

Northumberland IFCA Response to the DEFRA Consultation on sites proposed for designation as Highly Protected Marine Areas

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1. Introduction

Northumberland Inshore Fisheries and Conservation Authority (NIFCA) is one of ten IFCAs around the coast of England, established by part VI of the Marine and Coastal Access Act 2009 and coming into operation in April 2011 in succession to the Northumberland Sea Fisheries Committee. All ten IFCAs share a Vision to “lead, champion and manage a sustainable marine environment and inshore fisheries, by successfully securing the right balance between social, environmental and economic benefits to ensure healthy seas, sustainable fisheries and a viable industry”. The words in the Vision “securing the right balance” are particularly significant in the context of the Lindisfarne Candidate HPMA consultation regarding social and economic benefits on the one hand and environmental benefits on the other; and equally regarding the need to ensure healthy seas, sustainable fisheries and a viable industry. Maintaining these balances is central to the IFCA function and remit.

This response has been prepared by NIFCA Officers in consultation with the Authority Membership and represents the collective views of that Membership.

NIFCA is democratically accountable to its local communities, with the membership comprising Councillors from our two constituent Local Authorities (Northumberland County Council and North Tyneside Council) and “General Members” (appointed by the Marine Management Organisation) who are acquainted with the needs and opinions of the fishing community of the district and have knowledge of and expertise in marine environmental matters (Section 151 Marine and Coastal Access Act 2009).

The IFCA also has all the legal duties and responsibilities of statutory undertakers, regulating through byelaws made by the Authority membership and setting a budget to ensure delivery of the Authority function.

NIFCA’s main assets – our Members, Officers and staff and vessels – deliver essential fisheries and conservation management to meet both national policy requirements and local priorities. Further details can be most readily found in the NIFCA Annual Plans and Annual Reports (on the Authority website¹), which have been produced since the inception of IFCAs.

The predominant fishery in the district is undertaken using pots to catch lobster and brown crab, with Nephrops and velvet crabs also being significant. This is a well-managed and economically viable fishery in all parts of the district, but particularly vulnerable because the fishery is localised and does not have the back up of alternative areas to fish, or alternative species to sustainably and viably target using different fishing gears, other than pots, in the event that the potting fishery cannot be prosecuted for any reason.

2. Fishing activity in the candidate Lindisfarne HPMA

The only commercial fishing activity remaining in the site is potting, targeting crab and lobster. Potting is a static gear fishery that is widely considered to be a low impact method of

¹ <https://www.nifca.gov.uk/>

fishing^{2 3}. In this area, potting is done by smaller vessels (12m and under), and all vessels have local home ports to which they land their catch. Vessels are typically crewed by 1-3 local people. Pots are baited and set, typically on hard or rocky ground and are left to 'soak' for 1-5 days. Pots are then hauled onto the vessel and the contents removed. Catch that can be landed is stored in boxes on board and the other contents of the pot is returned to sea. Survivability of animals thrown back has been found to be high⁴.

In the background information in the consultation document for this site, otter trawling is referenced as occurring in the site between 2017 and 2019. However, this is unlikely. NIFCA's mobile gear prohibition byelaw (section 4.1) covers the area of the BNNC SAC, with the addition of a 100m buffer around the perimeter of the site. The vast majority of this site (99.8%) is closed to mobile gear with only a 0.29 km² area remaining open to local gear. Local knowledge of the area suggests that the amount of trawling activity in this small part of the site is low-none. It is unlikely that five boats have trawled within this site between 2017-2019 as outlined in the consultation documents.

Angling activity within the designated site is sporadic and mainly consists of anglers using kayaks or small beach launched recreational vessels. Because of the geographical location and limited access to Holy Island, it is not typically a popular location for sea angling. However, on the Holy Islands Sands, Fenham Flats (outside of the candidate HPMA boundaries), and in Budle Bay there have been reports of illegal bait digging for worms for use in recreational sea angling.

3. Impacts of this HPMA designation at Lindisfarne

3.1 Economic

There are multiple risks associated with the designation of a HPMA at Lindisfarne. These include economic, social, and cultural impacts that could significantly impact the people and communities in the region. Since the announcement of this consultation, the extent of concern has been highlighted in the many news articles on television and in newspapers and other news outlets⁵⁶.

The Northeast Local Enterprise Partnership (LEP) conducted a review of the Northeast economy⁷, identifying too few jobs in the private sector and in key parts of the service sector, and lower levels of productivity impacting on earning levels. The demographics of the coastal area are similar to rural Northumberland with a large number of people over 65 years of age, high levels of part-time working and a low level of available jobs. Deprivation in terms

² Rees, A., et al 2021. Optimal fishing effort benefits fisheries and conservation. Scientific reports, *Nature*, 1(1), pp.1-15.

³ Stephenson, F. et al 2017. Experimental potting impacts on common UK reef habitats in areas of high and low fishing pressure. *ICES Journal of Marine Science*, 74(6), pp.1648-1659.

⁴ Seafish (2017). Lobster in Northern Ireland waters (ICES areas 6a and 7a), pots and traps. Available at: www.seafish.org/rass/do_pdf.php?id=6907§ion=all

⁵ [Holy Island vicar leads fight against fishing ban that would 'rip the heart out of Lindisfarne' | Fishing | The Guardian](#)

⁶ [Whitehall fishing ban would 'rip heart' out of Holy Island, residents warn \(telegraph.co.uk\)](#)

⁷ North East Local Enterprise Partnership – Our Economy. Available at: <https://www.northeastlep.co.uk/wp-content/uploads/2021/10/NEL1123-Our-Economy-2021-FINAL.pdf>

of access to services is highest in the north of the region where Lindisfarne is situated. The area has higher levels of unemployment and a higher proportion of people with no qualifications relative to the average across England. One key area of employment is the fishing sector.

Overall, the fishing sector has seen a decline in size and in the number of people employed in the sector over the past 20-30 years. A report from the North of Tyne FLAG⁸ highlights that despite the modest number of employees, the fisheries sector as a proportion of the workforce was over three times greater than the national average. Many of the area's fishing vessels run as small family businesses and have done for multiple generations.

The fishing sector already faces multiple barriers to operation and growth including the requirement to follow increasing legislation, mandatory safety codes and training required, difficulties in exporting post-Brexit, and increased fuel costs, all in a region that is struggling economically. The addition of a HPMA to the region would add another layer of difficulty for some and be the end of livelihoods for others.

To put figures on the impacts of this designation is difficult, but we will use best endeavours to provide information to help the decision that is being made. Providing this information has been difficult, a 12-week consultation period is not sufficient to collate this evidence in detail, particularly given the resources available to us as an organisation and the lack of transparency during the site selection process. Because of these time and resource constraints our response focusses on the Lindisfarne site, we have not been able to collate information on the North East of Farne Deeps site which will also impact fishers from our region. There is also potential for the Silver Pits site to affect fishers from this region.

Directly, the candidate HPMA will affect the fishing industry, and therefore buyers and wholesalers who sell locally and export overseas. It will also affect local businesses who buy and sell local crab and lobster. It may affect tourism and trade in the ports most affected. Due to the site being situated around Holy Island, impacts will be exacerbated for the island community. For example, the nature of access onto the island restricts employment opportunities on the mainland, further compounding the issue of employment. The rural area of North Northumberland has limited employment opportunities and should fishing no longer be a viable option on the island, it will be unlikely fishers could find suitable employment in other industries.

The main fishing practice that takes place in the area of the candidate HPMA is potting. There are 33 vessels from Holy Island, Berwick, Seahouses, Eyemouth and Burnmouth⁹ which are wholly or partly reliant on the area proposed for this candidate HPMA for fishing grounds. The potting vessels from Holy Island fish the majority of their pots within the designated site at certain times of the year. Potting vessels from Berwick, Seahouses, and Scotland will fish some of their pots from within the site, the numbers of which will fluctuate

⁸ North of Tyne FLAG Local Development Strategy 2017-19. Available at: <http://roseregeneration.co.uk/wp-content/uploads/2017/01/North-of-Tyne-FLAG-LDS-5-8-16-Final-Version-SK-FINAL-LDS.pdf>

⁹ NIFCA Commercial Shellfish Permits 2022.

significantly throughout the year. Understanding the economic implications of this site is challenging but we will comment in as accurate and constructive a way as possible on this. There are estimated to be 66 people working as fishers on 33 fishing vessels that will be affected by this proposal. In Holy Island, where the impacts of this will be most heavily felt, there are 14 fishers working from 6 boats. The designation of this site threatens their livelihoods and there is a good chance they could be out of work completely. As referenced above, in this area of rural North Northumberland, there are few other options for employment, particularly ones that are viable for those living on Holy Island, should they lose their livelihoods through the implementation of this candidate HPMA.

