

Business and Regulatory Impact Assessment on Nephrops Fisheries Management Plans

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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, Scottish Government, Welsh Government and the Department of Agriculture, Environment and Rural Affairs in Northern Ireland¹) will prepare and publish 43 Fisheries Management Plans (FMPs) by 2026 for the Scottish-led FMPs, with some of the remaining plans led by the other UK fisheries authorities published by 2028².

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 two proposed Nephrops 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 final Nephrops FMPs.

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

This assessment document covers the following Nephrops FMPs:

- West Coast of Scotland Nephrops FMP
- North Sea Nephrops FMP

Catch limits in the form of Total Allowable Catches (TACs) are set annually informed by scientific advice from ICES. Although Nephrops stocks are assessed at a Functional Unit (FU) level, due to the complexity of the advice and management arrangements, the UK sets an overall West of Scotland Nephrops TAC for ICES areas 5b-c and 6 (NB. The West Coast of Scotland Nephrops FMP covers UK waters of subarea 6 only).

West Coast of Scotland Nephrops and most FUs covered by the North Sea Nephrops have a high level of data available. On this basis, there is sufficient available scientific evidence for the relevant fisheries policy authorities to make annual Maximum Sustainable Yield (MSY) assessments of these stocks.

Nephrops fisheries covered by both FMPs are currently being fished sustainably within MSY limits, with assessed FUs showing stock health above MSY biomass

¹ The relevant UK fisheries authorities for the two Nephrops FMPs are the Scottish Government, 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.

reference points and fishing pressure mostly below MSY fishing mortality reference points³.

They are commercially important species within UK waters, with the total value of the species covered by the two FMPs above landed by the UK fleet totalling £83.4 million in 2024. A breakdown by specific FMP is included below in Table 1.

Table 1. Areas covered, tonnage, and value (£000's) landed for individual FMPs (UK vessels, caught in UK waters, landed anywhere, 2024)

FMP	Areas Covered	Tonnes	Value (£000s)
West Coast of Scotland Nephrops	6.a, 6.b	10,393	46,019
North Sea Nephrops	4.a, 4.b, 4.c	9,823	37,361

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

There has been a negligible volume of *Nephrops* landed by foreign vessels into the UK since 2020, with no recorded landings in 2024⁴.

The two Nephrops 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 Nephrops species in UK waters as well as providing information on available stock assessments, maximum sustainable yield (MSY) and stock biology.

³ ICES publish annual advice for each Functional Unit separately, and these are available on the ICES website. For example, the reference for the latest ICES advice for FU7 (Fladen) is available [here](#).

⁴ Weblink to [UK sea fisheries annual statistics](#), Table 2.3

Executive summary

This partial BRIA describes the anticipated economic impact of the two Nephrops FMPs on the fishing sector and associated businesses. The Nephrops FMPs 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 Nephrops FMPs

It is considered that pursuing Option 1 and publishing the Nephrops 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 2020 Act to prepare and publish the FMPs (the FMPs having been included in the 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 adhering to 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 materialise through a change in landings profile, a change of fishing area, or the cost of complying with new gear and equipment regulations, as well as the subsequent overhead costs such activities might incur.

The benefits associated with measures which are developed from the actions which are identified in the FMPs following their publication 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 Nephrops FMPs – is recommended.

Option 2: Business as Usual (Do Nothing) – No Nephrops 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. 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, through Option 2 is unlikely to result in any additional costs to businesses beyond those already incurred by the Nephrops 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 Nephrops fishing industry, wider UK and international Nephrops fishing industry operating in UK waters and UK retailers. Businesses will be invited to respond to the public consultation.

