



DRAFT Minutes

WORKING GROUP 3 (ENGLISH CHANNEL)

Monday 04 July 2022 | 15:15 – 17:30

1. Welcome and Introductions

The Secretariat welcomed all participants. Apologies were received from the Chair and Vice-Chair of this Working Group as well as John Lynch (IS&EFPO) and Dirk van Guyze (NWW MSG). A quick tour de table followed. The agenda was adopted as drafted.

Action points from the last meeting included:

1	The Secretariat will collect member feedback on the fuel crisis and compile it into the letter for discussion at ExCom Done - fuel crisis letter sent on 16/03.
2	Members will propose experts for the STECF EWG on non-quota species. The Secretariat will send an e-mail informing about the application procedure and deadlines. Done - email sent to members with instructions on 3/22 - further discussion on this in point 3.
3	A reminder should be sent to the Commission on the recommendations made by the NWWAC on the use of the sea bass catch allocation tool. Letter sent to the COM on 04/05 and response received on 23/05 – continuation of the discussion under point 3.

2. ICES advice for the English Channel

The Secretariat welcomed Joanne Morgan (ACOM Vice-Chair) for the presentation of the ICES advice 2023.

The presentation is available [here](#).

The advice was released on 30 June.

Advice on thornback, blonde and spotted rays in the eastern Channel will be released in autumn. No new advice is given for striped red mullet.

Brill (4, 3.a, 7.de)

- Catch advice $\leq 1315t$ (-30%) based on MSY
- New constant harvest rate method used for data limited stocks, uncertainty cap was applied

Cod (4, 7d, subdivision area 20)

- Catch advice $\leq 22\,946t$ (+61%)
- Adjustment to account for migration to the West of Scotland area
- Recruitment remains poor



- Decreased sampling 2020 and 2021 – but data seem reasonable
- Q1 survey reduction in coverage in 2022 (storms) but coverage considered sufficient
- Some probability of being below B_{lim} in 2024

Lemon Sole (4, 3a, 7d)

- Catch advice $\leq 2\,960\text{t}$ (-3.92%)
- Using new constant harvest rate method for data limited stocks.
- Commercial sampling impacted by COVID but thought to be representative – survey-based assessment for biomass index but not length indicator
- Lemon sole and witch flounder are under a combined TAC

Plaice (7d)

- Catch advice $\leq 4\,378\text{ t}$ (-25%) mainly due to revision of reference points of this year's assessment
- Part of the catches in 7d are from the Western Channel and the North Sea
- 5671 t when taking other stocks caught in 7d into account

Plaice (7e)

- Catch advice for 2023 and 2024: $\leq 1\,219\text{t}$ (-30%), catch of plaice in 7e $\leq 1\,104\text{ t}$
- Also uses DRFB method for data limited stocks
- Plaice catches in Div. 7.d in Quarter 1 from various stocks: 35% from 7.d; 15% from 7.e; 50% from N Sea

Sea bass (4bc, 7a, 7d-h)

- Catch advice $\leq 2\,542\text{ t}$ (+14.7%) due to increase in stock size, as well as higher F applied
- Under advised catch, stock is expected to decrease remaining below $MSY B_{trigger}$
- Management measures for recreational fisheries unknown

Sole (7e)

- Catch advice $\leq 1\,394\text{ t}$ (-23%) mainly due to downward revision of SSB and low recruitment
- Recruitment variable and lower in 2021
- EU MAP: Catch 816 – 1 596 t (F_{MSY} : 1 394 t)

Sprat (7d-e)

- Catch Advice $\leq 9\,200\text{ t}$ (+217.6%), MSY advice based on constant harvest rate
- Advice year runs from July to June
- Constant harvest rate used to provide advice

Whiting (4, 7d)

- Catch advice $\leq 110\,172\text{ t}$ (+25%) due to changes to assessment model with revision of reference points
- New model configuration with 6+
- About 20% of catches are taken in Eastern Channel area
- 50% discards in 2021



The Secretariat thanked Morgan and opened the floor for questions.

