Business and Regulatory Impact Assessment on Three Pelagic Fisheries Management Plans

Contents

Executive summary

This partial BRIA describes the anticipated economic impact on the fishing sector and associated businesses of the following three FMPs:

- Proposed North Sea horse mackerel FMP
- Proposed North Sea greater silver smelt FMP
- Proposed West of Scotland greater silver smelt FMP

These three FMPs are part of the 21 FMPs for which the Scottish Government is the co-ordinating authority. They do not result in direct measurable impacts at this stage because the FMPs do not result in new regulation upon publication. Therefore, this document is a narrative assessment and does not include monetised or quantified costs to businesses. As specific actions are implemented, further impact assessments (by all relevant authorities) will be completed that include a more complete assessment of the monetised costs to business associated with that action.

The following options have been considered as part of the partial BRIA:

Option 1 (preferred option): Publication of the three pelagic FMPs

It is considered that pursuing Option 1 and publishing the FMPs would enable the Scottish Government (and the other relevant authorities in the UK) to support delivery of sustainable fisheries for current and future generations. Option 1 would also comply with the statutory obligation in the Fisheries Act 2020 (the 2020 Act) to prepare and publish the FMPs (the FMPs having been included in the Joint Fisheries Statement (JFS) November 2022 (and amended in December 2024).

As noted above, the FMPs themselves will not introduce any new regulatory measures upon publication, accordingly it is not considered their publication would introduce additional costs. The costs associated with implementing measures which may be developed through actions identified within the FMPs depend on the specifics of the measures which are subsequently proposed. As these are currently unknown, they cannot be identified or quantified. However, future costs could arise if fishers need to change where or how they fish, or if they must comply with new gear and equipment requirements. Additional operating and administrative costs may also result from these changes.

The benefits associated with potential new measures developed through implementation of the actions in the FMPs depend on the specific measures proposed. As these are currently unknown, the benefits cannot be identified or quantified at this time but are anticipated to materialise in the form of sustainable fishing opportunities that will provide long-term economic stability to the sector. There may also be environmental benefits realised through improving the underpinning evidence base, facilitating management decision making that considers a wider and improved range of fisheries and environmental data.

Option 1 - Publication of the three pelagic FMPs – is recommended.

Option 2: Business as Usual (Do Nothing) – No pelagic FMPs published

The Scottish Government (and the other relevant authorities in the UK) have obligations arising from the 2020 Act and JFS to publish the FMPs by the specified statutory deadlines. Before proceeding with a business as usual (BAU) option of not publishing FMPs, it would be necessary for steps to be taken to vary the current obligations (through amendments to the JFS).

As a continuation of BAU, Option 2 is unlikely to result in any additional costs to businesses beyond those already incurred by the pelagic fishing sector, and associated business. There may be some benefit in the continuation of BAU, given that it is consistent with regulatory framework of previous years, however, the impact of this benefit is unlikely to be significantly felt by businesses. Option 2 of not publishing the FMPs would lose the benefit of enabling the Scottish Government (and the other relevant authorities in the UK) to support delivery of sustainable fisheries for current and future generations.

Option 2 – Business as Usual (Do Nothing) – is not recommended.

Sectors affected by the policy

The following sectors have been identified as groups who will be affected by the proposal: UK pelagic and demersal fishing industry, international demersal and pelagic fishing industry operating in UK waters, and UK retailers. Businesses will be invited to respond to the public consultation.

Engagement

The three pelagic FMPs have been shaped by a range of stakeholder engagement initiatives, including two pre-consultation events led by the Scottish Government on 25 March 2026 with industry, eNGO, and community representatives. Feedback from these sessions informed the draft content and the development of actions, ensuring the plans reflect stakeholder knowledge and support sustainable future management. Further input gathered through formal public consultation will be used to finalise the FMPs.

Post implementation review

The 2020 Act requires the FMPs to be reviewed at least every 6 years from the date of publication, to assess the extent to which the policies in the plan have been implemented and how the stocks have been affected. This formal review will assess how the FMP has performed in terms of meeting the objectives of the Act. Additionally, progress implementing the policies will be assessed as part a 3-yearly report on the JFS.

Introduction

The Joint Fisheries Statement (JFS), as required by the Fisheries Act 2020 (the 2020 Act), sets out how the UK fisheries authorities (Department for Environment, Food & Rural Affairs (Defra), Scottish Government, Welsh Government and the Department of Agriculture, Environment and Rural Affairs in Northern Ireland (DAERA[1]) will prepare and publish 43 Fisheries Management Plans (FMPs) by 2026. This includes the Scottish-led FMPs, with some of the remaining plans led by the other UK fisheries authorities to be published by 2028[2].

The plans bring together the evidence on the state of the stocks and identify measures and actions necessary to improve the evidence base and manage our fisheries in a sustainable way. Policies in an FMP set out both the short-term actions and longer-term vision for the management of the fishery.

This assessment is being undertaken alongside a public consultation on the three proposed pelagic FMPs, jointly developed by the following UK fisheries authorities: Scottish Government, Defra and DAERA. Further information is sought in the consultation regarding additional economic evidence to update this assessment before the publication of the final pelagic FMPs.