To estimate direct losses to pot fishers NIFCA have used figures from Commercial Shellfish permit returns. NIFCA require all shellfish permit holders to submit returns information monthly (Crustacea and Molluscs Permitting and Pot Limitation byelaw). Returns include information on the amount of each species landed, the number of days fished, the average number of pots hauled per day and the number of pots in the sea. From this information we can estimate catch and infer effort.

Table 1 sets out the landings by weight and value from vessels from Holy Island for 2017-2021¹⁰. It is likely that the loss of these fishing grounds will result in a substantial loss of catch, and therefore income, of the vessels from Holy Island. The options for displacement to different fishing grounds are very limited (see section 3.2 of this document). This economic loss will make fishing unviable for these vessels, resulting in loss of livelihoods, as well as the loss of this value to the region's economy. The economic loss of fishing to this port, alone, is in the region of **£1.1 million per year** (Table 1). The effect of Covid-19 should also be considered here when reviewing the data and, like other communities, they are having to recover from its long-term effects. It should be noted that the figures below should not be compared over time to give any indication of temporal trends in the fishery. Tables 1-4 are intended to estimate the value of the fishery only.

Table 1. Weight and landed value of catch from vessels from Holy Island from 2017-2021¹⁰. Data from NIFCA commercial shellfish permit returns.

Holy Island	Number of Active Vessels	Sum of Edible Crab (kg)	Sum of Edible Crab Total Value (£)	Sum of Lobster (kg)	Sum of Lobster Total Value (£)	Total Value (£)
2017	6	269,850	350,804	69,851	881,526	1,232,330
2018	7	198,814	328,043	60,751	860,232	1,188,274
2019	6	196,467	444,567	57,246	852,158	1,296,726
2020	6	167,979	353,020	50,785	652,846	1,005,866
2021	6	133,124	275,210	45,503	758,331	1,033,541

¹⁰ The value for crab and lobster has been taken from the MMO Sea Fisheries Statistics from 2017-2018, based on an average landed value per kg estimated from the landed weight and landed value statistics for each species. From 2019 onwards, value figures have been taken from monthly officer reports, based on reported price per kg offered by merchants throughout the NIFCA district. These monthly value figures have been multiplied by monthly landed weights to get a more accurate overall picture of the value of the fishery.

It is difficult to quantify losses for vessels in neighbouring ports without knowing the amount of time they spend fishing within the proposed area. However, catch and landed value of catch are likely to be affected. Table 2 sets out the landings by weight and value from vessels operating from Seahouses and Berwick for 2017-2021¹⁰. The similar landings figures for vessels operating from Berwick and Seahouses combined when compared to the landings from vessels working from Holy Island further highlights the importance of value of the landings of Holy Island vessels for the region. It should be noted that people fishing from other ports in the region are also likely to be affected.

Table 2. Weight and landed value of catch from vessels from Berwick and Seahouses (combined) from 2017-2021. Data from NIFCA commercial shellfish permit returns.

Berwick and Seahouses	Number of Active Vessels	Sum of Edible Crab (kg)	Sum of Edible Crab Total Value (£)	Sum of Lobster (kg)	Sum of Lobster Total Value (£)	Total Value (£)
2017	17	215,448	280,082	72,774	918,413	1,198,495
2018	17	197,557	325,968	79,774	1,129,602	1,455,570
2019	13	202,795	464,813	89,076	1,322,552	1,787,365
2020	14	150,812	314,646	83,962	1,068,667	1,383,314
2021	15	168,782	347,439	66,454	1,115,207	1,462,645

Further to outlining the value of landed catch to the main ports affected by this proposal, NIFCA have spatially analysed potential costs to fishers. NIFCA have split up the district into seven sectors. Fishers report the information for the sectors they fish in for that month. NIFCA do not hold any finer scale resolution data than this sector scale and therefore there is no catch and effort data specific to the candidate HPMA area¹¹. Sector 7 covers the area from the Old Law (at the North end of Ross Sand) up to the Scottish border and out to six nautical miles. This covers the majority of the candidate HPMA area, however the southern part of the candidate HPMA is in Sector 6. Sector 6 goes from the Old Law, south to Newton by the Sea (Figure 1). Therefore, to estimate the importance of this area for the potting fishery, information on catch and effort from sector 6 and 7 combined has been used. Though the sectors are larger than the candidate HPMA area, it is believed that a large proportion of fishing occurring within the sectors is within the site as it covers the inshore area which is preferentially targeted in the summer months when lobsters move closer inshore.

¹¹ Some vessels in the area now have iVMS and therefore there is some positional data available for these vessels. We would strongly encourage that this should be used as part of this decision-making process.

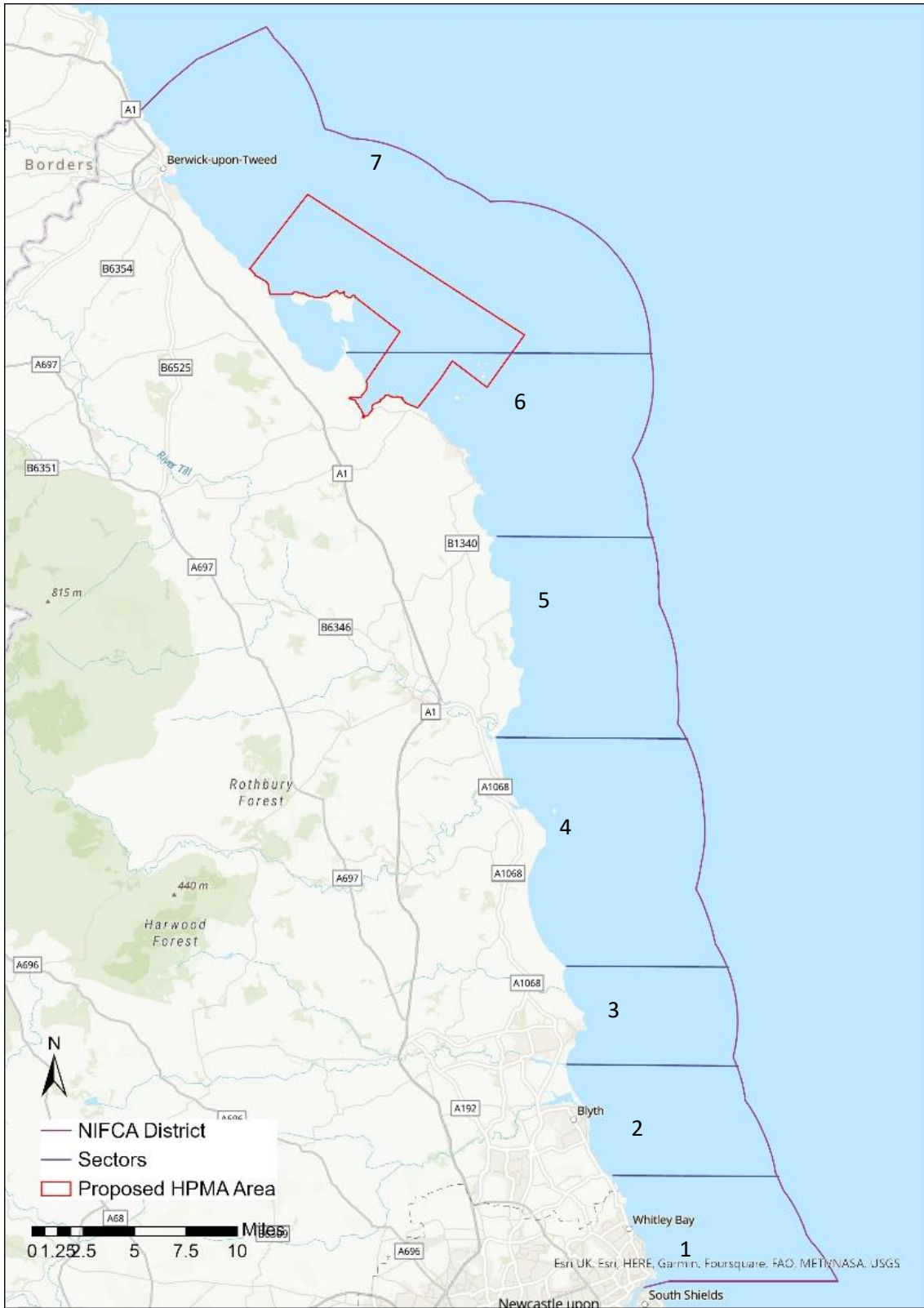


Figure 1. NIFCA district split into the sectors used for monthly shellfish permit returns in relation to the candidate HPMA at Lindisfarne.

