

Title: NIFCA Byelaw 1 - Trawling IA No: NIFCA 013 Lead department or agency: Northumberland Inshore Fisheries and Conservation Authority (NIFCA) Other departments or agencies: Marine Management Organisation (MMO), Natural England, Department for Environment, Food and Rural Affairs (Defra)	Impact Assessment (IA)
	Date: 23/06/2021
	Stage: Final
	Source of intervention: Domestic
	Type of measure: Secondary legislation
Contact for enquiries: Mark Southerton, Chief IFCO, NIFCA, 8 Ennerdale Road, Blyth, Northumberland, NE24 4RT, nifca@nifca.gov.uk , 01670 797676	
Summary: Intervention and Options	RPC Opinion: N/A

Cost of Preferred (or more likely) Option (in 2019 prices)			
Total Net Present Social Value	Business Net Present Value	Net cost to business per year	Business Impact Target Status
£-36,177	£-36,177	£4,203	Non-qualifying regulatory provision

What is the problem under consideration?
Northumberland Inshore Fisheries and Conservation Authority (NIFCA) 2018 byelaw review highlighted the following issues:

- there is no requirement to have a Byelaw 1 Trawling permit in the three to six nautical mile area of the NIFC District, therefore NIFCA is limited in its ability to monitor and manage trawling activity in this area.
- The permit fee is inflexible as part of the byelaw and cannot be changed without a full byelaw making process.

Completion of the Coquet to St Mary's Marine Conservation Zone (MCZ) assessment¹ highlighted the need to eliminate the interaction between mobile gear (all trawling and dredging) and protected subtidal reef features.

Why is government action or intervention necessary?
This byelaw will increase NIFCA's ability to monitor and manage trawling activity throughout the District and support the long-term protection of features in Coquet to St Mary's MCZ.

What are the policy objectives of the action or intervention and the intended effects?
Objectives: To ensure the long-term protection of features within the Coquet to St Mary's MCZ, to enable the regulatory body (NIFCA) to effectively monitor and control trawling activity within its jurisdictional area, to allow more flexibility in changes to permit fees to accurately reflect the cost of management and monitoring to the Authority.
Desired effects: Long-term protection of features within the Coquet to St Mary's MCZ, and increased information on the scale, intensity and impacts of trawling activity in the District.

¹ Coquet to St Mary's Marine Conservation Zone Assessment (CSMMCA -FA 001)

What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base)

The following policy options have been considered through this IA:

0. Do nothing - leave the byelaw as it stands.
1. Use of non-regulatory/voluntary measures.
2. Option 2 - Revoke the current byelaw and make a new byelaw which includes provision for NIFCA to specify gear type prohibitions within Coquet to St Mary's MCZ.
3. Revoke the current byelaw to implement areas closed to mobile gear within Coquet to St Mary's MCZ.
4. Revoke the current byelaw regulation to implement a prohibition on mobile gear within Coquet to St Mary's MCZ.

All options are compared to option 0. Option 2 is preferred and was determined as the most appropriate way forward to incorporate the changes that came out of the byelaw review and the conclusions of the Coquet to St Mary's MCZ assessment.

Will the policy be reviewed? It will be reviewed. **If applicable, set review date:** 06/2023

Does implementation go beyond minimum EU requirements?		No		
Is this measure likely to impact on international trade and investment?		No		
Are any of these organisations in scope?	Micro	Small	Medium	Large
	Yes	Yes	Yes	Yes
What is the CO ₂ equivalent change in greenhouse gas emissions? (Million tonnes CO ₂ equivalent)		Traded: N/A	Non-traded: N/A	

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits, and impact of the leading options.

Signed by the responsible Chief Executive:



Date:

10 July 2020

Summary: Analysis & Evidence

Policy Option 2

Description:

FULL ECONOMIC ASSESSMENT

Price Base Year 2019	PV Base Year 2020	Time Period Years10	Net Benefit (Present Value (PV)) (£)		
			Low: N/A	High: N/A	Best Estimate: -36,177

COSTS (£)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant	Total Cost (Present Value)
Low	Optional	Optional	Optional
High	Optional	Optional	Optional
Best Estimate	0	4,203	36,177

Description and scale of key monetised costs by 'main affected groups'

Costs to fishing industry will be minimal as there will be limited loss of fishing grounds. All fishers with an exemption can continue to fish in Coquet to St Mary's MCZ. The scale of the impact in relation to the best estimate is likely to be low.

A small cost will also come from extended the requirement for a NIFCA permit to 6 nautical miles. Permit fees only cover administrative costs to the Authority and so are relatively inexpensive. At present, permit fees are £50 per year. There has been an average of 33 permit holders per year since 2016 for the 0-3 nautical mile area. An additional 54 vessels are estimated to require a permit following the byelaw changes. Combined costs of the two groups are £4,350 per year.

Other key non-monetised costs by 'main affected groups'

Costs to dredging vessels through loss of fishing ground likely to be negligible as there are very limited viable grounds within Coquet to St Mary's MCZ.

There will be costs to NIFCA to administer the permit scheme, however these cannot be accurately calculated at this time.

BENEFITS (£)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant	Total Benefit (Present Value)
Low	Unknown	Unknown	Unknown
High	Unknown	Unknown	Unknown
Best Estimate	N/A	N/A	N/A

Description and scale of key monetised benefits by 'main affected groups'

None identified.

Other key non-monetised benefits by 'main affected groups'

Protection of the habitats identified as being at risk from bottom towed gear fishing activity will have a positive effect on the overall ecological functioning of the marine protected areas (MPAs) with the potential to improve fishery productivity, although mainly in relation to species other than those targeted using bottom towed gear.

Key assumptions/sensitivities/risks **Discount rate (%)** 3.5

Assumptions: NIFCA data on spatial extent of trawling activity is accurate and location of habitats sensitive to bottom towed gear is accurate.

Sensitivities/risks: These changes could affect any future fisheries occurring within this MPA.

BUSINESS ASSESSMENT (Option 2)

Direct impact on business (Equivalent Annual) £:			Score for Business Impact Target (qualifying provisions only) £:
Costs: 4,203	Benefits: 0	Net: 4,203	
			N/A

Evidence Base

Problem under consideration and rationale for intervention

Problem under consideration

Northumberland Inshore Fisheries and Conservation Authority (NIFCA) has a duty to act to ensure the sustainable exploitation of fisheries within its District as per section 153 of the Marine and Coastal Access Act 2009². Under this legislation NIFCA also has a duty to ensure the conservation objectives of Marine Conservation Zones (MCZ) within its jurisdictional area are met and furthered (as per section 154).

The Northumberland Norway lobster (*Nephrops norvegicus*) trawl fishery, and the scallop dredge fishery, within Coquet to St Mary's MCZ has been assessed for its impacts on protected features within the site¹. The assessment concluded that heavy otter trawls and scallop dredges may hinder the conservation objectives of subtidal rocky reef features within the site, even with little interaction. Further, these feature-fishery interactions are classified as 'red-risk' necessitating intervention to prevent it (following guidance for assessments in European marine sites (EMS)³). Evidence suggests that the interaction between this fishery and the protected subtidal rock feature does occur and so management should be put in place to further the conservation objectives at this site.

Assessments for other features within Coquet to St Mary's MCZ are ongoing. The site as an overall 'Maintain' conservation objective. The interaction between mobile gear and soft sediment features (subtidal mud and subtidal sand) is not as sensitive as with subtidal rock. The evidence on impacts is not substantial and so it is difficult to draw conclusions. NIFCA aim to ensure activity levels over these features do not exceed current levels.

Northumberland *Nephrops* Fishery

The local fishery takes place between 3 and 25 miles offshore with best catches being seen during the autumn and winter months. When the fishery is at its height, it also attracts a large number of visiting trawlers from Scotland, Northern Ireland, and other English ports. The majority of the visiting trawlers are larger and more powerful than the local boats, and this enables them to work further offshore in most weather conditions. In the summer months a number of smaller under ten metre boats from North Shields, Blyth and Amble move up to the Firth of Forth to target the summer prawns, normally working daylight and darkness throughout the week and coming home at weekends. The remaining under ten metre boats and the larger local

² Marine and Coastal Access Act, 2009 <https://www.legislation.gov.uk/ukpga/2009/23/contents>

³ Revised approach to the management of commercial fisheries in European Marine Sites https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/345970/REVISED_APPROACH_Policy_and_Delivery.pdf

trawlers tend to work further offshore (beyond six nautical miles (nm)) in the summer when the weather is usually finer, targeting both white fish and prawns (A. Browne, NIFCA, November 2018, pers. comms.).