Brouckaert thank Morgan for her clear presentation. He felt that the 20% discard for cod was surprising taking into account the Landing Obligation. He felt it was unclear how the reduction of 4% for lemon sole was arrived at. In relation to plaice in 7d high discards were mentioned and he wondered if survival was taken into account.

Morgan responded that since 2016 the discards include below minimum size. On lemon sole the constant harvest rate was applied which is a new advice rule, and a change in basis for the biomass index. After checking with the ICES WG Chair she added that survivability was not included in the model, as the model is not developed to deal with discards survival at the moment.

Franck Le Barzic thanked the presenter and commented that the stock assessment for whiting is based on a wide area. He wondered if more accurate data was available that differs from 7d and 4 as 20% of landings occur in 7d but the management area is quite broad. He also queried about recruitment for sole in 7e, explaining that in his understanding recruitment in 2020 had been significantly reviewed downwards and in 2021 recruitment was extremely low. He asked for clarification of the reasons why this happened. He felt that though this is not worrying right now, if the trend continues it will be difficult to manage this with effort control measures.

Morgan stated that regarding data quality for whiting two survey indices cover the stock which are considered representative. Commercial data is also available. Regarding sole in 7 e quite a low recruitment in 2021 can be seen which is a definite concern. Because of this variability the time period was adjusted over which the mean for the assumed recruitment was calculated. This year the whole time series was applied. Some retrospective pattern can be seen in SSB so it was revised downward. This and the low recruitment produced the downward revision in catch.

Le Barzic referred to two studies on whiting which showed that there was only one stock. He was wondering about the biomass index data collected for the Eastern Channel and the North Sea. The following information was provided in response to this query:

The two surveys both cover the same area: one in quarter 1 and one in quarter 2.