This partial BRIA describes the anticipated economic impact of the three pelagic FMPs on the fishing sector and associated businesses.

This assessment document covers the following three FMPs:

- Proposed North Sea horse mackerel FMP
- Proposed North Sea greater silver smelt FMP
- Proposed West of Scotland greater silver smelt FMP

The three fish stocks covered by these FMPs are of limited importance to the UK fishing industry. They are landed in relatively small quantities by UK vessels, make up only a small part of the catch for the fleets that target them, or they are mainly taken as bycatch in other fisheries.

Although UK fishing vessels currently have little direct commercial interest in these stocks, it is still important to manage them sustainably. Catch limits in the form of Total Allowable Catches (TACs) are set annually, informed for the majority of these stocks by scientific advice from ICES. Some of the pelagic FMPs cover more than one ICES advice area and/or TAC, and for some stocks, a single ICES advice sheet may feed into more than one UK quota. These are explained further within the FMPs.

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[1] The relevant UK fisheries authorities for the pelagic FMPs are the Scottish Government, the Welsh Government (two of the plans), the Department for Environment, Food & Rural Affairs, and the Department of Agriculture, Environment and Rural Affairs in Northern Ireland
[2] Annex A of the JFS was amended in December 2024.

ICES advice is organised into assessment categories ranging from Category 1 (the highest level of information available) to Category 6 (the lowest). Additionally, benchmark exercises are used by ICES to evaluate existing and new scientific evidence and methods and, where relevant, apply them in the stock assessment process. They are part of the continuous improvement process which ensures that ICES advice is based on the best available scientific evidence.

The summary below reflects the ICES assessment framework[3] in place at the time the draft FMPs were prepared.

1. North Sea horse mackerel
    a. the Western horse mackerel stock is classed as a Category 1* stock;
    b. horse mackerel in the Southern and Central North Sea (SCNS) and eastern English Channel was upgraded to a category 1**** stock following ICES benchmarking exercise in 2024 although at the time of writing this is currently under review.
2. North Sea greater silver smelt is classed as a Category 2* stock based on most recent ICES advice[4].
3. West of Scotland greater silver smelt is classed as a Category 1* stock at the time of writing this FMP.

(*) The stock has a high level of data available and there is sufficient available scientific evidence for the relevant fisheries policy authorities to make Maximum Sustainable Yield (MSY) assessments for this stock. This includes stocks with quantitative (Category 1) or qualitative (Category 2) assessments.

(****) Although the SCNS and eastern English Channel horse mackerel stock has been upgraded to Category 1, the evidence base remains insufficient to establish robust MSY reference points. The latest scientific assessment indicates that spawning stock biomass is below B_{lim} and that catch advice is therefore currently set at zero. Strengthening the evidence base remains a priority, particularly because the stock is managed as a bycatch-only stock, limiting the quantity of fishery-dependent data available to inform scientific assessments. While acknowledging these evidence limitations, the stock is currently classed as a Category 1 stock by ICES, therefore, the policies and actions for the SCNS and eastern English Channel horse mackerel stock have been drafted to meet the requirements of section 6(3)(a) of the 2020 Act.

The economic impact of the three proposed FMPs is expected to be limited. North Sea horse mackerel is the only stock associated with a notable commercial fishery for UK vessels, generating average annual landings of approximately 3,800 tonnes and a landed value of around £2.8 million between 2018 and 2024. In contrast, both North Sea greater silver smelt, and West of Scotland greater silver smelt support little or no current UK fishing activity and generate negligible landed value. Consequently, any direct costs or benefits arising from these FMPs are expected to be concentrated on a relatively small number of operators involved in the horse mackerel fishery, with minimal impacts on the wider fishing sector.

[3] Should be noted that the ICES category is primarily a classification of the evidence available for a stock and is not a rating of how healthy the stock is.
[4] ICES 2026 - Greater silver smelt (Argentina silus) in subareas 1, 2, and 4 and in Division 3.a (Northeast Arctic, North Sea, Skagerrak, Kattegat)

Table 1. Areas covered, tonnage, value landed and likely economic impact for the three FMPs (UK vessels, caught in all FMP ICES areas, landed anywhere between 2015 - 2024)

FMP	ICES Areas Covered	Average UK landings	Average annual value
North Sea horse mackerel	Divisions 4.a, 4.b-c and 7.d	~3,800 tonnes (2018-24)	~£2.8m (2018-24)
North Sea greater silver smelt	Subarea 4 and Division 2.a	Negligible; only 376 kg recorded since 2015	Negligible
West of Scotland greater silver smelt	Divisions 6.a and 5.b	51 tonnes total (2018-24)	Most landings have no price attached, suggesting negligible monetary value

Source: SG internal fisheries management data, August 2025. Figures may differ from the published UK sea fisheries annual statistics report 2024.

The principal climate-related impact associated with these three stocks is the increasing uncertainty that climate change introduces to stock distribution, productivity and management. Horse mackerel has already exhibited evidence of climate-related ecological change, while greater silver smelt may be vulnerable to changes in deep-water habitat conditions. Given these uncertainties, the FMPs support a flexible and adaptive management approach that can respond to emerging scientific evidence and changing environmental conditions.