In the last five years the trawl fleet has become ever more reliant on the local prawn (*Nephrops norvegicus*) fishery, which is now the fleet's principal fishery. Anecdotal evidence indicates that the decline in the use of demersal light otter trawls targeting fish within the NIFC District is due to various factors, but predominantly the introduction of Total Allowable Catches and quotas in 1983, which drove many towards potting for shellfish. Locally, decline in cod (*Gadus morhua*) stocks is partly attributed to the cessation of dumping sewage sludge at sea around 15 years ago, particularly off the River Tyne and Blyth as sewage was a food source for cod.

Parts of the District are within the Farne Deeps Functional Unit (FU6) assessed annually by International Council for the Exploration of the Sea (ICES)⁴. This is defined as ICES rectangles 38E8, 38E9, 39E9, 40E8 and 40E9. Here, there are different regulations on mesh sizes and a quota. Mesh sizes of the trawls are dependent on their target species, for the UK sizes are specified⁵.

Trawl fishery within Coquet to St Mary's MCZ

To fish within Coquet to St Mary's MCZ, fishers must obtain a NIFCA trawl permit (through NIFCA Byelaw 1). The permit allows fishers to trawl within zero to three nm of the District. There were 34 registered Byelaw 1 Trawl permit holders in 2019.

The majority of permit holders do not fish within Coquet to St Mary's MCZ as the main trawl grounds within the zero to three nm area were removed from the MCZ before designation⁶. Within the boundary of the MCZ, the majority of trawling activity occurs on the mud feature in the north east of the site around Coquet Island. NIFCA sightings data recorded two vessels fishing within the MCZ in 2019 and three vessels fishing within the MCZ in 2018. The target habitat is subtidal mud, but two sightings show trawling activity on the boundary of the reef feature. Cognisant of the limitations of the sightings data in terms of location accuracy, these sightings have been verified using plotter data from a fishing vessel showing Global Positioning System (GPS) tracks of the area with the MCZ that light otter trawl tows are carried out over. This verifies NIFCA sightings data accuracy.

There is also small fishery targeting flatfish (mainly plaice - *Pleuronectes platessa*) within sandy bays in Coquet to St Mary's MCZ. This is predominantly Druridge Bay and Cambois Bay. There is one boat who historically trawled in these areas who

⁴ ICES Advice on fishing opportunities, catch, and effort Greater North Sea Ecoregion nep.fu.6

⁵ [Council Regulation \(EU\) No 2019/1241](#) of 25 July 2019 for the conservation of fishery resources through technical measures for the protection of juvenile marine organisms.

⁶ Net Gain, 2013

started trawling again in 2019, and one other boat who has been seen trawling in the bays anecdotally.

Analysis of NIFCA trawl permit returns (2019 onwards) and the results of a recent survey of trawl permit holders in the District indicated that the majority of trawling activity in the site is carried out using light otter trawls. However, some fishers will use 'heavy gear' if they are unsure of the ground after heavy weather events.

Twelve vessels report fishing in the Inner Area (zero to three nm) and within the Tyne-Amble area. Those vessels fished for an average of five months of the year, for an average of eight days per month. The inner area refers to zero to three nm and so does include the area outside of the MCZ (cut out area, Figure 7). Of these vessels, officers, through expert knowledge, have confirmed six vessels may have fished in Coquet to St Mary's in 2019.

Therefore, the inferred maximum frequency of activity (through analysis of one year of permit returns data) that occurs within the site is six vessels fishing an average of eight days per month for an average five months per year. This equates to 40 trips per vessel per year which may fall into in Coquet to St Mary's MCZ.

Northumberland Scallop Dredge Fishery

In 2019, there were eight dredging permits issued, however only three vessels actively fished during this time, with landings totalling 29,163 kilograms. When compared to national landings, the landed weight of scallops within the District represented 0.001% of the total UK landings into UK ports in 2018⁷. The current fishery within the NIFC District occurs in very low levels, however it is concentrated in its distribution, with activity focussed in a number of discrete areas where scallops are found (Figure 1).

Dredge Fishery within Coquet to St Mary's MCZ

From the vessel 'pings' recorded using Vessel Monitoring System (VMS) data, officers have estimated fishing activity based on vessel speed at the time the ping was received (below four knots). Figure 1 shows these pings by actively fishing vessels between 2016 and 2019. Most activity occurs outside of the three nm boundary, and outside of Coquet to St Mary's MCZ, with pings inside this boundary thought to have been a result of vessels steaming below four knots but not actively fishing. There has been no dredging activity recorded in the site since before 2016 (Figure 1).

⁷ MMO Sea Fisheries Statistics (2018) - <https://www.gov.uk/government/statistics/uk-sea-fisheries-annual-statistics-report-2018>

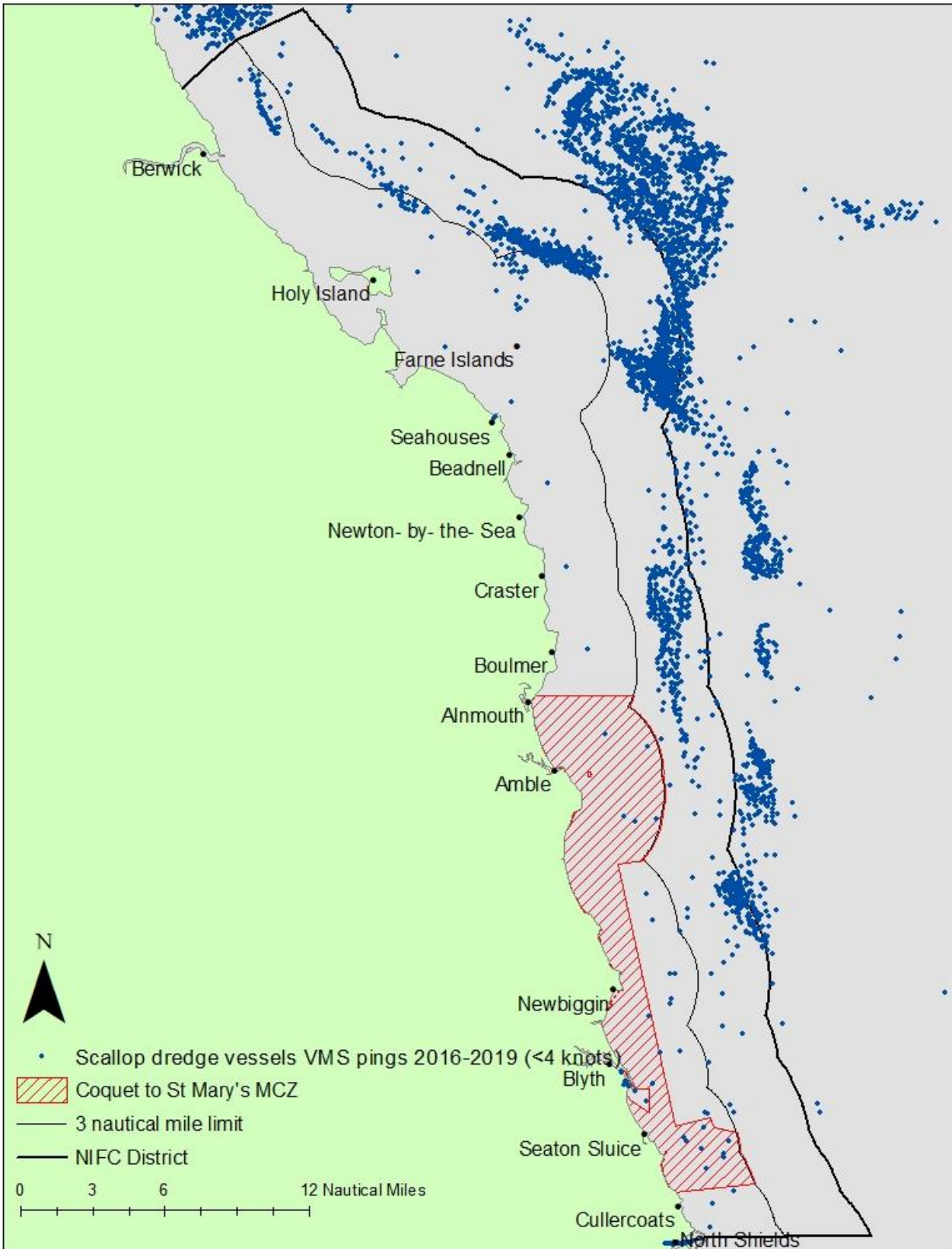


Figure 1 The NIFIC District, with VMS pings received by dredgers transiting below four knots, estimated to be fishing between 2016 and 2019.