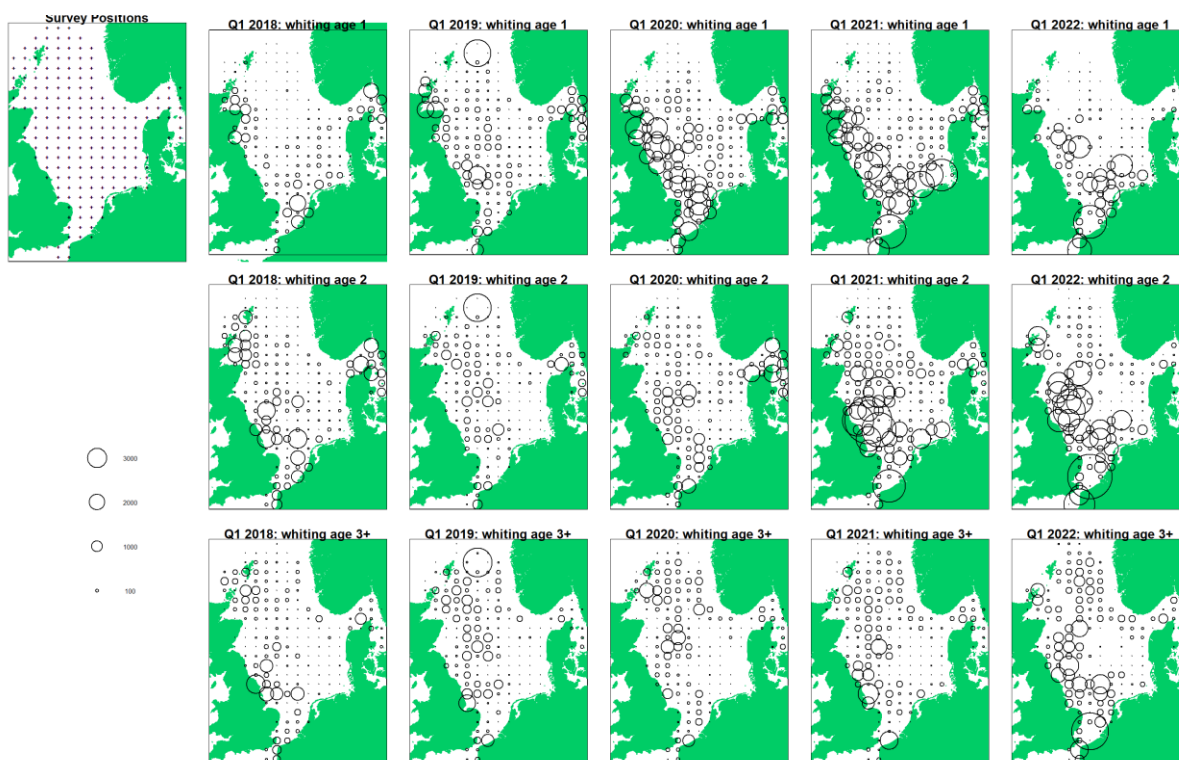


Figure 23.9. Whiting in Subarea 4 and Division 7.d: Survey distribution maps for Ages 1–3+ Q1 2017–2022. Size of the bubbles indicates numbers caught per 30 minutes for each age (on a log₁₀ scale). The maps are based on the IBTS–Q1 survey in the North Sea.

The indices are not broken down by area, but the plot above shows the distribution of whiting in the survey for ages 1, 2 and 3+ from 2017 to 2022. The bigger the bubble the larger the number of fish in the survey set. In Figure above, survey distribution maps based on the IBTS–Q1 survey in the North Sea, for ages 1–3+ of the first quarter (Q1) 2018–2022, are presented for ages 0–3+ for the years 2018–2021. For ages 2–3+ CPUE is higher along the UK east coast. Whiting at age 0 are found in the Northern North Sea and Scottish east coast as well as in the German Bight. CPUE at age 0 in Q3 is low in 2018 but is higher from 2019 onwards.

- Drafting advice to inform the development of the EU TAC proposal

The Secretariat asked participants if there were any issues that need to be included in the advice on Fishing Opportunities. No comments were made.

ACTION: Members to send comments on ICES advice and recommendations for issue to be included in fishing opportunities advice to the Secretariat

3. Article 12 North Sea Multiannual Plan

The AC received a letter from the Scheveningen Group on the implementation of Art. 12 of the North Sea Multiannual Plan. Information was provided from Belgium, Netherlands and France. The Secretariat asked for members' comments. No comments were made.



4. Focus Group update

- Sea bass

The Secretariat recalled that a letter sent to the Commission on 04/05/2022 and a response received on 23/05/2022: “We have a clear joint commitment between the two parties to update the tool, as clearly indicated in the written minutes for 2021 and 2022. We are currently engaging with the UK in the Specialist Committee on Fisheries to agree terms of reference, asking ICES to adapt and improve the tool, with the aim of having a tool that works well and ready for the next round of consultations. The Commission has taken note of your specific recommendations and will ensure that they are included in our ongoing discussions with the UK.”

Erik Lindebo stated that a discussion on the draft Terms of Reference (ToR) was held last week. The ToR will be agreed on 20 July before being sent to ICES. Other catch scenarios as presented in the ICES advice sheet with a view of building the stock to $MSY_{trigger}$. A commitment was made regarding the need to update the tool to include a vessel limit aspect as well as looking at a potential grouping of vessels based on the catches as well as an add on regarding the number of vessels. In addition, the impact of additional management measures has been raised and needs to be reflected in the tool. Finally, the reported bycatches under the new exemptions would need to be included as a separate métier in the tool. If some of these elements are not viable then ICES experts need to provide alternatives in order to update the tool. There will be a benchmark in 2023 for sea bass which also will need to be taken into account regarding the influence on use and updating of the tool regarding TAC setting and fishing opportunities for 2024. The tool will not be ready in time for this year's round of consultations on fishing opportunities.

David Vertegaal stated that another EAA rep had been in touch with Cefas on this tool and that a formal query has been raised with the SCF. The first response regarding the benchmark was that this needed to be finalised before the updating of the tool which would mean a conclusion on the tool only by the end of 2024. The EAA is worried regarding this work but is waiting for an official response following the SCF meeting.