Catch data (Table 3, Figure 2) and effort data (Table 4, Figure 3) for Sectors 6 and 7 from 2017-2021 (last five years of available data) highlights the importance of this area for crab and lobster in the region. Across the five years, sectors 6 and 7 make up 55-65% of the amount of crab and lobster landed by weight and value. These sectors also reported a large proportion of the overall effort in the NIFCA district, with the number of pots hauled annually ranging from 52-58% of the overall district effort, and the number of days fished between 42-48% of the overall district effort, further highlighting the importance of these sectors to the local industry. It should also be noted that Sector 7 was responsible for the most effort and landings for all years in this period when compared to the rest of the sectors in the district, with the average number of pots hauled per person per day more than double the district average for Sectors 6 and 7.

Table 3. Catch data for sector 6 and 7 (combined) of the NIFCA district. Data taken from monthly shellfish permit returns for 2017-2021.

Year	Lobster landed weight (kg)	Lobster Landed Weight (% of district total)	Lobster Landed Value (£)	Lobster Landed Value (% of district total)	Crab Landed Weight (kg)	Crab Landed Weight (% of district total)	Crab Landed Value (£)	Crab Landed Value (% of district total)
2017	226,508	63%	2,858,528	63%	673,673	64%	875,775	64%
2018	243,032	64%	3,441,327	65%	631,050	65%	1,041,233	65%
2019	230,534	60%	3,373,996	60%	583,925	62%	1,325,993	62%
2020	202,093	62%	2,597,466	62%	447,531	61%	939,301	61%
2021	188,959	63%	3,126,198	63%	433,872	55%	895,369	55%

Table 4. Effort data for sector 6 and 7 (combined) of the NIFCA district. Data taken from monthly shellfish permit returns for 2017-2021.

Year	Number of Active Vessels	Number of Pots Hauled	Number of Pots Hauled (% of district total)	Number of Days fished	Number of Days Fished (% of district total)
2017	71	1,688,195	58%	4,080	48%
2018	61	1,679,518	58%	4,034	49%
2019	49	1,736,392	56%	4,113	47%
2020	34	1,464,243	53%	3,634	46%
2021	51	1,428,418	52%	3,501	42%

In addition to direct loss of earnings the fishing fleet may be impacted through the amount of money that has been invested in vessels and fishing gear. Some fishers will have a loan against their vessel. Fishers will in any case have invested thousands of pounds into fishing gear. The average cost of a pot is approximately £100 with fishers owning hundreds of pots each. This is a significant investment in their business which may be lost or affected. Further

economic impacts to Holy Island include potential losses of harbour dues from fishers, this reduces the resilience for future port and infrastructure improvements.

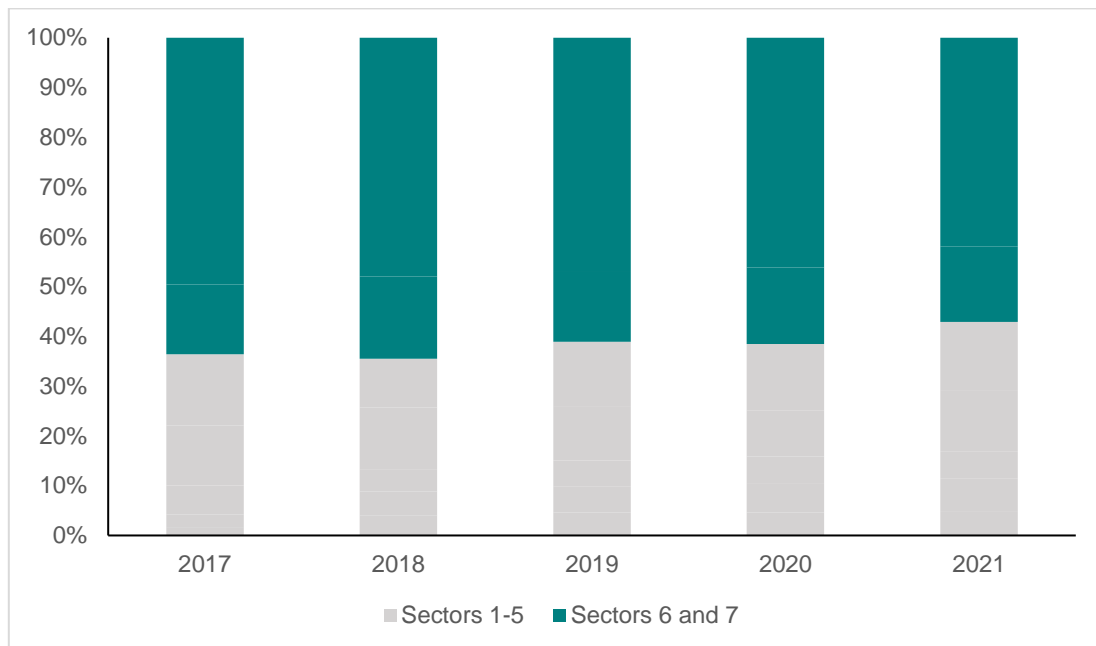


Figure 2 Crab and lobster landings by weight (kg) as a percentage of landings for the NIFCA district 2017-2021 for sectors 1-5 (grouped) and sectors 6-7 (grouped).



Figure 3 Effort (number of pots hauled) as a percentage of total pot hauls for the NIFCA district 2017-2021 for sectors 1-5 (grouped) and sectors 6-7 (grouped).

The risks of loss of livelihoods and the enforced "retirement" of so many fishers and vessels in one area at the same time will significantly reduce the value of the fisher's assets. Fishing licenses and their attributes are tradable commodities. For example, when looking at Category A licence with shellfish entitlement, each kilowatt of engine power is currently worth in excess of £300. Several licences coming up for sale at one time could artificially reduce this price meaning that a fisher not only loses their livelihood but is unable to recoup

a fair amount for the assets they hold. This is probably replicable across the fishers' other assets such as pots (which have been in short supply nationally since covid) and the resale value of the vessels themselves.

As well as direct impacts to the fishing industry, impacts will be felt by merchants and wholesalers. 89% of shellfish landed in the UK is exported¹², in the region of the NIFCA district, exports maybe be as high as 95%, which would mean a loss of income, from exported produce to the region. The revenue generated by catches from this region support wholesalers in Eyemouth, Berwick, Seahouses, Craster, and North Shields. These businesses provide local employment in the area. This shortfall cannot be made up through other means.

Economic impacts will also be felt by local seafood businesses such as restaurants and seafood stalls who buy local catch to sell. This may have knock on impacts for wider recreation and tourism. The impacts of tourism following the designation of this site are difficult to quantify.

There may also be impacts to businesses such as boat yards and local pot makers. If there are fewer vessels fishing in this region the demand for these services will decrease.

3.2 Displacement

A key element for consideration in this process is the ability of the potting fleet to move to other fishing grounds. If the grounds within the candidate HPMA area were no longer open for fishers to fish using pots, they would have to move elsewhere. However, **this may not be possible at this site** and would also have ramifications for vessels well beyond the boundary of the candidate HPMA.

3.2.1 How much activity will this displace?

Most of the small inshore static gear vessels (<12m in length) do not have VMS fitted and therefore information on the precise areas that each of the fisher's work is not available. This is a major data deficiency. Without iVMS on all fishing vessels it makes it incredibly difficult to undertake an accurate assessment not only of the impact of the candidate HPMA designation but the assessment of displacement of effort. There are seven fishing vessels from Holy Island who are very reliant on this area and, who it is anticipated will have to displace in the region of 75-100% of their fishing activity from the site.

There are also vessels from Seahouses, Berwick, and Scotland that fish some of their gear within this site boundary and therefore will have to displace some of their activity from this site, although it is not possible to estimate how much.

Hypothetical assessment of displacement has been done by Devon and Severn IFCA on hypothetical HPMA sites in their district. This work highlights the knowledge gaps that exist

¹² Time to end this shellfish stand-off, Food Navigator. Available at: [Time to end this shellfish stand-off \(foodnavigator.com\)](https://www.foodnavigator.com)

for inshore vessels without positional information. These knowledge gaps apply to the NIFCA district as well.

3.2.2 Where might affected activity be displaced to? What are the implications of this displacement?

It is likely that a large part of current fishing activity will not be able to be displaced outside of this site and that fishers will therefore be unable to maintain a viable business.

The productive ground outside of the candidate HPMA boundary is already fished by other vessels. There is no space on the right ground for any displaced activity to move into. In this region, potting grounds are traditional in that much of this ground has been fished for generations, and specifically in the case of Holy Island, grounds have been “passed” from father to son, with some area changes when grounds become available with fishers leaving the sector. An HPMA could therefore lead to significant conflicts between the local industry and cause issues amongst the fleet.