Coquet to St Mary's MCZ

Coquet to St Mary's MCZ was designated in 2016, it is an inshore site located along the Northumberland coast from Alnmouth in the north to Whitley Bay in the south covering 192km² of intertidal and offshore waters (Figure 2). The site supports a range of intertidal and seabed habitat features (Table 1, Figure 3). Where necessary, regulators will manage marine activities within this site. The general management approach for the site is to maintain in favourable condition.

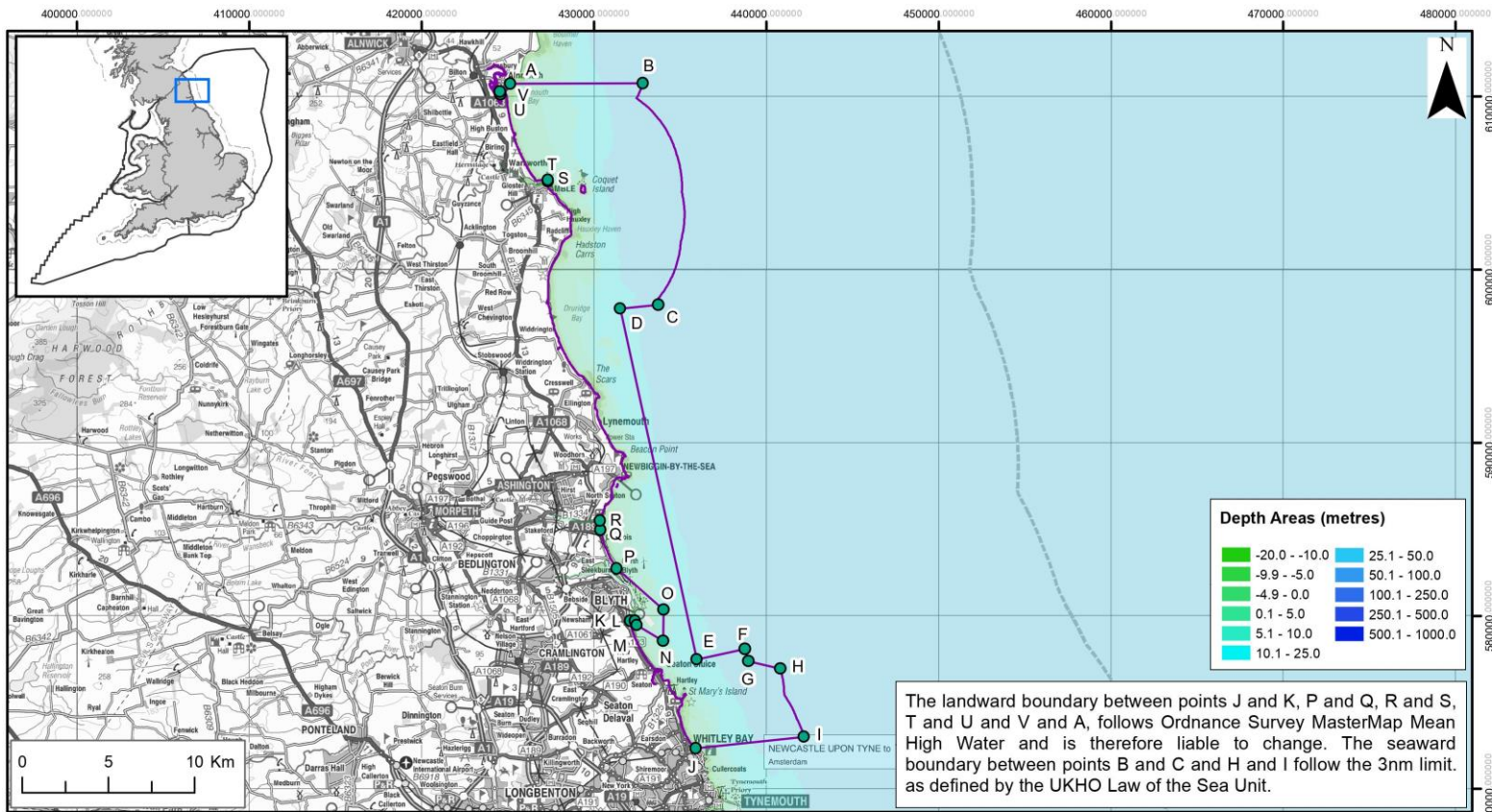
NIFCA have assessed the impacts of fishing activity within the MCZ in relation to bottom towed gear. The assessment has concluded that there are 'red risk' interactions present between subtidal rock features and towed demersal gear (Table 2). Measures should be put in place to eliminate this interaction.

Table 1 Designated features of Coquet to St Mary's MCZ and general management approach.

Feature	Fisheries Matrix Sub-feature	General management approach
High energy infralittoral rock	Subtidal bedrock reef	Maintain in favourable condition
High energy intertidal rock	Intertidal bedrock reef	Maintain in favourable condition
Intertidal coarse sediment	Intertidal gravel and sand	Maintain in favourable condition
Intertidal mixed sediments	Intertidal mixed sediments	Maintain in favourable condition
Intertidal mud	Intertidal mud	Maintain in favourable condition
Intertidal sand and muddy sand	Intertidal mud and sand	Maintain in favourable condition
Intertidal under boulder communities	Intertidal boulder and cobble reef	Maintain in favourable condition
Low energy intertidal rock	Intertidal bedrock reef	Maintain in favourable condition
Moderate energy circalittoral rock	Subtidal bedrock reef	Maintain in favourable condition
Moderate energy infralittoral rock	Subtidal bedrock reef	Maintain in favourable condition
Moderate energy intertidal rock	Intertidal bedrock reef	Maintain in favourable condition
Peat and clay exposures	N/A	Maintain in favourable condition
Subtidal coarse sediment	Coarse Sediment	Maintain in favourable condition
Subtidal mixed sediments	Subtidal mixed sediments	Maintain in favourable condition

Subtidal mud	Subtidal mud	Maintain in favourable condition
Subtidal sand	Subtidal sand	Maintain in favourable condition

The location of the features above are represented in Figure 3 below. Formal advice received from Natural England states that subtidal reef features are likely to be impacted.



Coquet to St Mary's rMCZ Boundary

- Recommended MCZ
- Regional MCZ project area
- Land
- 12nM Territorial Seas Limit
- MCZ boundary co-ordinates

Point	Lat	Long	Point	Lat	Long
A	55° 23' 23.938" N	1° 36' 16.596" W	L	55° 6' 38.485" N	1° 29' 37.867" W
B	55° 23' 22.507" N	1° 28' 58.903" W	M	55° 6' 30.244" N	1° 29' 32.148" W
C	55° 16' 29.020" N	1° 28' 14.397" W	N	55° 6' 0.348" N	1° 28' 6.099" W
D	55° 16' 21.614" N	1° 30' 19.395" W	O	55° 6' 58.794" N	1° 28' 5.290" W
E	55° 5' 25.433" N	1° 26' 16.455" W	P	55° 8' 16.567" N	1° 30' 37.009" W
F	55° 5' 44.243" N	1° 23' 39.473" W	Q	55° 9' 28.997" N	1° 31' 29.000" W
G	55° 5' 21.620" N	1° 23' 27.991" W	R	55° 9' 45.860" N	1° 31' 30.150" W
H	55° 5' 6.817" N	1° 21' 43.958" W	S	55° 20' 20.317" N	1° 34' 14.911" W
I	55° 2' 59.103" N	1° 20' 28.435" W	T	55° 20' 23.317" N	1° 34' 13.728" W
J	55° 2' 39.178" N	1° 26' 22.263" W	U	55° 23' 3.917" N	1° 36' 49.580" W
K	55° 6' 38.552" N	1° 29' 54.248" W	V	55° 23' 9.032" N	1° 36' 51.347" W

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Figure 2 Coquet to St Mary's MCZ showing the extent of the site.

