

Title: Establishment of scallop enhancement sites	Regulatory Impact Assessment (RIA)		
	Date: 28 September 2022		
	Type of measure: Secondary Legislation		
Lead department or agency: DAERA	Stage: Final		
	Source of intervention: Domestic NI		
Other departments or agencies:	Contact details:		
	Sea Fisheries Policy		
	SeaFisheries@daera-ni.gov.uk		

Summary Intervention and Options

What is the problem under consideration? Why is government intervention necessary? (7 lines maximum)

With increasing exploitation of scallop stocks around the Northern Irish coast, the NI Scallop Association has expressed a wish to be proactive in working with industry to enhance long term sustainability of stocks. The NI Scallop Association approached DAERA to establish scallop enhancement sites.

What are the policy objectives and the intended effects? (7 lines maximum)

To provide protection for scallop nursery areas and to support the future sustainability of scallop fishing in Northern Ireland waters.

What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base) (10 lines maximum)

Do nothing - This Option is not viable. The Scallop Association considers voluntary measures will not be sufficient and have requested the introduction of legal protection.

Option 1 – Prohibition of mobile demersal gear to provide protection for scallop enhancement sites

Will the policy be reviewed? Yes

If applicable, set review date: 2025

Cost of Preferred (or more likely) Option

Total outlay cost for business £m	Total net cost to business per year £m	Annual cost for implementation by Regulator £m
Nil (100% EMFF/DAERA funding available)	Nil	Nil (No additional cost - complements existing system)

Does Implementation go beyond minimum EU requirements?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>		
Is this measure likely to impact on trade and investment?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>		
Are any of these organisations in scope?	Micro Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Small Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Medium Yes <input type="checkbox"/> No <input type="checkbox"/>	Large Yes <input type="checkbox"/> No <input type="checkbox"/>

The final RIA supporting legislation must be attached to the Explanatory Memorandum and published with it.

Approved by: Owen Lyttle Date: 3 October 2022

Summary: Analysis and Evidence

Policy Option 1

Description: - Prohibition of mobile demersal gear to provide protection for scallop enhancement sites provide protections for scallop enhancement sites.

ECONOMIC ASSESSMENT (Option 1)

Costs (£m)	Total Transitional (Policy) (constant price) Years	Average Annual (recurring) (excl. transitional) (constant price)	Total Cost
Best Estimate	Nil	1,782	1,782
Description and scale of key monetised costs by 'main affected groups' Maximum 5 lines Annual average Scallop landings to Northern Ireland are £3.3m. The estimated monetised opportunity cost of closing these areas to scallop fishing is £1,782.			
Other key non-monetised costs by 'main affected groups' Maximum 5 lines			
Benefits (£m)	Total Transitional (Policy) (constant price) Years	Average Annual (recurring) (excl. transitional) (constant price)	Total Benefit (Present Value)
Low	Optional	Optional	Optional
High	Optional	Optional	Optional
Best Estimate			
Description and scale of key monetised benefits by 'main affected groups' Maximum 5 lines It is expected that the scallop enhancement sites will provide spill over benefits to adjacent areas and act as a sustainability measure for scallop stocks. At this stage it is not possible to quantify the likely benefits, but a monitoring programme will be put in place to assess the effectiveness of the measures and this will inform future benefits assessments.			
Other key non-monetised benefits by 'main affected groups' Maximum 5 lines Applying the Option 1 fisheries management measures: <ul style="list-style-type: none"> - could provide benefits for other inshore fish stocks, leading to security of future income for fishers - provide protection for important 'Blue Carbon' habitats such as seagrass beds, kelp and shellfish beds, which are valuable in mitigating climate change 			
Key Assumptions, Sensitivities, Risks Maximum 5 lines Not all vessels have vessel monitoring systems (VMS) and therefore it is not possible to fully assess the monetary costs of these measures. 18% of scallop vessels under 12m have no VMS.			

BUSINESS ASSESSMENT (Option 1)

Direct Impact on business (Equivalent Annual) £m		
Costs: £0	Benefits:	Net: £0

Cross Border Issues (Option 1)

How does this option compare to other UK regions and to other EU Member States (particularly Republic of Ireland) Maximum 3 lines
Similar measures have been introduced in England, Scotland and Isle of Man. Research has found that the introduction of closed areas appears to be the primary method used to enhance a species.

Evidence Base

1. The policy issue and rationale for government intervention

The King scallop, *Pecten maximus*, is a long lived scallop which can commonly grow to 150mm in length or more. In Northern Ireland, fishing for scallops has been established since the 1930s and while historically the fishery consisted of a small number of vessels, it has now greatly expanded. In 2015, 76 vessels, ranging in size from 9m to over 30m in length, reported landings of 1,300 tonnes of scallops into Northern Ireland ports, with a first sale value of £2.7 million. The annual average Scallop landings to Northern Ireland are £3.3m.