Potting has seasonal patterns. Inshore grounds are productive in the summer months as the water warms and lobsters move further inshore. This is the traditional lobster season, and it is when these small inshore vessels will make their money to ‘see them through’ the winter months, which tend to be less productive with fewer fishing days due to seasonal weather conditions. The closure of this area will close off the most productive inshore grounds in this region. This will then also push fishers further offshore. Not only is that less productive at certain times of the year, but it is also a health and safety issue as these small boats are not designed to go further offshore in poor weather, but the designation of this site may cause that to happen. This will also increase costs to businesses as more fuel will be required to steam (or motor) larger distances to fish their pots. Particularly with the increased fuel prices, this may be unviable for many businesses. Pots may have to be left in the sea for longer soak times further offshore which increases the risk of gear damage or loss, and associated damage to the environment from plastic pollution and ‘ghost fishing’.

Additionally, the impact of any displacement will be felt further up and down the coast than just in the area of the proposed site. For example, if the Holy Island boats had to move gear further south, that would impact on the Seahouses fisher’s gear, which would then have to shift further south, impacting Craster, Boulmer, Amble and so on. Impacts of this will not be isolated and all of this has potential to disrupt the whole Northumberland coastline. North Eastern IFCA have also reported concerns of displacement issues in their district. The spatial squeeze felt by the industry up and down the coast must be taken into consideration. Windfarm developments and cable laying are taking up space in the marine area, and it is fishers who are moved on as the ‘movable’ activity. It is important, as part of this consultation to consider the spatial squeeze and the other developments, plans and projects that are happening in the marine area.

On Holy Island, because it is cut off by the tide twice a day it makes it difficult to relocate grounds due to the time it takes to travel there. With the designation of this candidate HPMA, at an average vessel speed of 7 knots fishers would have to work anything up to an additional two hours at sea per day. The current system is set up so that vessels can go out

and fish and come back in at times when the tide allows the buyers lorries to access the island via the causeway. Any changes to time taken to get to fishing grounds would change the logistics. They do not have the option of keeping their boat in another port or harbour without having to physically move home from the island.

Potting grounds around the candidate HPMA border are already fully utilised by other boats, any possible displacement also risks unsustainable levels of potting on the borders of the candidate HPMA.

3.2.3 Might affected vessels switch to other gear?

There are limited options for fishing in the inshore area of Northumberland. Inshore fishers are heavily reliant on shellfish, specifically lobster and crab. Other species are caught to supplement the income made from fishing crab and lobster; however, it is not currently feasible to make a living from other species alone. Therefore, it is unlikely that vessels could switch to other gear. This reliance on one gear type and a limited number of species makes fishing operations less resilient to change with a weakened ability to adapt.

If any displaced vessels could fish outside of the site the increased distances to fishing ground could mean that the displaced fishers would have to acquire new vessels to safely work offshore, and more gear to make it economically viable to work there, which may be a large economic burden.

3.3 Social

There will be impacts to the local society and way of life if this candidate HPMA were to be designated. While impacts will likely be felt in all parts of the region, this part of the response will focus on the impacts to Holy Island as this is at the centre of the proposed area, and as an island community, will experience impacts differently and more profoundly, than other areas.

It is likely that if this site were to be designated it would end the livelihoods of a number of the fishers from Holy Island (as outlined above). The fishing industry is one of the core professions and activities on the island with inestimable economic, social, and cultural significance. And apart from small scale farming, it is the only industry not reliant on tourism. Holy Island is also one of few ports in the district where there are younger people fishing. Throughout the NIFCA district the potting fleet is an ageing population and it is difficult to get younger people interested in jobs in the industry due to the number of difficulties and complexities they face as a new entrant. Any interest in the industry from younger people should be supported as they are imperative for a successful future for the industry. The designation of this site also risks the livelihoods of younger people who are much needed for this industry.

Fishermen at Holy Island are not only part of the younger generation within the fishing industry but are also the younger generation in an aging island population. Fishermen and their families may have to move away from the island to find work. This will push the average age of the island up and may have adverse, if not devastating, consequences for the community. They, or their families, are also the emergency responders on the island. If they left, there would be difficulties in recruiting and training for these positions which are vital

when the tide is in, and emergency services can't get to the island. Wives of fishers on the island are employed, mainly in the tourism industry working in hotels or restaurants. It is difficult for these businesses to find employees due to the remoteness of the location and the limited access to the island at high tide. Further, two out of three of the children in the island school are children of fishermen. The school may have to be mothballed if they have to move. Consideration should be given to these factors when deciding on the designation of this site.

The traditional fishing fleet is also a draw for people visiting the island. Tourists will come down to the working harbour to look at the upturned cobbles and fishermen's huts. They are interested to see what fishermen have caught as they land their catch, and they can buy fresh crab and lobster from outlets/restaurants on the island. This activity will be impacted at Holy Island and at other ports and will have impacts on the local economy.

Conflicts may increase as a result of the designation of this site. While displacement is unlikely (as explained above), it would cause increased conflicts between fishers in the region for example, sabotage of static gear to discourage fishers from operating in specific areas. Since the start of this consultation NIFCA have heard about increased tension between fishers in different ports. This is a consequence of this process, and ultimately of the designation of any HPMA, that should be fully considered.

3.4 Cultural

Fishing is of high cultural and historic importance in this region. Fishing has occurred here, specifically from Holy Island, for centuries, if not millennia, and this is all proudly documented on the island. Other nearby ports of Seahouses and Berwick also have an extensive history of fishing.

Today's fishing fleet have followed on from previous generations who fished using pots in this area targeting lobster and crabs. The boats and gear used has been passed on through generations from father to son. Ground fished has tradition and history to it, with vessels from local ports fishing their local grounds as generations before them did.

This history can be seen at Holy Island where herring boats sit upturned, reused as storage huts for today's fishermen. The history is reflected in artwork around the island and a pew is dedicated to fishermen in the local church. As set out above, it is not a question of 'moving to new grounds' to fish. The majority of the fishermen working from Holy Island will most likely be out of work, and the fishing will likely be confined to historic records and the remnants of the fishing harbour, bringing the rich tradition of fishing at Holy Island to a close.

The Natural Capital Approach is being introduced by Defra in policy and decision making which considers the value of the natural environment for people and the economy. Has the Natural Capital Approach been applied to this decision-making process? The implementation of the site at Holy Island will impact on the ecosystem services, specifically those associated with food provision and cultural values. Under Defra's guidance on this approach, there must

be an appropriate assessment of these values and assurances that all value types are considered here, not just ecological ones.

While actual numbers of people affected may be relatively small (compared to other now discounted sites) their *relative dependency* is high. There are very high economic, cultural, heritage and identity dependencies on continuation of fishing in this area.

4. The Lindisfarne candidate HPMA is a well-managed site

It is generally felt both on the island and on the adjacent coastline that this designation is not necessary.

4.1 Current management in place in the site

NIFCA have a suite of byelaws in place to manage fishing activity within the NIFCA district (from the Scottish border to the River Tyne and out to six nautical miles) in a sustainable way which aims to strike a balance between ecological conservation, sustainable fisheries and a viable industry.

NIFCA have worked with fishers and other local stakeholders to develop these byelaws to strive towards achieving that balance. Working with fishers on management increases buy in and compliance and has led to the success and acceptance of the current local byelaws.

Restrictions that apply within the area of the candidate HPMA (Figure 4):

- A mobile gear closure within the Berwickshire and North Northumberland Coast Special Area of Conservation (BNNC SAC). This area covers approximately 590 km² of the NIFCA district and is closed to mobile gear including all bottom trawling and scallop dredging¹³.
- More recently, NIFCA have closed the entire district to scallop dredging.
- The NIFCA Seagrass Protection Byelaw prohibits any person from digging, fishing for or taking any sea fisheries resources from anywhere on seagrass within the BNNC SAC.

Restrictions that apply to areas outside of the candidate HPMA but within the NIFCA district (Figure 4):

- Mobile gear is restricted in Coquet to St Mary's MCZ (192 km²), there is no scallop dredging allowed in the site and only light otter trawling is permitted for vessels with an exemption from the Authority.
- Further trawling prohibitions outside of the BNCC and MCZ restrict trawling to only single trawls, prohibiting multi-rig, pair trawling and beam trawling anywhere in the district. Size restrictions for trawling are also in place - within the 0 to 3 nm vessel size is restricted to less than 12 metres and restricted to 18.3 metres in the 3 to 6 nm area.

¹³ There are three small areas within this site that are open to light otter trawling, however anyone wishing to fish in this area must notify the authority and there has been no recorded trawling in these areas since the byelaw came into force.