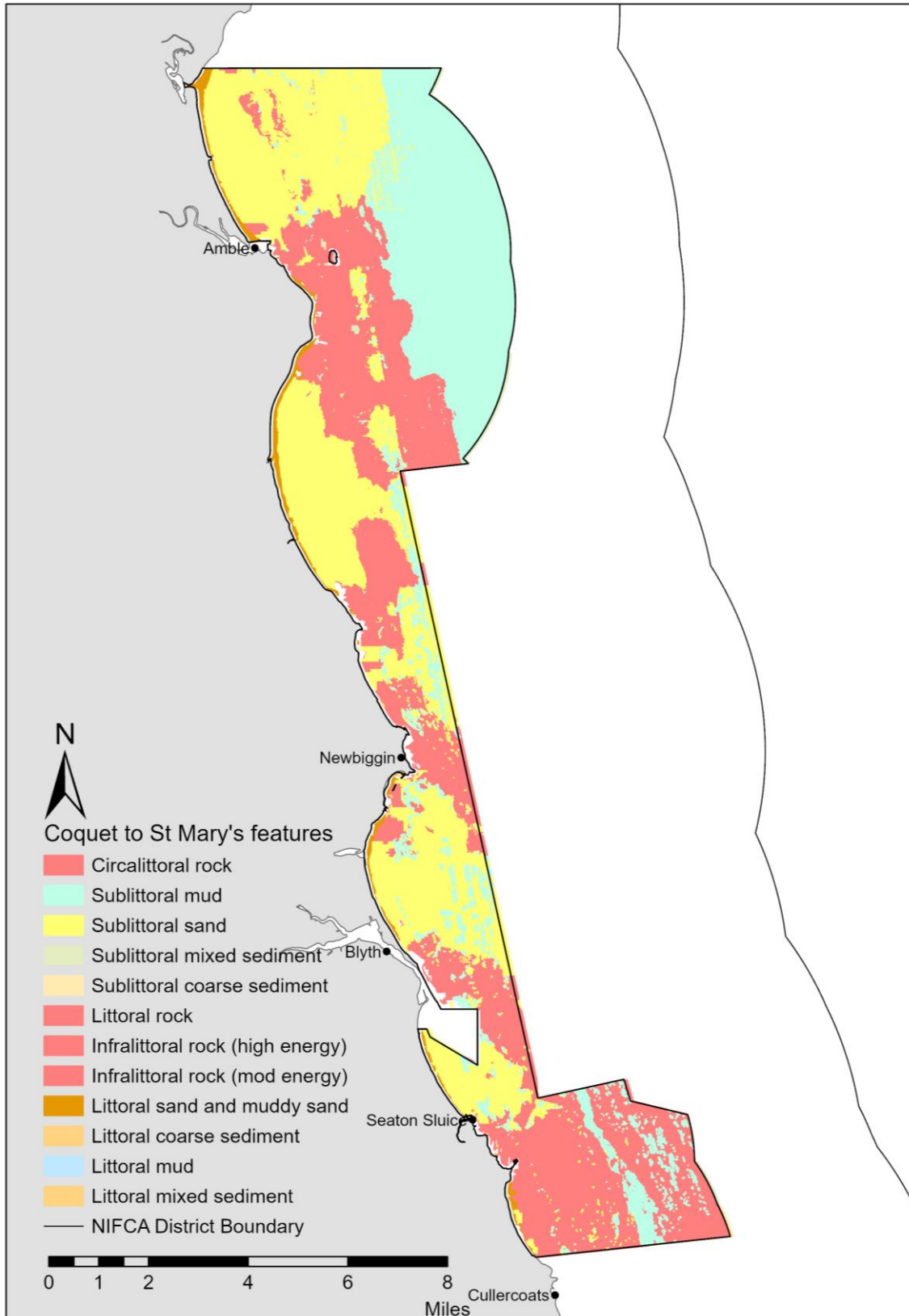


Figure 3 Coquet to St Mary's MCZ habitat features. Similar features have been grouped by colour.

Table 2 Adapted from the Coquet to St Mary's MCZ Assessment: Commercial Fishing showing consideration of MCZ features in relation to attributable 'generic sub-features' with screening results and rationale behind this.

Fishing Gear	Generic sub-features	Screening result	Rationale
Demersal trawl	Sub-tidal bedrock reef	Red risk – management should be implemented to remove potential for interaction	Any interaction may cause adverse impacts with no other intervention suitable to further conservation objectives of the site
	Coarse Sediment Subtidal mixed sediments Subtidal mud Subtidal sand	Amber risk – interaction must be assessed further	Impacts at current levels of fishing activity must be assessed with management developed if deemed necessary.
Scallop dredge	Sub-tidal bedrock reef	Red risk – management should be implemented to remove potential for interaction	Any interaction may cause adverse impacts with no other intervention suitable to further conservation objectives of the site
	Coarse Sediment Subtidal mixed sediments Subtidal mud Subtidal sand	Amber risk – interaction must be assessed further	Impacts at current levels of fishing activity must be assessed with management developed if deemed necessary.

Rationale and evidence to justify the level of analysis used in the IA (proportionality approach)

Rationale for intervention

IFCAs have a duty to ensure that fish stocks are exploited in a sustainable manner, and that any impacts from that exploitation on designated features in the marine environment are reduced or suitably mitigated, by implementing appropriate management measures. Updating Byelaw 1: Trawling will enable NIFCA to ensure that fishing activities are conducted in a sustainable manner and that the marine environment is suitably protected.

Fishing activities can potentially cause negative outcomes as a result of market failures. These failures can be described as:

1. Public goods and services – a number of goods and services provided by the marine environment such as biological diversity are ‘public goods’ (no-one can be excluded from benefiting from them, but use of the goods does not diminish the goods being available to others). The characteristics of public goods, being available to all but belonging to no-one, mean that individuals do not necessarily have an incentive to voluntarily ensure the continued existence of these goods which can lead to under-protection/provision.
2. Negative externalities – negative externalities occur when the cost of damage to the marine environment is not fully borne by the users causing the damage. In many cases no monetary value is attached to the goods and services provided by the marine environment and this can lead to more damage occurring than would occur if the users had to pay the price of damage. Even for those marine harvestable goods that are traded (such as wild fish), market prices often do not reflect the full economic cost of the exploitation or of any damage caused to the environment by that exploitation.
3. Common goods - a number of goods and services provided by the marine environment such as populations of wild fish are ‘common goods’ (no-one can be excluded from benefiting from those goods however consumption of the goods does diminish that available to others). The characteristics of common goods (being available but belonging to no-one, and of a diminishing quantity), mean that individuals do not necessarily have an individual economic incentive to ensure the long-term existence of these goods which can lead, in fisheries terms, to potential overfishing. Furthermore, it is in the interest of each individual to catch as much as possible as quickly as possible so that competitors do not take all the benefits. This can lead to an inefficient amount of effort and unsustainable exploitation.

IFCA byelaws aim to redress these sources of market failure in the marine environment through the following:

- Management measures to conserve designated features of MPAs will ensure negative externalities are reduced or suitably mitigated.
- Management measures will support continued existence of public goods in the marine environment by conserving the range of biodiversity in the sea of the NIFC District. Changes to the byelaws will not adversely impact the marine environment and will ensure that there is no increase in the exploitation of marine species.
- Management measures will also support continued existence of common goods in the marine environment.

Description of options considered

Option 0 – Do nothing

The current NIFCA byelaw: Trawling would remain in place as it is under this option. This byelaw sets out the need for a permit in the Inner Area, places restrictions on vessel size, and restricts trawling to a single trawl with a single cod-end and one pair of otter boards. A net cannot be towed simultaneously by more than one vessel and purse seine netting is prohibited. This byelaw would remain in force if this option were followed.

NIFCA has assessed the impacts of bottom towed gear within Coquet to St Mary's MCZ¹. The assessment has concluded that adverse impacts on site integrity cannot be ruled out in relation to some sub-features where any level of fishing activity using bottom towed gear is considered likely to have a significant adverse effect. This includes in relation to identified 'red-risk' features where Department for the Environment, Food and Rural Affairs (Defra) policy dictates the removal of the fishing pressure for 'red-risk' interactions (for EMS, however has been applied to MCZs under advice from Natural England).