The three FMPs set out policies and actions relating to the stocks which are to be implemented in a way that is consistent with, and supportive of, the wider achievement of the fisheries objectives set out in the 2020 Act, the policies contained within the JFS and other legislative commitments.

These plans also identify evidence gaps and consider research for the species they cover to enhance current management and ensure that sustainability is maintained.

The FMPs describe an overview of the current fisheries for horse mackerel and greater silver smelt in UK waters as well as providing information on available stock assessments, MSY and stock biology.

Section 1: Background, aims and options

Background to policy issue

The 2020 Act[5] provides the framework to manage UK fisheries as an independent coastal State outside of the EU Common Fisheries Policy. The 2020 Act requires the UK fisheries policy authorities (Department for Environment, Food & Rural Affairs (Defra) and the devolved administrations in Scotland, Northern Ireland, and Wales) to prepare and publish FMPs to help deliver the UK ambition for sustainable fisheries. The relevant UK fisheries policy authorities for these three pelagic FMPs are Defra, Scottish Government and DAERA:

- North Sea horse mackerel
- North Sea greater silver smelt
- West of Scotland greater silver smelt

Sea fish and shellfish are a common good because they are rivalrous[6] and non-excludable[7]. Given these characteristics, overexploitation and overconsumption are risks unless governments intervene. In addition to these characteristics, there are also negative externalities[8] associated with fishing itself and positive externalities associated with having a healthy and diverse marine environment. FMPs are one of many tools available to the Scottish Government (and other Governments), and managing the sustainability of fish stocks can additionally involve setting fishing quotas, introducing technical measures, or encouraging research and development.

The JFS[9] published in November 2022, as amended in December 2024, lists 43 proposed FMPs to be published, including these three pelagic FMPs. The fisheries policy authorities have a statutory obligation to prepare and publish any FMP on that list in accordance with the timescales set out in the JFS.

FMPs set out the policies designed to restore one or more stocks of sea fish to, or maintain them at, sustainable levels or to contribute to that restoration or maintenance. Where there is not sufficient scientific evidence for assessing MSY, plans may also consider steps to obtain scientific evidence for this. Each plan specifies the stock(s), type of fishing and the geographic area covered. Each FMP also identifies the actions that could be used to deliver its policies. Such measures may include both existing or new regulations, statutory instruments, technical measures, or non-statutory routes such as research plans, voluntary agreements, or codes of conduct.

The precise mechanisms used will depend on the policies set out in the plan and, where appropriate, will be enforced by the relevant national fisheries authority. The proposed measures could be regulatory or deregulatory, and positive or negative to business. Where actions involved proposed introduction of new measures, separate

[5] Fisheries Act 2020
[6] consumption by one user reduces the amount available to others
[7] difficult to exclude people from using the resource
[8] costs or benefits of economic activity to third parties, such as wider society, that are not reflected in market prices
[9] Joint Fisheries Statement

assessment, consideration, consultation and engagement on those measures would take place in the usual way before any introduction.

This BRIA has been produced to support the consultation on the three pelagic FMPs. The purpose of the consultation is to seek views from those with an interest in the plans. The consultation also seeks feedback on the evidence presented in the plans and provides an opportunity for respondents to provide additional evidence that may support development of the FMP policies.

Purpose/ aim of action and desired effect

The aim of the three pelagic FMPs is that the fisheries they cover are managed sustainably, to help ensure that stocks' biomass is maintained or restored above levels capable of producing MSY and to highlight areas that could lead to refinements to management approaches in the future.

In developing the policies and actions for these three Scottish Government-led pelagic FMPs, the fisheries policy authorities have considered the current policy landscape. This includes applicable international agreements and declarations, conservation advice and wider policy development already underway, in addition to considering what additional evidence, measures or policies may be needed to support both the vision of these FMPs and delivery of the fisheries objectives.

To ensure effective ongoing management of the pelagic fisheries in the UK waters, the three FMPs identify a number of policies (see below) focussed on domestic and international management priorities. These policies and the individual actions that sit under each policy, are subject to the consideration of the consultation and will be prioritised appropriately to ensure realistic and measurable outputs. They were drafted to meet the requirements of policies set out in the JFS and section 6(3)(a) of the 2020 Act.

There is significant overlap in policies for these three FMPs, apart from policies 1 and 2 in the North Sea horse mackerel FMP which are different to account for the complexities around the two horse mackerel stocks. The similarities are intentional to ensure that there is harmonisation in management approaches and delivery as far as practicable. Area specific considerations, which do not span all three FMPs, are denoted in the individual FMPs.