NIFCA also have permit byelaws, where commercial fishing is regulated through a permit. These byelaws apply to the entire NIFCA district, including the area of the candidate HPMA. Anyone who fishes with pots, commercially or recreationally must have a permit from NIFCA. This permit has conditions attached to it. Conditions include:

- Permit holders can fish with up to a maximum of 800 pots (to put a cap on the amount of effort in the fishery) and this byelaw has been in place since 2009 (pot limitation),
- Vessel length is restricted to 12m and below,
- Returns detailing catch and effort must be completed every month,
- A permit holder must not retain or carry berried (egg bearing) lobsters on board, this provision covers both recreational fishers not covered with the Lobster and Crawfish Order 2017, as well as Scottish vessels who fish within the NIFCA district and can legally catch berried lobsters from Scottish waters.
- Recreational fishers may only fish a maximum of 5 pots and each pot must have an escape gap fitted to allow juvenile species to escape.
- There are also catch limits in place for recreational shellfish permit holders who are limited to two lobster, five edible / velvet crabs, 20 whelks, and five prawns. People without a permit have the same limits but are limited to one lobster per day.

NIFCA also have a Crustacea Conservation byelaw which sets out prohibitions relating to the three key shellfish species, lobster, edible crab and velvet crab. This byelaw applies to the entire NIFCA district, including the area of the candidate HPMA. A person cannot take a

- v-notched, mutilated, or berried (egg-bearing) lobster
- a soft-shelled or detached part of a lobster.
- A soft shelled or berried edible crab
- A detached part of an edible crab or velvet crab

These measures are in place to support the conservation of the lobster and crab stocks.

Other byelaws in place in the NIFCA district, including the area of the candidate HPMA include:

- The NIFCA Fixed Engine byelaw, this regulates the placing and use of fixed engines (fixed nets) within the NIFCA district. Fixed engines are prohibited from The Tweed estuary box which extends from an area near the English Scottish border down to Goswick and out to 3 nautical miles. There are additional restrictions on fixed engines seasonally: from 26th March to the 31st October, no fixed engines may be placed in a depth of less than 7 metres at any state of the tide. From 1st November to 25th March fixed engines have additional depth restrictions within the conservation areas of Coquet, Wansbeck and Tyne. The Environment Agency also have further restrictions on netting for migratory fish including a prohibition on drift nets in an area which overlaps the candidate HPMA. The Tweed Commission also have restrictions on migratory fish in the Tweed Box which also overlaps with the candidate HPMA.
- The NIFCA Marking of Fishing Gear and Keep Boxes byelaw requires all passive gears to be clearly marked with vessel details or, in the case of a recreational fisher, the gear must be marked with the owner's name and telephone number. This byelaw

enables the IFCA to ensure that the passive gears can be associated with a vessel or person.

- Following changes in the Technical Conservation Regulations (when the Council Regulation 2019/2041 replaced the Council Regulation 850/98), a Minimum Sizes byelaw was introduced by NIFCA to ensure regulation on minimum conservation reference sizes applied to recreational fishers as well as commercial fishers not operating from a fishing vessel.

There is also national legislation with regulation for fishing in this area:

- Council Regulation 2019/1241 on the conservation of fisheries resources and the protection of marine ecosystems through technical measures. This sets out minimum sizes and gear restrictions.
- The Sea Fish (Conservation) Act 1967 places restrictions on sizes of fish that can be landed and specifies that fishing vessels must be licenced. This covers all Statutory Instruments ("SI's") brought in under this Act. For example, SIs include:
 - o Lobsters and Crawfish (Prohibition of Landing) (Amendment) (England) Order 2017 No.899. Prohibits fishing for berried lobsters and crawfish in England.
 - o Sea Fisheries Conservation Of Sea Fish The undersized velvet crabs order 1989 No 919 applies a minimum size for the sale or carriage of velvet crabs.

These measures should be taken account of to evidence that the area proposed for a HPMA is said to be a very well-managed site. There is generally good compliance with the regulations outlined above, with further measures carried out by local fishers themselves to conserve target stocks into the future (see 4.2 below).

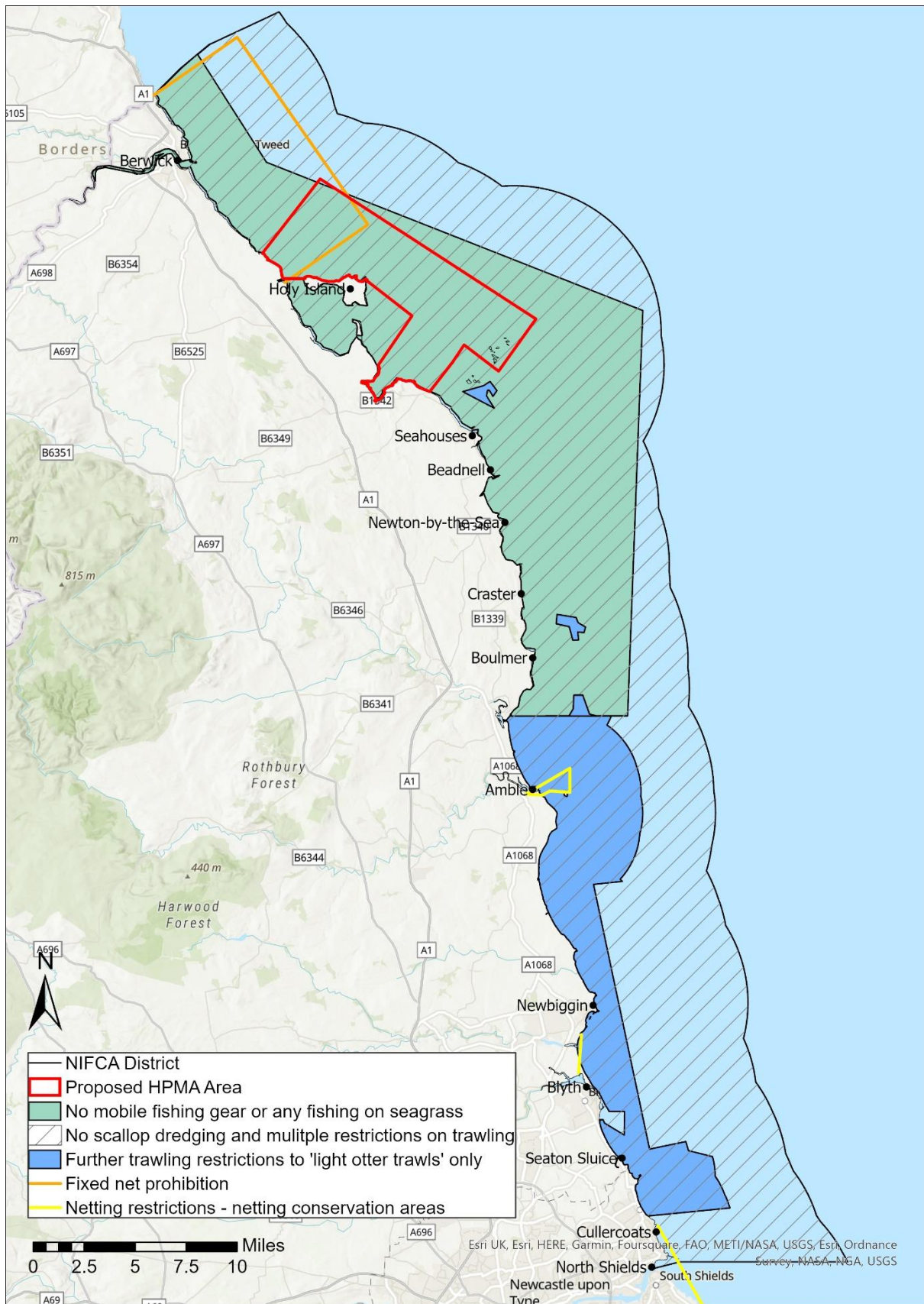


Figure 4 NIFCA spatial fishing restrictions within current byelaws in relation to the candidate HPMA (information correct as of September 2022).

In the last three years to August 2022, NIFCA has undertaken 112 patrols monitoring fishing activity either within the proposed candidate HPMA or conducting compliance inspections on vessels that fish in or adjacent to it, whilst in port. No incidents were recorded of mobile fishing activity within the Berwickshire and North Northumberland Coast SAC, and no intelligence reports were submitted to the Authority alleging such activity. During these patrols, 106 vessel inspections occurred amongst the 368 vessel sightings and 12 offences were recorded (it is important to note that due to the Covid-19 pandemic this number of inspections and sightings were significantly reduced compared with prior years). From the 12 offences, 9 were judged to be relatively minor in nature, with no deliberate intent and were dealt with through warnings and education. 2 offences, both for pot limitation prohibitions or permit conditions were dealt with through the issuing of Financial Administrative Penalties. The final offence was deemed serious enough to require prosecution by the Authority in the court system and is currently ongoing, this offence was for seemingly deliberate contraventions of conservation measures for commercial gain.