Towed demersal fishing activities on subtidal bedrock reef features within an MPA are classified as red-risk interactions and require management measures to prevent fishing activities from having harmful effects on the environment. The 'do nothing' option would have the least economic impact on stakeholders, however is not considered to be adequate to reduce the risk of impacts from bottom towed gear within Coquet to St Mary's MCZ, and is therefore not considered a viable option.

NIFCA have a duty to ensure the sustainable exploitation of sea fisheries resources. To do so, NIFCA implement a permit scheme for potting, trawling and dredging fisheries within its jurisdictional area. The permit scheme allows NIFCA to place suitable and proportionate restrictions on the fishery to achieve IFCA duties. It also allows NIFCA to request that permit returns are submitted, detailing important information about catch and effort relating to the fishery in order to more effectively monitor and manage any impacts. Permit returns are required to be submitted by permit holders, in addition to information supplied to the Marine Management Organisation (MMO) for the Under 10 metre catch returns project. This is because NIFCA require information at a finer scale than the catch return information reported to the MMO. NIFCA will use this information to monitor activity within Coquet to St Mary's MCZ, which would not be possible with data collected through the Under 10 metre catch return project. Further, NIFCA require information for the 10 – 12 metre vessels which do not supply catch return information to the MMO through the catch reporting project. The current Byelaw 1 permit requirements extend only to the Inner Area of the NIFC District (zero to three nm) with no requirement for a permit in the Outer Area (three to six nm). There is a requirement to renew this permit annually with a fee attached to cover the administrative costs. This fee cannot be easily

changed to reflect the changes in administrative costs. Adding a fixed procedure to the byelaw allowing NIFCA to legally vary the fee would allow greater flexibility in changing the fee to align with the costs of processing the permit.

The 'do nothing' option would leave this as is, which would mean that information on trawling activity in the outer area remains relatively data deficient, this means more assumptions are needed to quantify activity levels which leads to less robust monitoring and is therefore not considered a desired option.

Option 1 - Use of non-regulatory/voluntary measures

Given the information outlined above, in order to fully ensure protection of features within Coquet to St Mary's MCZ, NIFCA must ensure the interaction between mobile gear and subtidal reef features is eliminated and the activity does not exceed current levels. Due to the number of vessels (including visiting vessels) that could potentially fish using trawls and dredges within Coquet to St Mary's MCZ, it is thought that revoking the byelaw and using voluntary measures would not enable NIFCA to achieve the stated objectives. Within the fishing sector, fishermen tend to exploit a fishery to the maximum when opportunities allow. If there is the potential for financial reward, there remains the risk that they would take the opportunity to fish regardless of any non-regulatory/voluntary measures in place. When byelaws are in place, a high level of observance of regulation occurs, particularly as there are no ambiguities.

Option 2 - Revoke the current byelaw and make a new byelaw which includes provision for NIFCA to specify gear type prohibitions within Coquet to St Mary's MCZ (preferred option)

This option will introduce a gear restriction into the byelaw which will allow the use of light otter trawl gear only within Coquet to St Mary's MCZ. Light otter trawl gear is defined as:

a single trawl fitted with a single cod-end and one pair of otter boards rigged for fine ground fishing using either:

- (i) grass rope with lead rings;
- (ii) light chain ground gear with a chain link diameter of less than or equal to 10 millimetres; or,
- (iii) rubber leg ground gear with rubber discs less than 70 millimetres in diameter.

All other types of mobile gear will be prohibited from the site.

The changes will protect the following sensitive subtidal bedrock reef features of Coquet to St Mary's MCZ:

- High energy infralittoral rock;
- Moderate energy circalittoral rock; and
- Moderate energy infralittoral rock.

These have been assessed as sensitive to bottom towed gear fishing¹. These features will be protected through this measure because using the gear outlined above, fishers will not tow on or near rock as gear may become snagged and damaged. Liaison with the fishing industry has confirmed this. Fishing on subtidal mud targeting *Nephrops* can be carried out efficiently and effectively using the light otter trawl gear set out above. Heavier trawl gear has been used in the site if fishing close to 'obstacles' or rock features; or if there is a chance sediment may have moved following a storm. As such, fishing can continue on soft sediment with the MCZ while protecting sensitive reef features from mobile gear. Dredging will be prohibited in the site.

This option will also only allow trawling in Coquet to St Mary's MCZ by those who have an exemption granted by NIFCA. This will allow for traditional trawling ground to be fished while also ensuring the protection of reefs. Further, it will ensure that trawling activity does not increase above current levels which works towards furthering the conservation objectives of the MCZ for soft sediment features in the site. If, through monitoring, NIFCA find that effort has significantly increased in the site posing a risk to protected features the byelaw gives the Authority the ability to revoke the exemptions and close the site to all mobile gear. The new byelaw will also include the requirement for fishers to have a permit for the whole NIFC District while the fee for the permit can be changed to reflect administrative costs.

The byelaw will be introduced through the formal process required to make a byelaw. In so making the proposed byelaw, Byelaw: 1 Trawling, as it stands currently, will be revoked, and replaced with a similar byelaw with additions/amendments outlined above made.

NIFCA will be responsible for the ongoing operation and enforcement of this byelaw.

This option has been deemed as the most appropriate method for managing trawling activity within Coquet to St Mary's MCZ, and including the factors that came out of the byelaw review.

Option 3 - Revoke the current byelaw to implement areas closed to mobile gear within Coquet to St Mary's MCZ

This option would be effective in ensuring the protection of sensitive features within Coquet to St Mary's MCZ as the MCZ could be zoned with area open to mobile gear and areas closed to mobile gear. Closed areas would encompass sensitive subtidal rock features and allow trawling in areas of less sensitive habitat (Subtidal

soft sediment features).

NIFCA have explored this option and discussed its viability with stakeholders and through the Coquet to St Mary's MCZ working group. However, given the mosaic nature of the features within the MCZ, defining open and closed areas based on feature location was deemed to be too difficult to implement, and would also be confusing for stakeholders to follow.

Option 4 - Revoke the current byelaw regulation to implement a prohibition on mobile gear within Coquet to St Mary's MCZ

Closure of the site would meet the conservation objectives of the site but have disproportionate impacts on the industry. It also goes beyond the minimum requirement to achieve the conservation objectives of the associated MPA. This option was strongly opposed by the local fishing industry as it would cause a loss of traditional inshore fishing grounds which would push small vessels further offshore in all weather conditions which would represent a significant safety risk. Therefore, this option was not considered viable.

Policy objective

Policy objective

The policy objective is to ensure that the bottom towed gear fisheries within Coquet to St Mary's MCZ within the District do not hinder the conservation objectives of the site whilst minimising the economic impact on the fishing industry. The management measures proposed in option 2 have been developed to be representative of minimum requirements to ensure conservation objectives are met but are also effective, enforceable, and clear to impacted stakeholders.

The intended effect of the new byelaw is to restrict the use of certain types of bottom towed gear in areas which contain habitats which are likely to be damaged by their use and therefore adversely affect the conservation objectives. They are also intended to ensure trawling activity does not increase above current levels and so pose a risk to the conservation of other features present in the site (namely subtidal mud).

By increasing the area for which a trawling permit is required, NIFCA are in a better position to assess and monitor this fishing activity throughout the District, as a requirement of the trawling permit is to submit monthly catch and effort returns information to NIFCA.

The management described above will be monitored through enforcement patrols in the MCZ recording information on activity and gear type used. Through partnerships with Newcastle University and Natural England, NIFCA hold some data on indicators

of Good Environmental Status⁸ which can be used as a baseline for future subtidal monitoring studies to understand the condition of features in relation to fishing pressure.

Summary and preferred option with description of implementation plan

Summary of the preferred option

The preferred option is option 2 - Revoke the current byelaw and make a new byelaw which includes provision for NIFCA to specify gear type prohibitions within Coquet to St Mary's MCZ. This would place a gear restriction on trawling activity within the MCZ, allowing light otter trawl gear only. It would also allow NIFCA to authorise exemptions to trawl using specified gear in the MCZ, which could be removed if trawling effort increases significantly in the site. It would also extend the requirement to have a NIFCA trawl permit to the whole District.

The proposed measure may affect the NIFCA trawl fishery and dredge fishery (although any effects are expected to be minimal). With measures designed to protect subtidal reef features from bottom towed gear and maintain trawling activity close to current levels elsewhere in the site.