Lindebo stated that the Commission sent the ToR in April to the UK and the reply took almost two months with concerns raised regarding the impact of the benchmark. The Commission is equally concerned with the delay by the UK regarding the benchmark and seemingly no work being carried out regarding the tool for the next three years. The usability may be challenged but the adaptation should not be problematic. When ICES look at the feasibility of carrying out this work, they are expected to state what can and cannot be done. Should there be an impasse, ICES will be asked for alternatives as this is already the third consultation without a working sea bass tool.

Manu Kelberine felt that it was not fair to say that nothing is being done in the meantime as results from management measures that are being implemented are proving to be very efficient which is reflected in the increase in the ICES catch advice. MSY has not been reached but may not be reached any time soon, however, an evolution can be seen.

Lindebo agreed that clearly management measures are being implemented and this inaction only referred to the work on the management tool itself. The Commission would like to have a functioning tool to aid discussions with the UK and to assist with further changes regarding the management in both the commercial and recreational sectors. Without a functioning tool the discussions seem more political than fisheries management related.



The Secretariat asked when the AC might be informed regarding the next steps especially in relation to advice preparation by the Focus Group Sea bass.

Lindebo stated that the earlier the advice is received from the AC the easier it is to be included in the EU-UK discussion. If the ToR are adopted on 20 July, they will be sent to ICES before the end of July. He added that no additional dialogue is likely to occur before September due to the summer break.

Vertegaal wondered what the risk to stock management was in relation to the management tool being late, specifically regarding recruitment which has been quite low over the past three years.

Lindebo stated that the top priority for the Commission was to stick to the commitment to have ICES improve the tool. Despite the release of the ICES advice last week the Commission has not had the opportunity to reflect on the impact regarding the development of the tool and additional management measures. He reiterated that any formal advice from the ACs will be very valuable for the Commission.

ACTION: Work of FG Seabass to resume. Secretariat to circulate email to previous and prospective members.

- Whelk

The last advice from the NWWAC was sent to the Commission and Member States on 23/12/2021 with a response received on 09/02/2022: "Further scientific work is needed and that this issue should be brought before the SCF and integrated into the development of multi-annual strategies for stocks out of quota, before establishing any European management measures. As such, pursuing unilateral measures at this stage would not be justified."

Lindebo stated that the Commission was in a difficult place with the UK negotiations on non-quota species, including whelks. The Specialised Committee on Fisheries (SCF) is now developing multi-year strategies. At the last meeting two separate documents were presented, one outlining the main components for the multi-year strategy including underlying science, and the other on current management measures across a number of species and areas. These need to fully reflect what is available in the management toolbox. The UK responded without identifying any details regarding specific fisheries measures. They wish to concentrate on three species specifically, scallop, whelk and crab with discussions to resume in autumn. The conclusion for the SCF on 20 July includes to identify the main management measures and data gaps and then to elaborate this on one test fishery from autumn onward, i.e., using a fishery as a pilot case for this new approach. This pilot case will be scallops should this approach be agreed upon. Given that the UK has included whelk in its top three species the Commission will review the AC advice for the pilot discussions.

Dimitri Rogoff enquired on the position of the UK on whelk. The AC suggested to implement measures in the MS. Members interested in working with UK colleagues, however, the UK seem to wish to impose unilateral measures. Whelk is mostly found in the eastern Channel. Resource conservation measures are welcome, and no new entrants should be invited into this fishery. He questioned why conservation measures are not taken quickly on behalf of the EU. He felt that the MS need to implement a fishery policy separate from the discussions with the UK colleagues.

Lindebo stated that non-quota stocks have not been a key element of the CFP but have been left to national law by the MS. He stated that though there is a temptation to apply unilateral measures similar to what the UK is doing, the Commission has been trying to work on a joint approach to ensure that unilateral decisions are not taken by the UK harming EU fisheries.