Accidental or deliberate disregard for conservation measures protecting ecological features or the harming of non-targeted marine or avian species is not a significant risk in this area.

The implementation of this site could harm existing good relationships between NIFCA and fishers, undermining existing fisher stewardship and enforcement ability.

4.2 Conservation efforts by fishers

Fishers in this area engage in practices to conserve the local stocks over and above the regulations in the NIFCA byelaws. Lobster is the most commercially important species targeted by local inshore boats. Fishers from Holy Island will periodically v notch “berried” or large females. Berried lobster cannot be landed by fishers under national legislation¹⁴ enforced by NIFCA, however this legislation only protects the females when they are in the berried stage (lobsters usually carry eggs on their abdomen for up to nine months) and therefore berried lobsters have up to nine months of protection from the fishery while berried. However, it takes at least 2 years for a v notched lobster to lose the notch through moulting. This gives a v notched lobster two years protection from the fishery in which time, the female lobster can release those eggs and go through another reproductive cycle. The practice of v-notching is not a requirement through any legislation but is a practice that local fishers regularly take part in to conserve lobster stocks into the future.

It is not mandatory to have escape gaps fitted to commercial pots in the NIFCA district. However, a number of local fishers have bought and fitted escape gaps as they have seen the benefits of their use. Benefits cited by fishers include: not retaining undersized crab or lobster and reducing the amount of bycatch in pots. This measure can reduce the amount of time undersized or non-target species spend in pots, reducing incidental damage to catch and reducing predation within the pot.

4.3 Impacts of fishing activity in the site

There is a lot of evidence as to the low impact nature of potting fisheries on marine habitats and biodiversity. A study from Plymouth University published last year in the journal *Nature* concluded “commercial pot fisheries are likely to be compatible with marine conservation

¹⁴ Lobster and Crayfish Order, 2017

when managed correctly at low, sustainable levels.....offering long-term benefits to fishermen and the environment”¹⁵. Other research, specific to the Northumberland coast, found negligible impacts of potting on substrate and epifaunal communities¹⁶.

NIFCA carried out an assessment of potting activity and its impact on the protected features of the overlapping Marine Protected Area (MPA) sites (in 2019). These assessments concluded that potting is not having an adverse effect on subtidal bedrock reef, subtidal boulder and cobble reef, or kelp forest communities and subtidal faunal turfs¹⁷.

This assessment was informed by a PhD study which looked at the impact of potting on approximately 20 biotopes¹⁶. Out of the 20 habitats, two required further study – Faunal and algal crusts and Kelp parks. Further experimental study concluded that the current level (2016) of potting is unlikely to cause a physical impact on these habitats¹⁶. NIFCA have monitored activity levels since which have not increased past threshold levels.

4.4 Marine Protected Areas

There are already multiple layers of MPA designations in place at this site (Berwickshire and North Northumberland Coast SAC, Lindisfarne SPA, Farne Islands SPA, Northumberland Marine SPA, and Berwick to St Mary’s MCZ). Through Defra’s Revised Approach to Management, NIFCA as the responsible authority, have assessed all fishing activity in relation to the impacts on protected features within these sites. This equates to approximately 1849 interactions assessed, and fishing activity managed in line with the conclusions of these assessments.

This work has been a priority for NIFCA since the start of this Revised Approach in 2012. NIFCA have put significant time and resources into carrying out these assessments and adapting management on the basis of the assessed conclusions. NIFCA also update monitoring and control plans annually to monitor fisheries in relation to features, with any changes detected triggering reassessment of the interaction. **This has all led to the site proposed as a candidate HPMA being a well-managed site in line with pressures from fishing activity on habitats and species. A blanket prohibition of sustainable small scale fishing risks undermining existing good practice from local fishermen and effective management developed by NIFCA.** Further, there is scope for further collaborative progression of existing conservation legislation between fishers and NIFCA.

The Lindisfarne candidate HPMA factsheet states: “The area is relatively degraded with habitats and species in overlapping MPAs in unfavourable condition”. From Natural England information, the features with a ‘recover’ conservation objective, and therefore the reason this site has been classified as relatively degraded, are:

Berwickshire & North Northumberland Coast SAC:

¹⁵ Rees, A., et al 2021. Optimal fishing effort benefits fisheries and conservation. Scientific reports, *Nature*, 1(1), pp.1-15.

¹⁶ Stephenson, F. et al 2017. Experimental potting impacts on common UK reef habitats in areas of high and low fishing pressure. *ICES Journal of Marine Science*, 74(6), pp.1648-1659.

¹⁷ Northumberland IFCA Fisheries in EMS Habitats Regulations Assessment for Amber risk categories BNNCSAC-AA 002.

- Intertidal biogenic reef and mussel beds - Restore targets set for: the total extent and spatial distribution of mussel beds within the site, a balanced age / size frequency and distribution within the population and a balanced age / size frequency and distribution within the population.
- Intertidal seagrass beds – Structure & biomass: Restore the leaf / shoot density
- Water Quality across SAC – Restore targets set

Lindisfarne candidate HPMA also overlaps with Lindisfarne SPA, Berwick to St Mary's MCZ and the Farne Islands SPA all of which have bird features in unfavourable condition including:

- Waterbird assemblage, Non-breeding, Whooper swan (non-breeding), Greylag goose (non-breeding), Wigeon (non-breeding), Eider (non-breeding), Long-tailed duck (non-breeding), Grey plover (non-breeding), Dunlin (non-breeding), Bar-tailed godwit (non-breeding), redshank (non-breeding);
- Breeding birds: Arctic tern, Common tern, sandwich tern, Roseate tern; Common Eider, little tern (breeding)

NIFCA would like to highlight that of the features listed here, intertidal biogenic reef and mussel beds are not within the boundaries of the candidate HPMA. The majority of intertidal seagrass beds are on Fenham Flats which is outside of the site boundary. Further, important intertidal areas for the birds listed as 'waterbird assemblage' is also outside of the site.

While the HPMA approach strives to take a 'whole site approach' the process so far to decide on sites to designate has taken a features-based approach. Natural England state "the number of features in unfavourable condition in existing overlapping MPAs were used to give an indication of how degraded the site was, in combination with the sensitivity of habitats and species to the activities and associated pressures thought to be present in the site. Although we used a features approach to assess this, HPMA's will take a whole site ecosystem approach and they aim to recover the ecosystem not just features in existing MPAs that are in unfavourable condition." Is this appropriate to do? NIFCA believe that this has led to a disconnect. The features with a 'recover' conservation objective (listed above), including the bird features, which have been used in the decision-making process for the short listing of this site, are not sensitive to the fishing pressure occurring at the site. Fishing and associated pressures are managed for impacts, resulting in a well-managed site. While NIFCA understand the 'whole-site approach' and looking beyond the impacts to individual features, we do not believe this process is taking the 'whole-site approach' as all of the pressures (i.e the cause of poor water quality, and disturbance and predation impacts to protected bird features) currently impacting on the site will not be addressed through this process. While small-scale fishing will be most heavily impacted by the designation, banning this will have no impact on the greatest threats, i.e. poor water quality due to terrestrial run off and disturbance impacts from recreational activities such as dog walking, to the site which cause it to be as Natural England have concluded, in a 'relatively degraded state'.

While there will be impacts from fishing activity including abrasion and disturbance and removal of target species, the removal of this pressure has unknown benefits to the ecosystem. At the scale at which this site is proposed, is this worth the economic and social risk to livelihoods and wider impacts to local communities (as outlined in section 3 above)?

5. Management of other activities

5.1 Recreational activities

Diving and snorkelling are an increasingly popular activity in the Farne Islands. This is mainly to dive with the grey seal population in the area. Information suggests that the majority of divers do not take sea fisheries resources, as it is a practice which is not permitted by many local clubs.

There is a chartered anchorage within the candidate site near the Farne Islands. This is generally used by yachts as a resting over stop on long passages or to shelter against adverse weather or until the strong tides experienced there reverse into their favour. While we have no data on the amount of anchoring that happens in the site it will occur around the Farne Islands.

Rock pooling is a popular past time around Stag Rocks just north of Bamburgh. This is a popular holiday destination and families are frequently seen on the rocks when the tide is out. As the area is a very popular tourist destination, people visiting the area frequently use the beaches and coast recreationally, activities include dog walking, horse riding, and water sports. On Goswick Sands, kite buggies are operated on the intertidal area within the candidate HPMA.