Some measures will be carried over from the previous byelaw including a provision which prohibits purse seine netting. Prior to 2015 purse seine netting was prohibited under a separate byelaw which was a legacy byelaw from the Northumberland Sea Fisheries Committee. In the 2015 byelaw review, this measure was combined into the Byelaw 1: Trawling.

Description of the implementation plan

The byelaw was put before the NIFC Authority and made on 27 July 2020. Prior to this NIFCA carried out informal stakeholder consultations on changes to NIFCA Byelaw 1: Trawling and options for management measures for mobile gear in Coquet to St Mary's MCZ. The consultation on changes to NIFCA Byelaw 1: Trawling opened on 19 August 2019 and ran until 14 October 2019. Four responses were received to this consultation⁹. The consultation on management measures for mobile gear in Coquet to St Mary's MCZ opened on 12 August 2019 and ran until 30 September 2019. Fifteen responses were received to this consultation¹⁰.

The formal consultation opened on 26 August 2020 and ran until 2 October 2020. It was advertised in the Fishing news on 27 August 2020 and 3 September 2020, and in The Journal on 27 August and 3 September 2020. Two responses were received to the consultation, both of these were face to face interactions with NIFC officers

⁸ MSFD Partnership Project – EMFF project ENG2731 (MSFD Subtidal Rock and Mud Indicators and Monitoring Protocols in the North Sea)

⁹ <https://www.nifca.gov.uk/wp-content/uploads/2019/12/Trawling-Byelaw-1-consultation-results.pdf>

¹⁰ <https://www.nifca.gov.uk/wp-content/uploads/2019/12/Coquet-to-St-Marys-MCZ-consultation-results.pdf>

seeking clarification on the byelaw. One response thought there no need for regulation as bottom towed gear with rockhoppers would do no damage to the seabed. NIFCA's response was to clarify the justification behind the changes to the byelaw. The other respondent sought more information about the byelaw and was in support of the changes.

When the byelaw comes into force, officers will engage with the industry to educate and inform on routine patrols. Ongoing operation and enforcement will be the responsibility of NIFCA, along with monitoring and review to ensure desired effects and outcomes of the regulation are taking place.

Monetised and non-monetised costs and benefits of each option (including administrative burden)

Monetised and non-monetised costs and benefits

Option 0 – Do nothing and Option 1 - Use of non-regulatory/voluntary measures

There are no significant monetised or non-monetised costs associated with the 'do nothing' option or option 1. The key non-monetised costs relate to the impacts on ecosystem functioning resultant of continued fishing activity in the areas proposed to be closed. Impacts on ecosystem function may lead to impacts on the sustainability of fisheries and their productivity.

In addition, the 'do nothing' option is not in keeping with the requirements of the Marine and Coastal Access Act 2009¹¹ and as such may lead to infraction proceedings being taken.

Option 2 - Revoke the current byelaw and make a new byelaw which includes provision for NIFCA to specify gear type prohibitions within Coquet to St Mary's MCZ (preferred option)

Monetised costs associated with this option

Costs associated with this option are extremely limited and unlikely to have an impact on any fishing businesses.

Costs to the trawl fishery

The grounds within the MCZ are currently used by a maximum of six local under 12 metre vessels, any vessel with an exemption can continue to fish within the site

¹¹ Marine and Coastal Access Act, 2009 <https://www.legislation.gov.uk/ukpga/2009/23/contents>

following the proposed gear restrictions therefore there will be no costs to the current trawl fishery.

The changes to the byelaw also include a requirement for a permit to trawl within the area of the whole NIFC District. This represents a small cost to fishers wishing to become permit holders however this is extremely small (2020 permits were charged at £50 per vessel) and unlikely to have an impact on fishing businesses.

Costs to the dredge fishery

Given the information we have on the lack of dredging activity within the MCZ, and the very small area of suitable ground for scallop dredging. There are likely to be no costs associated with the closure of this site to scallop dredging.

Costs to NIFCA

This byelaw will be enforced through the current routine enforcement patrols therefore no further compliance costs are foreseen. This is subject to change based on risk-based enforcement priorities and whether the enforcement of this byelaw becomes a priority depends on compliance, however it is not possible to calculate these costs at present.

Non-monetised costs and benefits

Costs to the trawl fishery

The proposed measures are unlikely to significantly change fishing patterns. They are designed to protect an MCZ feature and safeguard it for the future. The measure which allows closure of the MCZ to all trawling activity may have a small impact on fishers who currently trawl within the MCZ, if the closure was implemented. However, it is such a small area of fishing ground when compared to the Farne Deep Functional Unit Area, with limited trawling activity at present, that any future displacement is likely to be negligible.

Costs to the dredge fishery

A prohibition of this activity would not significantly change the behaviour of fishers, as this is not targeted by the dredge fishery, with no records of activity.

Costs to NIFCA

Administrative costs to NIFCA for issuing permits are covered through an annual £50 fee for each permit holder. NIFCA intends to undertake monitoring to support the conclusions of the MCZ assessment and ensure that adverse effects are not occurring from the ongoing fishing activity within the site. The associated cost of this cannot be monetised, as the level of monitoring is likely to change over time. Further,

monitoring would be carried out regardless of the implementation of the changes to byelaw 1.

Benefits to NIFCA

Through implementation of the byelaw increased monitoring of the site will be carried out through more detailed catch returns and targeted patrols throughout the site, this will improve NIFCA's monitoring records. The conclusions of the Coquet to St Mary's MCZ assessment will be addressed to ensure conservation objectives are met and furthered.

Option 3 - Revoke the current byelaw to implement areas closed to mobile gear within Coquet to St Mary's MCZ and Option 4 - Revoke the current byelaw regulation to implement a prohibition on mobile gear within Coquet to St Mary's MCZ.

The monetised costs and benefits for these options have not been identified as they are not the preferred option.

Direct costs and benefits to business calculations

Local business operations would likely not be significantly and/or adversely affected by these measures.

Risks and assumptions

Risks and assumptions

The assessment has used the following information:

- NIFCA Byelaw 1 – Trawling permit returns;
- NIFCA patrol sightings; and
- results from the informal consultation process.

The analysis has considered the best available evidence to estimate monetised costs where the data will allow. This includes consultation with the stakeholders that are likely to be impacted. Concerns have been raised by the fishing industry when introducing the potential options. The main concern was loss of fishing grounds close to home ports which could force fishers further offshore in poor weather conditions posing a safety risk. NIFCA have worked with industry representatives and Authority members to reach an option that protects features sensitive to impacts of mobile gear and to allow fishing activity to continue in the site (as close as possible to the

current levels). Results of the informal consultation can be found on the NIFCA website^{12 13}.

NIFCA have used best available evidence to quantify the amount of trawling activity within the site and the extent of activity in relation to protected features. NIFCA sightings data, permit returns data and liaison with local industry has been used to calculate activity levels and therefore infer effort. There are inherent assumptions in these calculations. The percentage of tows within the MCZ per year have been estimated based on conversations with industry. The information also assumes the accuracy of sightings data and habitat maps (for feature extent). NIFCA plan to monitor this byelaw and fishing activity and have a review procedure whereby this byelaw will be reviewed at least once every three years.

Impact on small and micro businesses

Please refer to previous section regarding costs to businesses.

Wider impacts (consider the impacts of your proposals)

No wider impacts predicted.

A summary of the potential trade implications of measure

Trade would not be impacted by this proposed legislative change.

Monitoring and Evaluation

The management described above will be monitored through enforcement patrols in the MCZ recording information on activity and gear type used. Through partnerships with Newcastle University and Natural England, NIFCA hold some data on indicators of Good Environmental Status¹⁴ which can be used as a baseline for future subtidal monitoring studies to understand the condition of features in relation to fishing pressure.

NIFCA byelaws are subject to a review procedure as follows.

Review Procedure: The Authority will review the permit conditions no less than once every three years as follows:

- (a) The Authority will consult in writing with permit holders and such other stakeholders, organisations and persons as appear to the Authority to

¹² <https://www.nifca.gov.uk/wp-content/uploads/2019/12/Coquet-to-St-Marys-MCZ-consultation-results.pdf>

¹³ <https://www.nifca.gov.uk/wp-content/uploads/2019/12/Trawling-Byelaw-1-consultation-results.pdf>

¹⁴ MSFD Partnership Project – EMFF project ENG2731 (MSFD Subtidal Rock and Mud Indicators and Monitoring Protocols in the North Sea)

be representative of the interests likely to be substantially affected by the proposed future management options.