For the proposed North Sea horse mackerel FMP, the policies are:

- Policy 1a: Harvest the Western horse mackerel stock in ICES division 4.a sustainably, contributing to maintaining the biomass above the level capable of producing MSY.
- Policy 1b: Harvest the SCNS and Eastern Channel horse mackerel stock sustainably, contributing to restoring the biomass above the level capable of producing MSY
- Policy 2a: Use the best-available scientific evidence to support management decisions relating to the setting of sustainable fishing opportunities for the Western horse mackerel stock in ICES division 4.a

- Policy 2b: Use the best available science, including emerging evidence from ongoing research, to strengthen the management and support the recovery of horse mackerel in the southern and central North Sea and Eastern Channel
- Policy 3: Monitor catches of horse mackerel and ensure that where possible all catches are counted against quotas
- Policy 4: Deliver wider sustainable management by minimising the impact of the horse mackerel fishery on the marine ecosystem
- Policy 5: Support fishing businesses to deliver socio-economic and cultural benefits for communities
- Policy 6: Reduce the impact of fishing on climate change and support the fishing industry to adapt to the impacts of climate change

For the proposed North Sea greater silver smelt FMP and the proposed West of Scotland greater silver smelt, the policies are:

- Policy 1: Harvest the (relevant) GSS stock sustainably, contributing to maintaining or restoring the biomass above the level capable of producing MSY
- Policy 2: Use the best-available scientific evidence to support management decisions relating to the setting of sustainable fishing opportunities
- Policy 3: Monitor catches of (relevant) GSS and ensure that where possible all catches are counted against quotas
- Policy 4: Deliver wider sustainable management by minimising the impact of the GSS fishery on the marine ecosystem
- Policy 5: Reduce the impact of fishing on climate change and support the fishing industry to adapt to the impacts of climate change

Once formally published, the policies and actions within the plans will need to be implemented. This will be an iterative process, and the Scottish Government will be working closely with the other fisheries administrations, the fishing sector and wider stakeholders on implementation.

Publishing the FMPs is the start of a multi-year cycle, and we will ensure that the plans strike the balance between building momentum for short-term actions and setting direction for the longer term. This can be further iterated as the evidence base is improved. The plans must be reviewed at least every six years. Cross regulator, government and industry groups have been central to the development of the draft FMPs. Stakeholder involvement and ongoing collaboration underpins successful delivery of the FMPs and will continue beyond their publication.

Options (considered so far/ still open)

Option 1 (preferred option): Publication of the three pelagic FMPs

The three pelagic FMPs are published, setting out the policies designed to maintain stocks at sustainable levels by bringing together information on existing measures and available evidence, mapping where there are gaps and opportunities to fill them, setting a clear pathway to developing and introducing improved, evidence-based management in collaboration with industry/ stakeholders.

Option 2: Business as Usual (Do Nothing) – No pelagic FMPs published

If there was an intention to pursue Option 2, of not publishing the FMPs, amendments to the JFS would be required.

Sectors/ Groups affected

The following sectors have been identified as groups who will be affected by the proposal:

- UK pelagic fishing industry
- UK demersal fishing industry
- Wider UK and international pelagic fishing industry operating in UK waters
- UK retailers

Businesses will be invited to respond to the public consultation. This section of the BRIA will be updated following input from relevant organisations.

Section 2: Engagement and information gathering

Engagement approach

The pelagic FMPs have been informed by a range of stakeholder engagement initiatives. A working group of over 50 industry, environmental and Statutory Nature Conservation Bodies (SNCBs) stakeholders was formed in 2023 and met multiple times to help inform the overall shape and contents of Scottish-led FMPs. On pelagic FMPs specifically discussion took place over a number of months to gather additional views and input. This was part of a process known as ‘pre-consultation’. As part of the process, the Scottish Government shared drafts of some of the pelagic FMPs and gathered comments from stakeholders at workshops held in March 2026. Stakeholder knowledge has been valuable in providing context for the FMPs, and in developing meaningful actions that will support the sustainable management of these stocks in the future.

Feedback received as part of formal public consultation will help shape the final FMPs.

Internal SG engagement/ engagement with wider Public Sector

Internal SG engagement

Consultation has been undertaken with officials within the Marine Directorate of the Scottish Government, including policy, compliance and science experts and marine analysts/economists.

UK/ Devolved Administrations

Within the UK we have also engaged with Defra, the Marine Management Organisation (MMO) and Northern Ireland Executive on all FMPs relevant to them.

International

In an international context we have engaged with the EU on the general approach for developing the 21 FMPs.

Business / Third Sector engagement

The Scottish Government, on behalf of the fisheries policy authorities, delivered two pre-consultation events on 25 March 2026 with industry, eNGO and community groups. Feedback from these events was used to refine draft content and to develop the policies presented in these plans. Initial pre-consultation work was undertaken by the Scottish Government via a working group formed of industry, environmental stakeholders and SNCBs which helped inform and shape the content of the FMPs. In addition, separate bilateral meetings took place over a number of months to gather additional views and input.

Public consultation

This partial BRIA has been produced to support public consultation on the three pelagic FMPs. The purpose of the consultation is to seek views from those with an interest in the plans. The consultation also seeks feedback on the evidence presented in the plans and provides an opportunity for respondents to provide additional evidence that may support the FMP policies.

