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Charlina Vitcheva  
Director-General  
Directorate-General for Maritime Affairs and Fisheries  
European Commission  
1049 Bruxelles

Ref: UKEUD0035 (2024)  
8 February 2024

Dear Charlina,

I am writing to notify you, in accordance with Article 496(3) of the Trade and Cooperation Agreement (TCA) between the European Union and the United Kingdom, of new fisheries management measures regarding fishing for sandeel in English waters of the North Sea and in all Scottish waters. This notification follows a letter sent on 30 January from our Secretary of State to Commissioner Sinkevičius and one from Mairi Gougeon of the Scottish Government dated 2 February.

In English waters the Marine Management Organisation will amend fishing licences, applying from 26 March, to prohibit the fishing of sandeel within English waters of ICES Area 4 (North Sea).

In Scottish waters, a Scottish Statutory Instrument, The Sandeel (Prohibition Of Fishing) (Scotland) Order 2024 was laid in Scottish Parliament on 5 February 2024 and will come into force on 26 March 2024 (pending parliamentary approval). The order will cover the Scottish zone which includes the sea within the UK EEZ which is adjacent to Scotland, as defined in section 22(1) of the Sea Fish (Conservation) Act 1967 ("the 1967 Act") by reference to a definition in section 126(1) of the Scotland Act 1998.

Both measures will apply to all vessels of any nationality and will therefore apply equally to UK and EU vessels in accordance with article 496(2) of the TCA.

### **Purpose of the closures**

Fishing for forage fish like sandeel has negative impacts on the marine ecosystem including important and vulnerable marine species. Sandeel are an important forage fish, providing an essential food source for marine species. Declines in sandeel abundance due to fishing has been shown to result in declines in the populations of vulnerable seabirds like kittiwakes and some commercially valuable fish. At present there are no management measures that sufficiently protect sandeel in English and Scottish waters.

## Evidence

We note that the response received from ICES on 28 November 2023 to our joint technical request supports the use of national regulation and suggests that the annual single species advice for sandeel from ICES should only be part of an overall management regime to ensure that local food availability is preserved.<sup>1</sup> It advocates for local regulation to ensure that sandeel stock management delivers for broader ecosystem needs. This supports a strategy for a more precautionary approach to sandeel management including the introduction of spatial closures.

The public consultation on potential management measures in English waters ran from March-May 2023 and we welcomed the responses received from EU stakeholders. The results showed that over 95% of respondents support some form of prohibition on fishing for sandeel, with a majority favouring the closure of all English waters. UK Ministers have therefore decided to introduce a spatial closure of English waters in the North Sea for all vessels in order to offer improved protection to sandeel and the dependent ecosystem. Our decision takes the consultation responses into consideration alongside the scientific evidence, and is further to the prohibition which has already been in place for UK vessels for the past 3 years.

Evidence from the UK Government's expert advisory bodies, including CEFAS and Natural England, was published alongside the details of the English consultation and can be accessed from this [website](#).

The consultation in relation to sandeel management in Scottish Waters ran from July to October 2023 and resulted in 97% of respondents supporting the option of a full closure of Scottish Waters for sandeel fishing. Further details about the consultation are available [here](#).

The consultation is supported by complementary documents such as "Review of Scientific Evidence on the Potential Effects of Sandeel Fisheries Management on the Marine Environment" produced by Marine Directorate in Scottish Government, as well as impact assessments. These documents have been published alongside the consultation document and can be viewed [online](#).

The Scottish Statutory Instrument, associated documents and final assessment can be found [here](#).

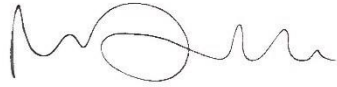
## Date of closures

The spatial closure of English waters of ICES Area 4 and Scottish waters for sandeel fishing will come into force from **00:01 GMT on 26 March 2024**.

Yours sincerely

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<sup>1</sup> [EU-UK request on ecosystem considerations in the provision of single stock advice for forage fish species \(figshare.com\)](#)

A handwritten signature in black ink, appearing to read 'Mike Dowell', with a stylized, cursive script.

Mike Dowell

Deputy Director

Marine and Fisheries

Department for Environment, Food and Rural Affairs