- (b) The Authority will make a decision whether to attach, vary or remove any permit conditions based on the consultation responses obtained in accordance with the information listed in the paragraph below.
- (c) Following a decision being made by the Authority, permit holders will be notified in writing and permits will be amended as necessary at no cost to the permit holder.

The information includes any one or more of the following:

- (a) data collected from permit holders;
- (b) scientific and survey data gathered by the Authority or provided to the Authority by such other bodies, organisations, or persons as the Authority shall think fit;
- (c) advice provided by the Centre for Environment, Fisheries and Aquaculture Science or such other bodies, organisations, or persons as the Authority shall think fit;
- (d) an Impact Assessment of any proposed changes;
- (e) advice given by Natural England or such other bodies, organisations, or persons as the Authority shall think fit; and
- (f) information from any other relevant source.

NIFCA intend to monitor the levels of fishing activity within Coquet to St Marys MCZ through analysis of sightings data and NIFCA permit returns; the level of compliance with the changes to the byelaw through reporting of routine and targeted patrols; the adverse impacts and conservation status of features within Coquet to St Mary's MCZ through liaison with Natural England and results of research projects.

Annex A: Policy and Planning

Which marine plan area is the MPA and management measure in?

North East Inshore Marine Plan

Have you assessed whether the decision on this MPA management measure is in accordance with the Marine Policy Statement and any relevant marine plan?

- Yes

If so, please give details of the assessments completed:

Topic	Policy Code	Policy Text	Byelaw 1
Infrastructure	NE-INF-1	Appropriate land-based infrastructure which facilitates marine activity (and vice versa) should be supported.	Does not apply.
Co-existence	NE-CO-1	Proposals that optimise the use of space and incorporate opportunities for coexistence and co-operation with existing activities will be supported. Where potential conflicts with existing activities are likely (including displacement) proposals must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate significant adverse impacts on existing activities (including displacement) d) if it is not possible to mitigate significant adverse impacts on existing activities (including displacement), proposals should state the case for proceeding.	Does not apply.
Aggregates	NE-AGG-1	Proposals in areas where a licence for extraction of aggregates has been granted or formally applied for should not be authorised unless it is demonstrated that the other development or activity is compatible with aggregate extraction.	Does not apply.
	NE-AGG-2	Proposals within an area subject to an Exploration and Option Agreement with The Crown Estate should not be supported unless it is demonstrated that the other development or activity is compatible with aggregate extraction.	Does not apply.
	NE-AGG-3	Proposals in areas where high potential aggregate resource occurs should demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate significant adverse impacts on aggregate extraction d) if it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.	Does not apply.

Cables	NE-CAB-1	Preference should be given to proposals for cable installation where the method of installation is burial. Where burial is not achievable, decisions should take account of protection measures for the cable that may be proposed by the applicant. Where burial or protection measures are not appropriate, proposals should state the case for proceeding without those measures.	Does not apply.
	NE-CAB-2	Proposals demonstrating compatibility with existing landfall sites and incorporating measures to enable development of future landfall opportunities should be supported. Where this is not possible proposals will, in order of preference: a) avoid b) minimise c) mitigate significant adverse impacts on new and existing landfall sites d) if it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.	Does not apply.
	NE-CAB-3	Where seeking to locate close to existing sub-sea cables, proposals should demonstrate compatibility with ongoing function, maintenance, and decommissioning activities of the cable.	Does not apply.
Dredging and disposal	NE-DD-1	In areas of authorised dredging activity, including those subjects to navigational dredging, proposals for other activities will not be supported unless they are compatible with the dredging activity.	Does not apply.
	NE-DD-2	Proposals that cause significant adverse impacts on licensed disposal areas should not be supported. Proposals that cannot avoid such impacts must, in order of preference: a) minimise b) mitigate c) if it is not possible to mitigate the significant adverse impacts, proposals must state the case for proceeding.	Does not apply.
	NE-DD-3	Proposals for the disposal of dredged material must demonstrate Oil and gas that they have been assessed against the waste hierarchy. Where there is the need to identify new dredge disposal sites, proposals should be supported which are subject to best practice and guidance.	Does not apply.
Oil and gas	NE-OG-1	Proposals in areas where a licence for oil and gas has been granted or formally applied for should not be authorised unless it is demonstrated that the other development or activity is compatible with the oil and gas activity	Does not apply.
	NE-OG-2	Proposals within areas of geological oil and gas extraction potential demonstrating compatibility with future extraction activity will be supported.	Does not apply.

Ports, harbours, and shipping	NE-PS-1	Only proposals demonstrating compatibility with current activity and future opportunity for sustainable expansion of port and harbour activities will be supported. Proposals that may have a significant adverse impact upon current activity and future opportunity for expansion of port and harbour activities must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate significant adverse impacts d) if it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.	Does not apply.
	NE-PS-2	Proposals that require static sea surface infrastructure or that significantly reduce under-keel clearance must not be authorised within or encroaching upon International Maritime Organization routing systems unless there are exceptional circumstances.	Does not apply.
	NE-PS-3	Proposals that require static sea surface infrastructure or that significantly reduce under-keel clearance which encroaches upon high density navigation routes, strategically important navigation routes, or that pose a risk to the viability of passenger services, must not be authorised unless there are exceptional circumstances.	Does not apply.
	NE-PS-4	Proposals promoting or facilitating sustainable coastal and/or short sea shipping as an alternative to road, rail or air transport will be supported where appropriate.	Does not apply.
Renewables	NE-REN-1	Proposals that enable the provision of renewable energy technologies and associated supply chains, will be supported.	Does not apply.
	NE-REN-2	Proposals for new activity within areas held under a lease or an agreement for lease for renewable energy generation should not be authorised, unless it is demonstrated that the proposed development or activity will not reduce the ability to construct, operate or decommission the existing or planned energy generation project.	Does not apply.
	NE-WIND-1	Proposals for offshore wind inside areas of identified potential will be supported.	Does not apply.
Heritage assets	NE-HER-1	Proposals that demonstrate they will conserve and enhance elements contributing to the significance of heritage assets will be supported. Proposals unable to conserve and enhance elements contributing to the significance of heritage assets will only be supported if they demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate harm to those elements contributing to the significance of heritage assets d) if it is not possible to mitigate, then public benefits for proceeding with the proposal must outweigh the harm to the significance of heritage assets.	Does not apply.

Seascape and landscape	NE-SCP-1	<p>Proposals that may have a significant adverse impact upon the seascapes and landscapes of an area should only be supported if they demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate d) if it is not possible to mitigate, the public benefits for proceeding with the proposal must outweigh significant adverse impacts to the seascapes and landscapes of an area. <p>Where possible, proposals should demonstrate that they have considered how highly the seascapes and landscapes of an area is valued, its quality, and the areas potential for change. In addition, the scale and design of the proposal should be compatible with its surroundings, and not have a significant adverse impact on the seascapes and landscapes of an area.</p>	Does not apply.
Fisheries	NE-FISH-1	Proposals supporting a sustainable fishing industry, including the industry's diversification, should be supported.	The proposed measures aim to protect features within Coquet to St Mary's MCZ while also supporting the local industry in designing management which does not unnecessarily impact traditional fishing grounds.
	NE-FISH-2	<p>Proposals that enhance access for fishing activities should be supported. Proposals that may have significant adverse impacts on access for fishing activities, must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate significant adverse impacts d) if it is not possible to mitigate the significant adverse impacts, proposals should state the case for proceeding. 	Gear restrictions will limit the trawl area in Coquet to St Mary's MCZ as light gear cannot fish over hard reef areas. This should not impact access.
	NE-FISH-3	<p>Proposals enhancing essential fish habitat, including spawning, nursery and feeding grounds, and migratory routes should be supported. If proposals cannot enhance essential fish habitat, they must demonstrate that they will, in order of preference:</p> <ul style="list-style-type: none"> a) avoid b) minimise c) mitigate significant adverse impact on essential fish habitat, including spawning, nursery and feeding grounds, and migration routes. 	There will be extremely limited displacement of activity, it is unlikely that the proposed changes will impact essential fish habitat.