Rogoff agreed that resource management is easier in a joint manner, but that through dealing with a third country this discussion becomes political. He specified that when it comes to whelk most of the stocks are in French waters with UK fishers fishing in MS waters. He also stated that specifically when it comes to scallop fishing these measures do not correspond. He felt that the EU should not wait to take measures as this seems to promote UK whelk fishing leading to EU fishers seeing an unacceptable competition from UK fishers for this resource.

Kelberine agreed with the previous speaker and recalled that one of the wishes of this AC was to avoid interfering in negotiations with the UK. The AC had a proposal for EU waters for the whelk. While unilateral measures are being imposed by the UK thus creating difficulties for negotiators, he felt that measures can still be adopted for EU waters before potentially reaching a joint agreement.

Lindebo agreed that when it comes to new legislation in the EU this is usually developed by the MS and taken forward by joint recommendations which is a big procedure in itself before it can come into law. In the context of the EU-UK negotiations, he stated that if the COM had a very specific proposals to discuss, this could be put directly to the UK. If the UK does not engage in the discussion on the same level, then the Commission will go back to the MS for unilateral legislation, i.e., a delegated act, which would take 2 years to be completed. He agreed that the Commission may need to pursue both approaches to see which lead to quicker results.

- Scallop

The draft act has been adopted by the Commission and will now undergo a two-month review by the European Parliament. This means that the delegated act should be officially adopted in the autumn, so not in time to implement the closures foreseen in the act. Therefore, the Commission intends to replicate last year's agreements between the EU and the UK for seasonal closed areas over the same period to avoid conflicts at sea.

The Secretariat suggested that the group could review the previous advice and identify if any updates may be needed. If meetings of the Focus Groups would need to be arranged this can also be done.

Lindebo stated that the work in the SCF was fully coordinated with the MS and felt that an update on whelk and scallop from the AC would be extremely useful by beginning of September.

ACTION: Members to review advice on whelk and scallop to establish if updates are needed prior to submission to COM at beginning of September.

The Secretariat added that an update from DG MARE / STECF on non-quota species was on the agenda for the Executive Committee meeting on 06 July.

5. Choke avoidance best practices and choke tool

The Secretariat outlined the updates made to the NWWAC choke tool and thanked Michael Keatinge, NWWAC Director, for his work on this. The data part of the tool is filled automatically using the attached data sheets.

The second part of the tool involves qualitative information regarding avoidance and selectivity measures which is very involved and not possible for the Secretariat to populate. Members input is required for this section.



The Secretariat recalled the decision made in WG2 Irish Sea for the Secretariat to share the details of the tool online to give members the opportunity to comment so that the work can be taken up and finalised in the Focus Group Landing Obligation.

Members agreed with this approach.

ACTION: Secretariat to share 2022 Choke ID tool following an update on exemptions on technical measures for members to provide comments to feed advice preparation by the FG LO.

6. Summary of actions agreed and decisions adopted by the Chair

Action points

1	Members to send comments on ICES advice and recommendations for issue to be included in fishing opportunities advice to the Secretariat
2	Work of FG Seabass to resume. Secretariat to circulate email to previous and prospective members
3	Members to review advice on whelk and scallop to establish if updates are needed prior to submission to COM at beginning of September.
4	Secretariat to share 2022 Choke ID tool following an update on exemptions on technical measures for members to provide comments to feed advice preparation by the FG LO

The Secretariat closed the meeting.

Participants

NWWAC members		
Emiel	Brouckaert	Rederscentrale
Caroline	Gamblin	MSC
Gérald	Hussenot	Blue Fish
Manu	Kelberine	CRPMEM de Bretagne
Franck	Le Barzic	OP COBRENORD
Olivier	Lepretre	CRPMEM Hauts-de-France
John	Lynch	Irish South & East Fish Producers Organisation Ltd
Llibori	Martinez	IFSUA
Aodh	O Donnell	IFPO (Irish Fish Producers Organisation)
Jean-Marie	Robert	Les Pêcheurs de Bretagne
Dimitri	Rogoff	Comité des pêches de Normandie
Xavier	Tétard	Comité des pêches de Normandie
David	Vertegal	EAA



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