through the adoption of North Sea Demersal Multi-Annual Plan (MAP) in 2018. Lemon sole is managed under a precautionary combined TAC for lemon sole and witch. ICES states that "Management of lemon sole and witch under a combined species TAC prevents effective control of the single-species exploitation rates and could potentially lead to overexploitation of either species". The North Sea MAP forms the basis of the Harvest Strategy for lemon sole, but as an un-named bycatch species, specific HCR lacking and tool (joint TAC) may not be effective. Additional Harvest Control Rules & Tools have been drafted and should be further developed with the main fishing nations.</p> <p>P2: The poor status of North Sea cod, currently identified as a main primary species, and the unknown status of Devil's Hole Nephrops FU causes 2.1.1 to be below 80. Actions to address these two shortcomings are in process and not considered under this FIP. A review of alternative measures to reduce unwanted catch needs to be shared with and a response sought from fishery managers.</p> <p>P3: P3 research for Project UK indicates several general fisheries management PI scores that dropped below 80 while UK management post-Brexit is untested are expected to have recovered, but a lack of specific fisheries management and evidence of effective control & enforcement (in relation to the Landing Obligation) remains. The MSC fisheries management plan template was used to develop a Fisheries Management Plan for lemon sole to ensure 3.2.1 is met.</p>		

Table 1: Action Plan

Standard requirement	Actions/leads	Timescale / milestones	Progress / outcome
<p><u>Action 1: Harvest Strategy (lemon sole)</u></p> <p>Overview Develop harvest strategy & appropriate HCR & tools.</p> <p>Performance indicator 1.2.1 Harvest Strategy 60-79 1.2.2 HCRs & tools 60-79 1.2.2 Harvest Control Rules and tools Well-defined harvest control rules are in place that are consistent with the harvest strategy and ensure that the exploitation rate is reduced as limit reference points are approached.</p>	<p>Develop harvest strategy and HCRs</p> <p><u>Requirement at SG80:</u> 1.2.1 Harvest Strategy The harvest strategy is responsive to the state of the stock and the elements of the harvest strategy work together towards achieving stock management objectives reflected in PI 1.1.1 SG80. The harvest strategy may not have been fully tested but evidence exists that it is achieving its objectives.</p>	<p>1a Yr 6. Agreement on Harvest Strategy, HC rules and tools. The draft HS/HCR document was reviewed by a P1 expert, who recommended that to be considered well-defined and ensure reduced exploitation rates:</p> <ul style="list-style-type: none"> a. the HCR and tools should be further defined; and b. it must be applied to most fishers (i.e. Danish & Dutch vessels as well as the UoA vessels) <p>The HS/HCR should be discussed and further detailed with other key lemon sole fishing interests (Denmark & The Netherlands).</p> <p>1b Yr 6 Engage with Defra & Cefas on lemon sole/witch joint management The SG should engage with Defra and Cefas to contribute to the UK review of lemon sole/witch joint management.</p> <p>In March 2022, Defra announced that it has asked Cefas to review the joint lemon sole/witch TAC as the area covered by the TAC (Area 4 and 2a) differs to stock assessment area (Area 4, 3a and 7d) and there are concerns over witch exploitation levels. The latest ICES advice was 2020 advice re-issued in 2021, indicating that the stock is above MSY $B_{trigger}$, but showed a decline in 2020 and fishing pressure remains above MSY. In 2019 the catch of witch was 2,797 with less than 2,390 advised (Ices, 2020).</p>	

<p>Action 2: Alternative measures for bycatch</p> <p>Performance indicator</p> <p>2.2.2 (e)</p> <p>>80</p> <p>Requirement at SG80:</p> <p>There is a regular review of the potential effectiveness and practicality of alternative measures to minimise UoA-related mortality of unwanted catch of main secondary species and they are implemented as appropriate.</p>	<p>Review of Alternative Bycatch Reduction Measures</p> <p>Paper reviewed by Defra fishery managers for comment illustrating fishery management authority review of alternative measures.</p>	<p>2a Yr 6 Seek response on alternative measures paper from fishery managers</p> <p>The UK as an independent coastal state is considering future fishery management from 2021 onwards and it is therefore timely to provide fishery managers with this review. It is they who should determine whether appropriate to implement alternative measures.</p> <p><u>Action</u></p> <p>Defra to demonstrate consideration of alternative measures (e.g. through response to alternative measures paper prepared by the FIP).</p>	
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<p>Action 3: Habitats</p> <p>Overview Spatial scale, intensity and impact of the fishery on habitats assessed and management measures developed where appropriate.</p> <p>Performance indicator 2.4.2, management 60-79</p>	<p>Habitat Assessment</p> <p>Evidence that MPA measures are effective in protecting VMEs and that UoA vessels are compliant with MPA measures</p>	<p>3a Yr 6</p> <p>Demonstrate that management measures are effective in protecting VME habitats</p> <p>Research by Dunkley and Solandt (2021)⁷ indicates that fishing does continue in MPAs, regardless of protections, indicating that the MPAs do not appear to be effectively managed and protected. While the data used is 2015-2018, without more recent evidence to the contrary, a score below 80 is likely.</p> <p>Produce evidence that</p> <ol style="list-style-type: none"> a. measures are appropriate to protect VME habitats b. UoA vessels are complying with all measures <p>Note: this should align with the condition set for the SFSAG re-assessment: To provide some quantitative [evidence] that the measures/partial strategy is being implemented successfully for VMEs, and there is some quantitative evidence that the UoA complies with both its management requirements and with protection measures afforded to VMEs by other MSC UoAs/nonMSC fisheries, where relevant. (SI c / SI d)</p>	
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⁷ Dunkley, F. and Solandt, J.-L. (2021) MARINE PROTECTED UNPROTECTED AREAS A case for a just transition to ban bottom trawl and dredge fishing in offshore Marine Protected Areas. Available at: <https://media.mcsuk.org/documents/marine-unprotected-areas.pdf> (Accessed: 24 April 2022).

<p>Action 4: Fishery-specific management (Lemon sole) Performance indicator 3.2.1 60-79</p> <p><u>Requirement at SG80:</u> 3.2.1, short & long term objectives are explicit within fishery specific management system</p>	<p>SG to develop a Lemon Sole Fishery Management Plan, aligned with Defra's plan for a mixed flatfish FMP.</p>	<p>4a Yr 6 Develop specific management plan if required A lemon sole FMP document has been drafted to set out HCRs and other fishery specific management measures to be agreed by the SG and FIP vessel groups. It also identifies the information sources, including those documents produced under the FIP to facilitate future assessment. The FMP document should be finalised with Defra updates on general framework and agreed actions for lemon sole HS/HCR (see Action 1).</p>	
		<p>7b Yr 6 Engage with Defra re UK North Sea management and relevant FMPs. The devolved fishery authorities of the UK have now drafted a Joint Fishery Statement (JFS), which was published for consultation in January 2022. Within this is a proposed 'Southern North Sea and Eastern Channel Mixed Flatfish Fisheries Management Plan' to be developed by Defra by 2024. In its present form this only applies to English waters. The SG should agree with Defra on how the lemon sole FMP can integrate with the intended FMPs under the JFS in terms of species and geographic scope. Those discussions can be combined with the engagement on HS/HCR as per action 2 above. SG to maintain communications with Defra regarding further development of UK management framework & activities to enable FMP to be completed.</p>	



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