



# Department for Environment Food & Rural Affairs

**The Rt Hon Steve Barclay MP**  
**Secretary of State Environment, Food & Rural Affairs**

Seacole Building  
2 Marsham Street  
London  
SW1P 4DF

T: +44 (0) 3459 335577

E: [correspondence.section@defra.gov.uk](mailto:correspondence.section@defra.gov.uk)

W: [gov.uk/defra](http://gov.uk/defra)

Mr Virginijus Sinkevičius  
Commissioner for Environment,  
Oceans and Fisheries  
European Commission  
1049 Bruxelles

30<sup>th</sup> January 2024

Dear Commissioner,

## **Announcement of new measures for marine protection**

The UK and EU have a strong record of collaboration when it comes to international environment issues. I know that the EU shares our high ambition when it comes to marine conservation, as demonstrated by your Action Plan for protecting and restoring marine ecosystems for sustainable and resilient fisheries.

### **Measures to protect seabed habitats**

In her letter to you of 18 January 2023, my predecessor talked of our shared commitments to improve the management of our fisheries. This was in the context of the successful conclusion of the United Nations Biodiversity Conference COP15 conference in Montreal in December 2022.

At that time, the Marine Management Organisation had launched a consultation on measures to restrict the use of damaging bottom-towed fishing gear on rock and reef habitats in a further 13 Marine Protected Areas (MPAs) in England's waters. I am writing today to inform you that this process has now concluded and a byelaw bringing these measures into effect will be implemented on 22 March 2024.

I am grateful to EU Member States and their fishing industries for engaging with the consultation process. All views and evidence provided were fully taken into account by the Marine Management Organisation when developing its final management proposals. This byelaw is a vital measure for delivering our 30by30 ocean protection commitments. Evidence shows that the use of bottom-towed gear can cause damage to the habitats and species in our MPAs and it is crucial to manage this wherever necessary. This is a view which I am sure you share in line with the Commission's adoption of an action plan to conserve fisheries and protect marine ecosystems.

Our aim remains to introduce further byelaws as necessary this year in order to manage damaging fishing activity in our MPAs. I therefore welcome the ongoing engagement with your team on our MPA byelaw programme, most recently in September 2023 at the UK-EU Trade and Cooperation Agreement Specialised Committee on Fisheries (SCF).

### **Closure of sandeel fishery in English waters**

Sandeel are one of the most important forage fish in the North Sea and are an essential food source for vulnerable seabirds, like puffins and kittiwakes, commercially valuable fish and marine mammals. At present, there are no management measures that specifically protect sandeels as

part of the wider ecosystem in English waters. Given this, on 31 January I will announce, as part of a wider package of measures marking the anniversary of the UK's Environmental Improvement Plan, the closure of the sandeel fishery in English waters of ICES Area 4 (North Sea). This measure will be non-discriminatory and apply to all vessels of any nationality; it will be effective by 26 March 2024, the start of the next sandeel fishing season.

As you know, this initiative has been under consideration for a number of years, and I know my officials have kept the Commission services up to date throughout, including in the SCF. Indeed, following feedback from your officials and the Danish government, we agreed to wait on taking a decision on whether or not to close the sandeel fishery until we received a response from the International Council for the Exploration of the Seas (ICES) following the joint UK-EU request on forage fish. The ICES response on 28 November supports the measures we are introducing and made clear that annual ICES advice for sandeel management does not account fully for predator needs. It also advocated for local regulation to ensure sandeel management delivers for ecosystem needs.

Amidst the ongoing avian flu outbreak, increasing the availability of sandeels as a food source is an important step towards increasing seabird resilience more widely. The UK held a public consultation from 6th March to 30th May last year on potential management measures. It showed that over 95% of respondents support the closure of all English waters. I acknowledge the response from the Commission but we have carefully considered our obligations under the TCA and I am confident that this measure is compliant. Our evidence base for this decision was published alongside the consultation, and we are also confident that this – alongside the ICES response to our joint request – supports a more precautionary approach to sandeel management. I would encourage the EU to consider adopting similar measures in your waters too, as part of combined efforts to tackle the consequences of avian flu and improve the resilience of the ecosystem in the North Sea.

Formal notifications for both initiatives will follow in keeping with our recently agreed notification guidelines and per Article 496 of the Trade and Cooperation Agreement. We stand ready to provide any clarifications and I would be happy to discuss further with you.

Yours sincerely,



**RT HON STEVE BARCLAY MP**