Section 3: Costs, impacts and benefits

Quantified costs to businesses

Whilst the pelagic FMPs include a variety of policies and actions, these will not be implemented immediately following publication of the FMPs. Instead, specific measures must be developed through the appropriate processes before being implemented; such development may require further consultation, evidence and/or input from stakeholders and policymakers. The pelagic FMPs do not result in direct measurable impacts at this stage because the FMPs do not introduce new measures upon publication. Therefore, this document is a narrative assessment and does not include monetised or quantified costs to businesses. As specific actions are implemented, further impact assessments (by all relevant authorities) will be completed that includes a more complete assessment of the monetised costs to business associated with that action.

Option 1: Publication of pelagic FMPs

The costs associated with implementing potential new measures arising from actions outlined in the FMPs depend on the specific measures proposed. As these are currently unknown, they cannot be identified, or quantified. In general, the FMPs aim is to facilitate managing stocks sustainably through improved, evidence-based management via collaboration between Scottish Government, other UK Governments, industry, and stakeholders. Any measure that requires a change to fishing activity will likely incur costs associated with adapting to these changes. These costs could materialise through change in landings profile or the cost of complying with new gear and equipment regulations, as well as the subsequent overhead costs such activities might incur. There may also be administration costs associated with adapting to the changes, whether this be increased time spent ensuring compliance with regulations or time spent adhering to reporting requirements. Due to the current uncertainty of specific measures to be introduced, these costs are listed as example costs only. They are not exhaustive of the potential costs that may be incurred, nor are they indicative of the specific measures that may be introduced.

There may also be some environmental costs incurred through pursuing Option 1. This could be in the form of additional environmental pressures as a result of business adapting to new measures, for example if fishing effort is displaced towards other, further afield, fishing grounds meaning increased fuel use and higher GHG emissions. Again, as the specific measures to be implemented are unknown, the exact impact on the environment cannot be identified. However, the displaced activity could be further constrained by quotas and also the seasonality of stocks.

Option 2: Business as Usual – No FMP published

As a continuation of business as usual (BAU), implementing Option 2 is unlikely to result in any additional costs to businesses beyond those already incurred by the pelagic fishing sector, and associated business. Fishing opportunities would likely remain the same as previous years, subject to variances in TAC and quota negotiations which are beyond the remit of the FMPs. Option 2 may potentially increase the likelihood of stocks being overexploited without additional efforts made to strengthen the evidence-base or manage stocks sustainably. This could in turn have a longer-term negative impact on the future fishing opportunities for the species affected. Not publishing these FMPs, would not strengthen existing frameworks aimed at sustainable fisheries over and above existing measures. It is also likely to impact on consumer confidence in the long-run, potentially making UK fisheries less attractive to UK retailers and consumers who may question the overall sustainability of UK seafood. However, FMPs are not the only factor assuring the sustainability of UK fisheries and are therefore likely to have limited impact on retailer/consumer decisions.

If there was an intention to pursue Option 2, of not publishing the FMPs, amendments to the JFS would be required.

Benefits to business

Option 1: Publication of the three pelagic FMPs

As noted above, the benefits associated with measures arising from actions in published FMPs depend on the specific measures which are subsequently proposed. As these are currently unknown, the benefits cannot be identified or quantified at this time.

In general, the FMPs aim to manage stocks sustainably by bringing together information on existing measures and available evidence, mapping where there are gaps and opportunities to fill them. This sets out a clear framework to developing and introducing improved, evidence-based management in collaboration with industry and stakeholders. As such, the benefits to business associated with measures developed from FMP actions are likely to materialise in the form of sustainable stocks that will provide fishers with sustainable economic opportunities into the future. There may also be environmental benefits associated with this option, realised through improving the underpinning evidence base, facilitating management decision making that considers a wider and improved range of fisheries and environmental data. Whilst perhaps less immediately tangible to businesses in the short term, these benefits are likely to have a longer-term economic and environmental impact to businesses through sustainably safeguarding future fishing opportunities.

Option 2: Business as Usual – No FMPs published

Fishing activities and opportunities for the pelagic species covered by FMPs are likely to remain similar to previous years, subject to changes in quota and TAC which are outside the remit of the FMPs.

The three remaining Fisheries Management Plans cover stocks that are generally of limited economic importance to the UK fleet, with the exception of North Sea horse mackerel. The North Sea horse mackerel FMP covers ICES Division 4a and Divisions 4b-c and 7d and supported average annual UK landings of approximately 3,800 tonnes between 2018 and 2024, generating average annual landed values of around £2.8 million. This fishery is primarily targeted by pelagic trawl vessels and is the most economically significant of the three stocks considered.

In contrast, North Sea greater silver smelt and West of Scotland greater silver smelt are both of very limited importance to UK fishing activity with no substantial UK catches of North Sea greater silver smelt since 2015, with only 376 kg recorded in 2022. Similarly, UK vessels caught only 51 tonnes of West of Scotland greater silver smelt over the period 2018-2024, with no recorded catches in 2023 or 2024.

Other impacts

Compliance and Resourcing Impacts

There are likely to be differing levels of compliance and resourcing costs incurred by Scottish Government (and the other relevant authorities) associated with each option.

Option 1 would likely involve compliance and resourcing costs for fisheries policy authorities additional to those currently incurred. These costs would be incurred through the subsequent process of implementing new measures which come out of actions identified in the FMPs and ensuring compliance with such measures. The magnitude of these costs depends on the specific measures introduced, with more complex measures requiring greater and more specific compliance incurring a greater cost.