There are wildlife watching boat trips around the Farne Islands to see the seals and bird life on the islands. These are popular trips with multiple boats taking people daily. Some boats land on the islands for visitors to get off and see the bird life more closely.

There remain unanswered questions about the above activities. How will this activity be assessed in terms of impact to the site? If the activity is deemed 'damaging' how will this be monitored, and any restrictions enforced? Which organisation will be responsible for this? Will this be treated in the same way as fishing activity? It is difficult to understand how this HPMA will function effectively when it is not clear which restrictions could be considered or put in place.

There is a licenced wildfowling activity on, and near to, Fenham Flats. The British Associations for Shooting and Conservation (BASC) manage and licence this activity in this area. Birds that are targeted for this activity are also listed as protected features of the overlapping Lindisfarne SPA site of which Natural England have listed some features with a "recover" conservation objective and have therefore led the candidate HPMA site to be in a degraded state. The greylag goose and wigeon are protected features of the Lindisfarne SPA but are also quarry species for wildfowling. Will this activity be permitted to continue if this candidate HPMA is designated?

5.2 Water Quality

Water quality is one of the main pressures affecting the site. There are restore targets set for water quality in the overlapping SAC and SPA sites. Many features in these sites, including large shallow inlets and bays, grey seal, tern species and overwintering wading bird species, have “restore” conservation objectives around water quality. This includes: “Reduce aqueous contaminants to levels equating to High Status according to Annex VIII and Good Status according to Annex X of the Water Framework Directive, avoiding deterioration from existing levels”; and “Restore water quality to mean winter dissolved inorganic nitrogen levels at which biological indicators of eutrophication (opportunistic macroalgal and phytoplankton blooms) do not affect the integrity of the site and features.” Evidence suggests that the cause of this issue is agricultural runoff from surrounding farmland with impacts from sewage discharge known to be a contributory factor, with the majority of feeding catchments on septic tanks systems, including a high percentage of rental properties, where users are not familiar with management of such systems. This would not be addressed with the designation of this candidate HPMA. Poor water quality in the area has led to macroalgal blooms which can smother the seagrass beds putting them at risk of decline. It is not clear how the water quality issue will be addressed through the HPMA process. It is one of the key pressures affecting the site and a plan to address these issues should be available as part of this process. **The ‘whole site ecosystem approach’ cannot be achieved if all pressures facing the site are not addressed equally.**

5.3 Pacific Oyster Farm

NIFCA would like to highlight that Defra have recently updated their position on pacific oyster farms whereby for any operation north of 52° Defra does not support the expansion of the Pacific oyster farming industry and would support the introduction of mitigating authorisation conditions that lead to effective control measures. Will there be an assessment of impacts of this pacific oyster operation on an adjacent HPMA?

6. North East of Farnes Deep

Because of the short 12-week consultation period there has not been sufficient time to fully address any impacts from the designation of the North East of Farnes Deep candidate site. However, we know that designation would impact the mobile Nephrops fleet locally from Amble, Blyth, and North Shields. But also, it could impact the visiting boats prosecuting this important Nephrops fishery. The North Shields fish quay is reliant on this fishery and has recently heavily invested in infrastructure developments for fish quay improvements. Any impacts on this fishery in terms of reduction in landings could have an impact on the future of this important port.

Spatial squeeze is a threat to current fisheries in the area with the extension of Blyth windfarm, multiple cables identified as being required to be buried in mud habitats / soft sediments which currently supports the Nephrops fishery. The MMO is currently planning a consultation on management for Farnes East MCZ and are considering management measures for mobile gear within the site.

7. Governance of the sites

7.1 NIFCA Byelaw Making

The candidate HPMA consultation document states that: “Fisheries management measures, including MMO and IFCA byelaws will be used to prohibit or restrict fishing activities from

occurring within the site.” NIFCA would like to highlight some queries around this statement and refer to the process that we follow in order to make byelaws in our jurisdictional areas.

NIFCA follows Defra Guidance when making byelaws. This guidance sets out that all byelaws should be based on sound evidence, decision making and appropriate consultation. IFCAs should adopt a consistent approach to byelaw making, using the evidence based marine management cycle (Define the issues, develop and appraise options, implement chosen options, evaluate and adapt), as a guideline, which may not be possible in respect of an HPMA. Byelaws should be used in a proportionate and targeted way, in line with regulatory good practice, which again may not be possible here. Consultation must take place before a byelaw is made. Is this process to be followed by IFCAs in this situation?

Byelaw making is a detailed process involving (in brief summary) the existence of an issue requiring regulation and member consideration thereof; informal stakeholder consultation; making the byelaw at an Authority Quarterly Meeting (or at an Extraordinary General Meeting of the Authority if an emergency byelaw is required); then proceeding to statutory consultation involving the advertising of the byelaw before it is forwarded to the MMO for consideration, including any objections raised during consultation and if the byelaw meets the requirements of the MMO then it is forwarded to Defra for final checks and sign off to come into legal effect.

What must be borne in mind is that IFCA byelaws are made by their members who must, of course, approve the need for and basis of the byelaw and that could be difficult if Defra expect NIFCA to make a byelaw bringing in management for the candidate HPMA at Lindisfarne. Further, under MaCAA NIFCA manage the exploitation of sea fisheries resources and as such NIFCA do not have powers to manage any recreational or other non-fishing activity. NIFCA query therefore whether an IFCA byelaw would be the most appropriate vehicle for legislation and would support working with Defra to identify the most appropriate legislative routes for HPMA.

7.2 Monitoring process

NIFCA would like information on the plans for monitoring HPMA post designation to be made public. Is there capacity for Natural England to monitor this site effectively for any changes post designation? Natural England are currently unable to undertake condition monitoring of MPAs to the six-yearly timescales set out. This suggests there is no baseline against which to measure change. Is there capacity to monitor HPMA sites post designation effectively?

8. Queries on the process

8.1 Top-down process

The process of development of sites has taken a top-down approach with a panel deciding that HPMA should be designated, followed by a Defra, Natural England, and JNCC approach to shortlisting candidate sites.

Risks with a top-down approach include less stakeholder acceptability of the site and therefore adherence to the restrictions put in place; a sense of loss of the stewardship over

an area fished for many years and a distrust of government organisations, which risks breaking down relationships which have been hard built over many years.

Inshore HPMA sites should be considered differently to offshore sites. While early consultation remains important in offshore sites, there may be less reliance on specific fishing grounds within an offshore site as vessels fishing these areas tend to be more nomadic. Inshore sites, fished by local people with smaller vessels, often using static or low impact gear, tend to be more reliant on specific areas to fish. Because of the locality there is a sense of stewardship over the areas fished. For these reasons alone, it is imperative that the HPMA process engage as early as possible with the stakeholders the site will affect.

Input from local stakeholders is vital in the success of sites such as HPMA's.

8.2 Distribution of sites

The Benyon review recommended a geographical spread of sites throughout the English seas, however site placement is skewed to the north of the country. Fishers from Northeast ports will be affected by three candidate sites, with another candidate site in the Northwest and only one affecting the south coast.

8.3 Boundary change

Since the online consultation was launched, Defra have mentioned the opportunity for boundary changes, as long as the suggestions are within the current boundaries and the ecological criteria is met (although the process for this is not clear, and there is no information on how to do this). There is also no information on boundary changes in the consultation document but there is a question on this in the survey. How will this process work in practice and who would be responsible for identifying these? NIFCA would be happy to discuss options for changes to boundaries, or a smaller site, but a clear and paramount need is seen to involve the key stakeholders likely to be affected by the sites.

8.4 Ecological criteria

What are the ecological criteria for which the site was designated and how much of each habitat is needed for the designation? The other inshore site that has been shortlisted is much smaller than the site at Lindisfarne. How do both sites satisfy the criteria?

8.5 Consideration of the Marine Plan

Following on from the adoption of the North East Marine Plan in June 2021, it became a statutory consideration in all relevant planning decisions. As stated on the www.gov.uk website:

“The North East Marine Plan must be used for all planning decisions for the sea, coast, estuaries and tidal waters (which sometimes extend a long distance inland), as well as developments that impact these areas, such as infrastructure. All public authorities are responsible for implementing the North East Marine Plan through existing regulatory and decision-making processes.

As well as public authorities, all applicants, third parties and advisors should also consider the North East Marine Plan. Proposals should conform with all relevant policies, taking account of economic, environmental and social considerations.”