Employment	NE-EMP-1	Proposals that result in a net increase to marine related employment will be supported, particularly where they meet one of more of the following: i. are created in areas identified as the most deprived or; ii. are in line with local skills strategies and the skills available in and adjacent to the north east marine plan area or; iii. create a diversity of opportunities or; iv. implement new technologies.	Does not apply.
Climate change	NE-CC-1	Proposals which enhance habitats that provide flood defence or carbon sequestration will be supported. Proposals that may have significant adverse impacts on habitats that provide a flood defence or carbon sequestration ecosystem service must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate significant adverse impacts, or, as a last resort, d) compensate and deliver environmental net gains in line with and where required in current legislation.	Protecting site integrity of MPAs will increase the resilience of the site and its features such that it can better withstand natural phenomenon and events related to climate change.
	NE-CC-2	Proposals should demonstrate for the lifetime of the project that they are resilient to the impacts of climate change and coastal change.	Protecting site integrity of MPAs will increase the resilience of the site and its features such that it can better withstand natural phenomenon and events related to climate change.
	NE-CC-3	Proposals in the north east marine plan areas and adjacent marine plan areas that are likely to have significant adverse impacts on coastal change should not be supported. Proposals that may have significant adverse impacts on climate change adaptation measures outside of the proposed project areas must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate the significant adverse impacts upon these climate change adaptation measures.	Does not apply.
Carbon capture usage and storage	NE-CCUS-1	Decommissioning Programmes for oil and gas facilities should demonstrate that they have considered the potential for re-use of infrastructure.	Does not apply.
	NE-CCUS-2	Carbon Capture Usage and Storage proposals incorporating the re-use of existing oil and gas infrastructure will be supported.	Does not apply.

Air quality	NE-AIR-1	Proposals must assess their direct and indirect impacts upon air quality and greenhouse gas emissions. Where proposals are likely to result in air pollution or increased greenhouse gas emissions, they must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate air pollution and or greenhouse gas emissions in line with current national and local air quality objectives and legal requirements.	Does not apply.
Marine litter	NE-ML-1	Public authorities must make adequate provision for the prevention, re-use, recycling, and disposal of waste to reduce and prevent marine litter. Public authorities should aspire to undertake measures to remove marine litter within their jurisdiction.	Does not apply.
	NE-ML-2	Proposals that facilitate waste re-use or recycling to reduce or remove marine litter will be supported. Proposals that could potentially increase the amount of marine litter in the marine plan area, must include measures to: a) avoid b) minimise c) mitigate waste entering the marine environment.	Does not apply.
Water quality	NE-WQ-1	Proposals that enhance and restore water quality will be supported. Proposals that cause deterioration of water quality must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate deterioration of water quality in the marine environment.	Does not apply.
Access	NE-ACC-1	Proposals demonstrating appropriate enhanced and inclusive public access to and within the marine area, and also demonstrate the future provision of services for tourism and recreation activities, will be supported. Where enhanced public access cannot be provided, proposals should demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate significant adverse impacts on public access.	Does not apply.
Tourism and recreation	NE-TR-1	Proposals that promote or facilitate sustainable tourism and recreation activities, or that create appropriate opportunities to expand or diversify the current use of facilities, should be supported. Where proposals may have a significant adverse impact on tourism and recreation activities they must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate that impact.	Does not apply.
Social benefits	NE-SOC-1	Those bringing forward proposals are encouraged to consider and enhance public knowledge, understanding, appreciation and enjoyment of the	Does not apply.

		marine environment as part of (the design of) the proposal.	
Defence	NE-DEF-1	Proposal in or affecting Ministry of Defence areas should only be authorised with agreement from the Ministry of Defence.	Does not apply.
Marine protected areas	NE-MPA-1	Proposals that support the objectives of marine protected areas and the ecological coherence of the marine protected area network will be supported. Proposals that may have adverse impacts on the objectives of marine protected areas must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate adverse impacts, with due regard given to statutory advice on an ecologically coherent network.	The measures have been proposed due to the conclusion of the Coquet to St Mary's MCZ Assessment, that the interaction between mobile fishing gear and rocky reef is not compatible and any interaction would not further the conservation objectives of the MCZ. The measures proposed here will effectively manage and prohibit the interaction between mobile gear and sensitive subtidal rock features.
	NE-MPA-2	Proposals that enhance a marine protected area's ability to adapt to climate change, enhancing the resilience of the marine protected area network will be supported. Proposals that may have adverse impacts on an individual marine protected area's ability to adapt to the effects of climate change and so reduce the resilience of the marine protected area network, must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate adverse impacts.	Protecting site integrity of MPAs will increase the resilience of the site and its features such that it can better withstand natural phenomenon and events related to climate change.
	NE-MPA-3	Where statutory advice states that a marine protected area site condition is deteriorating or that features are moving or changing due to climate change, a suitable boundary change to ensure continued protection of the site and coherence of the overall network should be considered.	Does not apply.
	NE-MPA-4	Proposals must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate significant adverse impacts on designated geodiversity.	Does not apply.

Biodiversity	NE-BIO-1	Proposals that enhance the distribution of priority habitats and priority species will be supported. Proposals that may have significant adverse impacts on the distribution of priority habitats and priority species must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate d) compensate for significant adverse impacts.	These measures aim to protect subtidal features of Coquet to St Mary's MCZ.
	NE-BIO-2	Proposals that enhance or facilitate native species or habitat adaptation or connectivity, or native species migration will be supported. Proposals that may cause significant adverse impacts on native species or habitat adaptation or connectivity, or native species migration must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate significant adverse impacts d) compensate for significant adverse impacts.	Does not apply.
	NE-BIO-3	Proposals that deliver environmental net gain for coastal habitats where important in their own right and/or for ecosystem functioning and provision of ecosystem services will be supported. Proposals must take account of the space required for coastal habitats where important in their own right and/or for ecosystem functioning and provision of ecosystem services, and demonstrate that they will in order of preference: a) avoid b) minimise c) mitigate d) compensate for net habitat loss and deliver environmental net gain.	Does not apply.
Net gain and natural capital	NE-NG-1	Proposals should deliver environmental net gain for marine or coastal natural capital assets and services. Proposals that may have significant adverse impacts on marine and coastal natural capital assets and services must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate d) compensate for significant adverse impacts and deliver environmental net gain.	Does not apply.
Invasive non-native species	NE-INNS-1	Proposals that reduce the risk of introduction and/or spread of invasive non-native species should be supported. Proposals must put in place appropriate measures to avoid or minimise significant adverse impacts that would arise through the introduction and transport of invasive non-native species, particularly when: 1) moving equipment, boats or livestock (for example fish or shellfish) from one water body to another 2) introducing structures suitable for settlement of invasive non-native species, or the spread of	Does not apply.

		invasive non-native species known to exist in the area.	
	NE-INNS-2	Public authorities with functions to manage activities that could potentially introduce, transport, or spread invasive non-native species should implement adequate biosecurity measures to avoid or minimise the risk of introducing, transporting, or spreading invasive non-native species.	Does not apply.
Disturbance	NE-DIST-1	Proposals that may have significant adverse impacts on highly mobile species through disturbance or displacement must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate significant adverse impacts.	Does not apply.
Underwater noise	NE-UWN-1	Proposals that result in the generation of impulsive sound must contribute data to the UK Marine Noise Registry as per any currently agreed requirements. Public authorities must take account of any currently agreed targets under the UK Marine Strategy Part One Descriptor 11.	Does not apply.
	NE-UWN-2	Proposals that result in the generation of impulsive or non-impulsive noise must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate significant adverse impacts on highly mobile species d) if it is not possible to mitigate significant adverse impacts, proposals must state the case for proceeding.	Does not apply.
Cumulative effects	NE-CE-1	Proposals which may have adverse cumulative effects with other existing, authorised or reasonably foreseeable proposals must demonstrate that they will, in order of preference: a) avoid b) minimise c) mitigate significant adverse cumulative and/or in-combination effects.	Does not apply.
Cross-border co-operation	NE-CBC-1	Proposals must consider cross-border impacts throughout the lifetime of the proposed activity. Proposals that impact upon one or more marine plan areas or impact upon terrestrial environments must show evidence of the relevant public authorities (including other countries) being consulted and responses considered.	Does not apply.