Option 2 is unlikely to generate any additional compliance and resourcing costs beyond those already incurred by current compliance and resourcing plans. If there was an intention to pursue Option 2, of not publishing the FMPs, amendments to the JFS would be required and additional resource would be required for this.

Environmental Impacts

There are likely to be differing environmental impacts realised as a result of pursuing each option.

Option 1 is likely to generate environmental benefits associated with sustainable stock management and improving the evidence base underpinning management decisions. However, there may be environmental costs associated with the FMP measures implemented via Option 1, such as the displacement of fishing effort and other unforeseen factors, which could detract from any environmental benefits generated, although the fisheries for the three stocks are a relatively small component of overall UK fleet. As the specific measures are yet to be confirmed, the extent to which environmental costs and benefits will be realised is unknown.

As a continuation of the status quo, Option 2 involves no additional efforts to manage stocks sustainably or improve the existing evidence base that may facilitate greater management decision making. As such, it is likely that this option would incur environmental costs associated with current fishing activities, represented by a potential decline in stock health and abundance through overexploitation and no improvement in the existing evidence base underpinning management decision making.

Scottish firms' international competitiveness

The FMPs are not expected to have a significant impact on the Scottish businesses ability to compete internationally, nor will it affect Scotland's attractiveness as a destination for global capital investment. The FMPs are intended to support sustainable and responsible fisheries management, which in turn supports healthy fish stocks and a sustainable fishing industry. This will help ensure that businesses remain competitive and have a strong international reputation and consumer confidence.

Small business impacts

There are unlikely to be any (disproportionate) direct impacts on small businesses due to publication of FMPs. In 2024, the section of the Scottish fleet primarily using pelagic-targeting gear consisted of 148 active vessels[10]. 127 of these vessels (86% of this fleet) were ten metres or under in length, with 21 vessels (14% of the fleet) over ten metres. All of the over ten metres fleet were greater than 40 metres in length and used pelagic trawling gear, while almost all of the vessels 10 metres and under in length used pelagic handlines. Vessels using pelagic trawling gear accounted for 99% of all landings of pelagic species in 2024. The species included in these three FMPs accounted for less than 1% of the landings of pelagic species by Scottish vessels in 2024, and so we do not expect a substantial small business impact from these FMPs.

However, further policy development work will be needed for any new actions, which could include further evidence gathering or public consultation, along with the completion of appropriate impact assessments. Many of the actions are already underway and part of multi-year delivery programmes, and their development has also been subject to public consultation and appropriate impact assessments carried out by Scottish Government and the other relevant authorities, as required (such as BRIA).

In terms of the make-up of the groups affected, they are most likely small and micro businesses. The definition of small and micro business is based on employing fewer than 50 FTE from the Small Business, Enterprise and Employment Act 2015[11]. Every business in the Marine Fishing standard industry classification would be a small or micro business, as all employ fewer than 50 FTE[12]. As marine fishing businesses are the most likely to be affected by the FMPs, the main group affected will be composed of small and micro business.

Investment

[10] Scottish Sea Fisheries Statistics 2024 - gov.scot: Table 47.
[11] Small Business, Enterprise and Employment Act 2015 – Definitions of small and micro business
[12] UK business: activity, size and location - Office for National Statistics: 2025, table 4

There are unlikely to be any direct impacts to make Scotland (or wider UK) a more, or less, attractive place for global investment.

Workforce and Fair Work

There are unlikely to be any direct impacts affecting the workforce.

The FMPs will not have any direct impact on Fair Work First principles.

Climate change/ Circular Economy

Climate change is expected to affect the three stocks covered by these FMPs to varying degrees. Horse mackerel, as a pelagic species, is particularly responsive to changes in sea temperature and prey availability. Evidence from the North Sea and wider Northeast Atlantic indicates that climate change is already influencing horse mackerel populations, with implications for stock productivity, ecosystem functioning and fisheries management (Lavín et al., 2007[13]; AZTI, 2023[14]; Fuentes-Pardo et al., 2023[15]). In addition to direct climate impacts, climate-driven changes in plankton communities and prey availability may also influence growth, recruitment and distribution of horse mackerel.

For North Sea and West of Scotland greater silver smelt, the available evidence base is more limited. As a deep-water, cold-affinity species, it may be particularly sensitive to environmental changes affecting deeper marine habitats and may respond differently to climate-driven environmental change than more resilient pelagic stocks (Rose, 2005). Its association with deep benthic habitats may limit the availability of suitable refuges as environmental conditions change. Current projections remain uncertain due to the lack of species-specific evidence.

The FMPs aim to support the sector in adapting to these changes by promoting research into climate impacts on fisheries and their wider ecosystems, as well as the environmental effects of fishing activity. As the evidence base improves, these plans will evolve to refine actions that help reduce emissions, support industry adaptation, and align with broader climate and circular economy objectives, while complementary measures are developed and implemented alongside the FMP framework.