The proposed measures are in addition to existing gear restrictions, minimum landing sizes and curfews that apply to the fishery.

With increasing exploitation of scallop stocks in the Northern Ireland marine area, the Northern Ireland Scallop Association is being proactive in working with industry to enhance long-term sustainability of stocks and together with Seafish, commissioned the Agri-Food Biosciences Institute (AFBI) to undertake scallop larval dispersal study with a view to identifying potential sites for reseeded.

For further information please see:

https://www.seafish.org/media/publications/Scallop_reseeding_report_Final.pdf

The study identified four sites that have habitat conditions suitable for scallop reseeded:

- Whitehead
- Drumfad Bay
- Ballyquintin Point
- Roaring Rock

In Northern Ireland, no legal protections currently apply to preserve areas for scallop enhancement. However, the Roaring Rock site is located within Dundrum Bay, where trawling and seine netting are prohibited through the Inshore Fishing (Prohibition of Fishing and Fishing Methods) Regulations (Northern Ireland) 1993. The Roaring Rock site is also located within the Murlough Special Area of Conservation (SAC) designated area.

The Ballyquintin Point site falls within the Strangford Lough Marine Conservation Zone but outside the SAC boundary and therefore the existing prohibition of mobile gear use through the Inshore Fishing (Prohibition of Fishing and Fishing Methods) (Amendment) Regulations (Northern Ireland) 2003 does not apply.

The AFBI report stipulated, that for scallop enhancement sites to be successful, the selected sites must be closed to mobile fishing gear. Dredging is viewed as one of the most environmentally damaging forms of fishing. Prohibiting dredging from the proposed scallop enhancement sites will significantly reduce the detrimental impact from demersal mobile gear fishing. It will also have secondary affects which may, in turn, benefit fishing. Dredged areas tend to have low habitat complexity. The prohibition of dredging will allow the area to recover. This will aid in the recovery of species such as hydroids and bryozoans, species which are key to the settlement of juvenile scallops (in some cases it is believed that is the lack of suitable settlement substrate rather than a lack of juveniles which leads to a reduction in scallop abundance). This in turn could, provide a high abundance area which seeds fishing grounds outside of the protected area.

2. Policy objectives

The inshore area around Northern Ireland supports diverse fishing opportunities, and local communities will continue to depend on these. The introduction of changes to fisheries management regimes are intended to improve the sustainability of scallop fishing.

3. Policy options considered, including alternatives to regulation

Only one policy option was considered at this time. The Northern Ireland Scallop Association considers that voluntary measures will not be sufficient and have requested the introduction of legal protection. The Do Nothing option is therefore not considered viable.

The only option considered at this time was creation the creation of scallop enhancement sites (closed area) by prohibiting of mobile demersal gear.

This will be kept under review and future options may include supplementing the closed area option with additional measures such as reseedling.

4. Expected level of impact on business and government

This section identifies both monetised and non-monetised impacts with the aim of understanding what the overall impact to government and businesses might be from implementing these options. Where possible the estimated costs and benefits have been monetised.

The Agri-Food Biosciences Institute (AFBI) was commissioned by DAERA to provide information on the impact of introducing fisheries management measures in MPAs and the scallop enhancement sites. Please see <https://www.afbini.gov.uk/articles/inshore-fisheries> for further information.

Option 1 – Minimum fisheries management measures

Cost of implementation to industry

The estimated annual value of the loss of fishing opportunity from Option 1 has been provided in Table 1.

Table1 – Value of the loss of fishing opportunity per annum from Option 1

MPA or scallop enhancement site	Demersal value of loss (£)	Static value of loss (£)	Total value of loss (£)
Whitehead scallop enhancement site	No data		No data
Drumfad Bay scallop enhancement site	1,782		1,782
Ballyquintin Point scallop enhancement site	No data		No data
Roaring Rock scallop enhancement site	No data		No data
		Total	1,782

Cost of implementation to DAERA

There is no expected additional direct cost to DAERA as inspections and enforcement activities required to support Option 1 will be met from within existing resource allocations for managing sustainable fisheries and protecting the marine environment.

Benefits to industry

The following benefits have been identified for Option 1:

- Could provide benefits to inshore fish stocks, leading to security of future income for fishers
- Science partnership could provide an alternative income for fishers in the inshore region until the long term spill over benefits from the closed areas are realised

Benefits to DAERA

The following benefits have been identified for Option 1:

- provide protection for important 'Blue Carbon' habitats such as seagrass beds, kelp and shellfish beds, which are valuable in mitigating climate change
- The science partnership co-management approach provides benefits for both the Department and the fishing industry. The scheme would be designed to ensure that data collection by fishers was supporting their own interests and augmenting observations at-sea.