

## **Consultation on Proposed New Commercial Shellfish Permit Condition: Minimum Lobster Size (88 mm)**

**Consultation period:** 28 days

**Consultation closes:** Midnight on 10<sup>th</sup> March 2026

Northumberland Inshore Fisheries and Conservation Authority (NIFCA) is seeking views on a proposed change to **commercial shellfish permit conditions** relating to the minimum size of lobster.

### **Background**

In December 2023, Defra published the Crab and Lobster Fishery Management Plan (FMP). One of the objectives of the FMP is to increase the **Lobster Minimum Conservation Reference Size (MCRS)** to 90 mm across England.

Defra has confirmed that this increase will be implemented in a staggered way in all areas except the South West. For the rest of England MCRS will increase by 1mm annually beginning 1st March 2026. The initial stage prohibits the fishing for and landing of lobsters below **88 mm carapace length** in English waters.

The national lobster MCRS increase will initially be delivered through a **fishing vessel licence condition**, pending the introduction of a Statutory Instrument (SI).

### **Why is NIFCA Consulting?**

There are recognised **enforcement and consistency challenges** with the national approach, particularly within the NIFCA district, where:

- IFCA's cannot enforce fishing vessel licence conditions;
- The national lobster MCRS increase under a fishing vessel licence condition applies to English waters only; and
- To ensure clarity for vessels operating either side of the border where there is a difference of lobster MCRS and potential cross-border enforcement risks.

To address these issues, NIFCA is proposing to introduce a **new flexible permit condition** for commercial permit holders, which would mirror the first stage of the national increase.

### **Proposed Permit Condition**

The proposed condition is:

**“A commercial permit holder must not retain or carry lobsters on board any vessel with a carapace length below 88 mm.”**

If introduced, this condition would apply to **all commercial fishers operating under a NIFCA permit** within the district only.

### **Purpose of the Proposed Condition**

The proposed permit condition would:

- Enable consistent enforcement of the increased minimum lobster size for commercial fishers;
- Reduce the risk of lobsters below 88mm being retained or landed;
- Address cross-border enforcement challenges, particularly near the English / Scottish boundary; and
- Support and complement the national objectives set out in the Crab and Lobster FMP.

It is **not anticipated** that the permit condition would come into effect before **1 March 2026**, aligning with the national timetable.

Once the national Statutory Instrument is introduced, the permit condition could be **revoked**, with national legislation becoming the primary regulatory mechanism.

### **Recreational Fishing**

No changes are proposed for recreational permit holders at this stage. This reflects:

- The low daily bag limits for recreational fishing;
- The number of shore gatherers operating without permits; and
- The significant time required to amend minimum size requirements through a full byelaw process.

### **How to Respond**

NIFCA welcomes views from stakeholders on the proposed permit condition.

Responses should be submitted by **midnight on 10<sup>th</sup> March 2026** and can be sent to:

 [nifca@nifca.gov.uk](mailto:nifca@nifca.gov.uk)

or

 **Speak to an officer by visiting the office or calling on 01670 797676**

All responses will be considered by NIFCA members before a decision is made.