Competition Assessment

Will the measure directly or indirectly limit the number or range of suppliers?
The three pelagic FMPs are unlikely to limit the number or range of suppliers.

Will the measure limit the ability of suppliers to compete?
The three pelagic FMPs are unlikely to limit the ability of suppliers to compete.

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[13] Environmental variability in the North Atlantic and Iberian waters and its influence on horse mackerel (Trachurus trachurus) and albacore (Thunnus alalunga) dynamics
[14] AZTI, 2023: Species acclimatization pathways: Latitudinal shifts and timing adjustments to track ocean warming
[15] The genomic basis and environmental correlates of local adaptation in the Atlantic horse mackerel

Will the measure limit suppliers' incentives to compete?
The three pelagic FMPs are unlikely to limit suppliers' incentives to compete.

Will the measure affect consumers' ability to engage with the market and make choices that align with their preferences?
The three pelagic FMPs are unlikely to affect consumers' ability to engage with the market and make choices that align with their preferences.

Will the measure affect suppliers' ability and/or incentive to introduce new technologies, products or business models?
The three pelagic FMPs are unlikely to affect suppliers' ability and/or incentive to introduce new technologies, products or business models.

Finally, it should be noted that while no impacts are expected, further policy development work will be needed for any new actions, which could include further evidence gathering or public consultation, along with the completion of appropriate impact assessments. Many of the actions are already underway and part of multi-year delivery programmes, and their development has also been subject to public consultation and appropriate impact assessments (such as a policy-specific BRIA).

Consumer Duty

What is the proposal trying to achieve?

The proposal is to publish FMPs for pelagic stocks as required by the 2020 Act and the JFS. FMPs set out the policies designed to restore one or more stocks of sea fish to, or maintain them at, sustainable levels or to contribute to that restoration or maintenance. Where there is not sufficient scientific evidence for MSY, plans may also consider steps to obtain scientific evidence for this. Each plan will specify the stock(s), type of fishing and the geographic area covered. Each FMP will also identify the measures that could be used to deliver its policies. Such measures may include both existing or new regulations, statutory instruments, technical measures, or non-statutory routes such as research plans, voluntary agreements, or codes of conduct. The precise mechanisms used will depend on the policies set out in the plan and, where appropriate, will be enforced by the relevant national fisheries authority. The proposed measures could be regulatory or deregulatory, and positive or negative to business.

What are the impacts on consumers?

The three pelagic FMPs are unlikely to have any impact on consumers.

Is it likely that harm will be experienced by consumers as a result of this proposal?
Consumers are unlikely to be harmed as a result of the three pelagic FMPs.

What alternative proposals are there than can improve outcomes for consumers and/or reduce harm to consumers?

Not applicable.

How do these alternative proposals compare to the original proposal?
Not applicable.

Section 4: Additional implementation considerations

Enforcement/ compliance

The UK fisheries authorities have a range of powers in place to enable them to effectively enforce relevant fisheries legislation. Many of the actions contained within the FMPs relate to well-established and existing regulatory and management practices, which are enforced using a robust regulatory framework and utilising a range of compliance assets.

Where actions may lead to new measures, or measures are in the process of being implemented - for example fisheries management measures in MPAs, or additional gear technical measures - the development of these specific policies will consider what, if any, additional regulatory or compliance action is needed in order to support successful implementation of the policy.

UK, EU and International Regulatory Alignment and Obligations

Internal Market/ Intra-UK Trade

There is no expected impact on intra-UK trade. The FMPs will apply across relevant UK waters and will be applied to UK (and non-UK) fishing vessels operating in these areas. Any measures that are implemented as a result of the actions in the FMPs will be applied on a level playing field basis, however, as noted elsewhere in this document, the FMPs themselves will not implement new measures. As such, the FMPs should not have any effect on downstream purchases or sales. FMPs have also been developed jointly with other UK fisheries administrations which have jointly agreed the policies and actions contained in these plans.

International Trade Implications

There will be no impact on international trade into and out of Scotland from the implementation of pelagic FMPs. Domestic and foreign businesses will be impacted in the same way within Scottish waters.

There has been a small volume of pelagic fish landed by foreign vessels into the UK since 2020, with foreign vessels having no recorded landings of the species covered by these pelagic FMPs in 2024. We do not foresee these FMPs having disproportionate impacts on foreign vessel landings into the UK.

EU Alignment consideration

Pelagic FMPs are unlikely to impact on the Scottish Government’s policy to maintain alignment with the EU. We have undertaken engagement and consultation with the EU on the approach to the Scottish-led FMPs and the EU are also invited to comment on public consultation.

The FMPs recognise and value the work we do with the EU and other coastal States and place any action within the context of the international management framework that we have. There is a strong emphasis on partnership working with coastal States partners under bilateral and trilateral arrangements.

The UK will continue to work in collaboration with the EU and other coastal States to ensure they are involved throughout the process and that the policies and actions contained within the FMPs reflect the shared outcomes that we have.

Legal Aid

Implementation of the three pelagic FMPs is unlikely to have any legal aid implications.

However, in most cases further policy development work will be needed for any new actions, which could include further evidence gathering or public consultation, along with the completion of appropriate impact assessments. Many of the actions are already underway and part of multi-year delivery programmes, and their development has also been subject to public consultation and appropriate impact assessments (such as BRIA).