Based on this guidance and requirements, NIFCA has reviewed the information provided as part of this consultation and believe that the candidate HPMA at Lindisfarne contravenes the following policies outlined in the North East Marine Plan:

- NE-CO-1
- NE-PS-1
- NE-HER-1
- NESCP-1
- NE-FISH-2
- NE-EMP-1
- NE-ACC-1
- NE-TR-1
- NE-SOC-1
- NE-CE-1

In a number of these policies, it is stated that proposals should enhance the subject of the policy, and where this is not the case, must demonstrate (in order of preference) that they will avoid, minimise or mitigate against any impacts.

Whilst we feel the proposal does not align with a number of the policies in the North East Marine Plan, we do acknowledge that the following have been supported by the candidate HPMA:

- NE-FISH-1
- NE-FISH-3
- NE-MPA-1
- NE-BIO-3

However, it must be asked, has the Marine Plan been considered as part of this process? If so, will this consideration be made publicly available? And, if not, at which stage of the process will this be carried out?

8.6 Issues with the documentation and questionnaire

8.6.1 Species and habitats listed as important to this site

The area of the candidate HPMA excludes a large intertidal area with key habitat which is listed as being included in the site in the background information, but which is, in fact, not within the boundaries. **Blue mussel has been listed as a priority species, but existing mussel beds are not within the boundary of the site.** Historically, there was a mussel bed in Budle Bay, which is within the site boundary, however this no longer exists. The cause of the disappearance of this mussel bed is unknown, the mussel bed was not fished and so the cause of the disappearance may not be from human activities. Further, **95% of the seagrass present within the candidate HPMA boundary has been excluded from the site.** This is the area of seagrass in the Fenham Flats area.

The Fenham Flats area is also important for overwintering birds. The Lindisfarne candidate site factsheet states that “The area is the only regular British wintering site for light-bellied brent geese, during their winter migration from the Arctic”. However, Natural England’s information on Light-bellied Brent Geese in the conservation advice for Lindisfarne SPA states “**The majority of light-bellied geese occur on the Fenham flats from Ross Point**

to Beal point and on Holy Island sands” which is outside of the boundary of the candidate site.

Why has this area been excluded from the candidate HPMA site?

In the candidate HPMA consultation Annex H Ecological narratives document, it lists important habitats and species. Some habitats and species are not found within the site. Blue mussel (as above) and native oyster are not present within the site. Species such as spiny lobster, spider crab and ocean quahog are not commonly found in the site.

8.6.2 Issues with the consultation documentation and online questionnaire

In the background information in the consultation document for this site, it states “Local knowledge suggests trawling for Norway lobster may take place in the northern section of the candidate HPMA, outside of the existing Berwickshire & North Northumberland Coast Special Area of Conservation (SAC)”. This is factually incorrect. NIFCA’s Mobile Gear Prohibition byelaw (section 3.1) covers the area of the BNNC SAC, with the addition of a 100m buffer around the perimeter of the site. The vast majority of this site (99.8%) is closed to mobile gear with only a 0.29 km² area remaining open to local gear. Local knowledge of the area suggests that the amount of trawling activity in this small part of the site is low to none. It is therefore very unlikely that five boats have trawled within this site between 2017-2019 as outlined in the consultation documents.

There are leading statements in the background document which gives embellished descriptions of the diversity of habitats and species in the site but then also states that the site is ‘relatively degraded’, potentially leading the reader to believe that all species and habitats at this site are degraded with the presence of pressures associated with commercial fishing and recreational activity, which suggests that the degradation at this site is due to those pressures. This is not the case (see Section 3.4). More information could be provided here on the process and the features that have a ‘recover conservation objective’ leading to this site being termed ‘relatively degraded’. Concerns have been expressed to NIFCA since the consultation went live that this information is leading and should be more balanced. Also, as set out above, species that are not in the site are listed as present, which could be misleading.

Feedback to NIFCA on the online questionnaire has highlighted that the survey is complex and difficult to fill in. There are concerns that the number of people affected could be underrepresented due to the difficulties in filling in the online questionnaire. There are questions which are difficult to read and understand, and therefore difficult to complete in an effective and meaningful way. There are also questions which are leading in the way they are written.

Question 129 (on the online version) “*To what extent do you agree that designating a pilot HPMA at Lindisfarne would further the protection of the marine ecosystem?*” is a leading question as it leads the reader towards thinking the protection of the marine ecosystem would be furthered, or, if people did think it would be furthered there is no space for expansion on the answer to give context or nuance. For example, one respondent told NIFCA that they thought it would further the protection but did not think that the risks to the fishing industry were worth the protection.

Question 157 (on the online version) "*In their current states, how do you think the following factors will affect the likelihood of positive ecological outcomes within the candidate HPMA boundary at Lindisfarne?*" is very difficult to understand. The question, in the way it is written, assumes positive ecological outcomes and applying each factor listed in the table to the question is very difficult to do. There are concerns that people may answer this question completely incorrectly and therefore it may not be useful and possibly damaging in the final analysis.

Question 160 (on the online version) "*What are your views on the opportunities or impacts of a catch and release angling zone adjacent to an inshore candidate HPMA?*" It is not clear in this question where the angling zones are intended to be. If adjacent to the candidate HPMA, surely that would not need to be assigned as an angling zone because angling could continue there as normal. Does this mean angling zones within the area of a candidate HPMA? This may lead to some confusion in the consultation process.

8.6.3 Impact Assessment

There are a number of issues in the Impact Assessment that NIFCA would like to address here:

The percentage of the site with habitats that have moderate or high sensitivity to key pressures are listed in a table. However, it states that "these pressures are not necessarily occurring". Is this how this site was chosen to be designated? And if so, how is this possible if the pressures are not necessarily occurring?

The assessment lists Eider ducks as being in unfavourable recovering condition and links this to recreational disturbance and predation. It is unclear how this process will stop recreational disturbance and predation and so change the condition of the Eider ducks. Eider ducks also have the benefit of protection of the Berwick to St Marys MPA.

The document lists bottom trawl, dredges, longlines and pots to be in use in the area which is not correct. The main fishing practice is the static gear pot fishery as outlined above (see section 2). There is no evidence of longlining or trawling in the site. Trawling is prohibited in 99.8% of the site area, and scallop dredging is completely prohibited in the site through Northumberland IFCA byelaws.

The document also states that VMS data has been used and suggests a small number of over 12m vessels are using the area harvesting mainly Norway lobster, squid, or turbot using mainly dredge or bottom trawls. This is also incorrect for the reasons outlined above - Trawling is prohibited in 99.8% of the site area, and scallop dredging is completely prohibited in the site through NIFCA byelaws. Further, no vessels over 12m can fish within the 0-3 nautical mile boundary using a trawl, or within the NIFCA district using a pot and so VMS data will not give information on a lot of fishing activity within the proposed site.

The document states that "Recreational fishers also have recreational shellfish permits allowing them to set a maximum of five pots targeting mainly lobster. The number of recreational permit holders is unknown". This information is readily available from NIFCA. In 2021, there were 243 recreational permit holders in the district. However, it is likely that the levels of recreational potting in the area of the candidate HPMA are very low to none.

9. Conclusion

NIFCA supports the concept of “Highly Protected Marine Areas” and recognises their place in a balanced suite of marine management measures to enable a greater recovery of the marine ecosystem to protect all habitats and species within the HPMA boundary to achieve “good environmental status” as set out in the UK Marine Strategy.

NIFCA also recognises the potential social and economic benefits of HPMA's by enhancing the aesthetic, cultural and religious significance of an area. However, those commendable and indeed essential goals will only be achieved if HPMA's are appropriately located and do not have a detrimental effect on aesthetics, culture, religion and other fundamentals of an area's existence, including an iconic and socially and economically crucial fishing industry. NIFCA would be open to further discussion with Defra on what is possible in terms of a smaller zone, as long as this is socioeconomically proportionate and fair and designed in collaboration with local fishers and other affected stakeholders.

Following discussions with NIFCA Authority member and local stakeholders, NIFCA consider the candidate HPMA at Lindisfarne to be not appropriately located and to be ill conceived. The degraded status of some site features will not be improved by banning the inshore potting industry, which has a negligible impact on habitats and species and is managed well. Although the removal of any pressure on the marine environment is likely to lead to some positive ecological outcomes, there is no evidence that the removal of the potting industry will lead to significant positive outcomes. NIFCA do not consider these benefits to outweigh the loss of income or livelihoods to fishers, knock on impacts on other businesses or industries such as tourism, and the catastrophic loss of cultural heritage particularly on Holy Island that the designation would ultimately cause. Hopefully this consultation response fills in some of the knowledge gaps necessary to inform decision-making, so that the HPMA process can be successful with the right locations chosen, protecting important habitats and species from damaging activities and ideally with earlier stakeholder consultation for a more collaborative approach.