Digital impact

Implementation of the three pelagic FMPs is unlikely to have any digital impacts.

Any new actions contained within the FMPs will be taken forward following their publication and will be subject to further policy development work, including further evidence gathering or public consultation, along with the completion of appropriate impact assessments. Many of the actions are already underway and part of multi-year delivery programmes, and their development has also been subject to appropriate impact assessments (such as BRIA).

Business forms

Implementation of the three pelagic FMPs is unlikely to bring any new forms for business to complete.

However, in most cases further policy development work will be needed for any new actions, which could include further evidence gathering or public consultation, along with the completion of appropriate impact assessments. Many of the actions are already underway and part of multi-year delivery programmes, and their development has also been subject to public consultation and appropriate impact assessments (such as BRIA).

Section 5: Next steps and implementation

Recommendations/ preferred options

Based on the analysis, Option 1 - Publication of the three pelagic FMPs – is recommended.

Implementation considerations/ plan

Subject to the consultation, it is proposed to publish the three pelagic FMPs. This complies with the statutory obligation in the 2020 Act to prepare and publish the FMPs (the FMPs having been included in the JFS which was published in November 2022 and amended in December 2024).

The actions contained within the FMPs will be taken forward following their publication and will be subject to further policy development work, including further evidence gathering or public consultation, along with the completion of appropriate impact assessments. However, it is important to remember that many of the actions are already underway and part of multi-year delivery programmes.

Impact assessments will be completed by the relevant national fisheries authority, in line with each authority's individual assessment processes. Requirements for Scotland, Northern Ireland and England are set out below.

Scotland

When developing policies the Scottish Government looks at impact assessments, assesses which ones are relevant to the policy and plans how to complete them as part of the process.

Any new management interventions will be screened and, where necessary, an appropriate assessment will be completed to ensure any actions or measures take before being implemented.

Some of the assessments which may require to be completed include:
- Strategic Environmental Assessment
- Business and regulatory impact assessment
- Data Protection Impact Assessment
- Equality Impact Assessment
- Islands Communities Impact Assessment
- Child Rights and Wellbeing Impact Assessment (CRWIA)

Northern Ireland

The Rural Needs Act (Northern Ireland) 2016 was established to ensure that rural communities are fairly considered in the planning and delivery of public services and policies.

It imposes a legal duty on public authorities to actively account for rural needs when designing, revising, or implementing new policies.

This includes conducting Rural Needs Impact Assessments (RNIAs), integrating rural considerations into business cases and consultation documents, and publishing annual reports that demonstrate compliance.

England

When producing policy and determining the need for impact assessments, the Better Regulation Framework guidance is taken into consideration. Where policies require a regulatory provision such as legislation, an options assessment or final stage impact assessment is undertaken and submitted to the Regulatory Policy Committee (RPC) for independent scrutiny. Such scrutiny will be in advance of introducing any secondary legislation for measures that are above the £10 million per annum threshold for net costs to business. This analysis is not required for measures below the £10 million equivalent annual net direct costs to business (EANDCB) threshold. For measures below this threshold Defra will, if appropriate, produce de-minimis assessments.

Post implementation review

FMPs contain a number of policies and actions intended to ensure that stocks covered by the FMPs are fished sustainably with respect to an MSY approach and also to support improvements in the overall management approach.

ICES stock assessments assess how fish populations have changed over time and the effect fishing pressure is having on stocks. Key biological indicators are provided as reference points, which give indication towards their MSY, fishing pressure and spawning stock biomass. Fisheries policy authorities undertake a review of ICES stock assessments on an annual basis, to determine how stocks are performing against these reference points, and any other reference points provided within the advice.

The health of the stocks will continue to be reviewed in this way as part of the ongoing negotiations cycle, utilising the ICES stock assessment process, and will also be reviewed on a more in-depth basis as part of the ICES benchmark process (which varies from stock to stock). The health of the stocks will be the indicator used to monitor the effectiveness of the FMPs in managing the pelagic stocks sustainably.

The policies and actions within each FMP will be reviewed as part of the three year review cycle for the JFS. In addition, as set out within the 2020 Act and the JFS, FMPs will be reviewed at least every six years. An earlier review may be triggered in light of a change to relevant evidence, international obligations, or wider events. The decision to review earlier will be taken by the fisheries policy authorities. The review of the FMPs will include a report on individual policies and actions and whether they have been a) implemented and b) any known interactions between the actions and health of the stock.

Declaration

Sign-off for Partial BRIAs:

I have read the Business and Regulatory Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options. I am satisfied that business impact has been assessed with the support of businesses in Scotland.

I am also satisfied that officials have considered the impact on consumers as required by the Consumer Scotland Act 2020 in completion of the Consumer Duty section of this BRIA.

Signed: Minister for Agriculture, Marine and the Islands, Jim Fairlie MSP

Date: 21 September 2026

Minister's name: Jim Fairlie

Minister's title: Minister for Agriculture, Marine and the Islands

Scottish Government Contact point: FMPs@gov.scot