Engagement

The two Nephrops FMPs have been informed by a range of stakeholder engagement initiatives. As part of the FMP development process, Seafish, on behalf of the fisheries policy authorities, delivered a series of stakeholder engagement events between March and April 2024. This was part of a process known as ‘pre-consultation’. Feedback from these events was used to refine draft content and to develop the actions presented in this plan. Further pre-consultation work was undertaken during 2025, with the Scottish Government sharing a draft of the West Coast of Scotland Nephrops FMP and gathering comments from stakeholders at workshops held on 29 May 2025 and 5 June 2025 and by inviting written feedback. Stakeholder knowledge has been valuable and contributed to providing the context for both the West Coast of Scotland Nephrops FMP and the North Sea Nephrops FMP, and in developing meaningful actions that will support the sustainable management of these FMPs in the future.

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

Post implementation review

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, the FMPs will be reviewed at least every six years. 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.

Section 1: Background, aims and options

Background to policy issue

The Fisheries Act 2020⁵ ('the 2020 Act') 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 fisheries management plans (FMPs) to help deliver the UK ambition for sustainable fisheries. The relevant UK fisheries policy authorities for the two Nephrops FMPs are Defra, Scottish Government and the Department of Agriculture, Environment and Rural Affairs in Northern Ireland (DAERA).

Sea fish and shellfish are a common good because they are rivalrous⁶ and non-excludable⁷. Given this characteristic, overexploitation and overconsumption are risks unless governments intervene. In addition to this characteristic, there are also negative externalities⁸ 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 Joint Fisheries Statement⁹ (JFS), published in November 2022, and updated in December 2024, lists 43 proposed FMPs to be published, including two Nephrops FMPs in UK waters. 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 assessment, consideration, consultation and engagement on those measures would take place in the usual way before any introduction.

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 Weblink to the [Joint Fisheries Statement](#)

This BRIA has been produced to support the consultation on the Nephrops 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.

Purpose/ aim of action and desired effect

The aim of West Coast of Scotland Nephrops FMP and the North Sea Nephrops FMP is that the fisheries they cover are managed sustainably, to help ensure that stocks are maintained above biomass 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 the two Scottish-led Nephrops 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 Nephrops fisheries in the UK waters, the two FMPs identify six 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 with stakeholder input to meet the requirements of section 6(3) of the Act (policy 1) and the broader policies set out in the JFS (policies 2, 3, 4, 5 and 6).

The six policies for the West Coast of Scotland and the North Sea FMPs are to:

1. Harvest the Nephrops stocks sustainably, with biomass maintained above the level capable of producing MSY.
2. Understand and minimise the benthic impact of Nephrops fisheries.
3. Minimise the impact of Nephrops fishing activities on sensitive marine species by reducing bycatch and entanglement of these species.
4. Address discarding issues in the Nephrops fisheries and ensure that where possible all catches are accounted for against quotas.
5. Support fishing businesses to continue to deliver socio-economic benefits to coastal communities and the wider UK economy.
6. Reduce the impact of Nephrops fishing on climate change and support the fishing industry to adapt to the impacts of climate change.

There is significant overlap in policies between the West of Scotland and the North Sea Nephrops FMPs. This is intentional to ensure that there is harmonisation in management approaches and delivery as far as practicable.

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 Nephrops FMPs

The Nephrops 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 Nephrops 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 Nephrops fishing industry
- Wider UK and international Nephrops 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 two Nephrops FMP have been informed by a range of stakeholder engagement initiatives. As part of the FMP development process, Seafish, on behalf of the fisheries policy authorities, delivered a series of stakeholder engagement events between March and April 2024. This was part of a process known as 'pre-consultation'. Feedback from these events was used to refine draft content and to develop the policies presented in this plan. Further pre-consultation work was undertaken during 2025, with the Scottish Government sharing a draft of the West Coast of Scotland Nephrops FMP and gathering comments from stakeholders at workshops held on 29 May 2025 and 5 June 2025 and by inviting written feedback. Stakeholder knowledge has been valuable and contributed to providing the context for both the West Coast of Scotland Nephrops FMP and the North Sea Nephrops FMP, and in developing meaningful actions that will support the sustainable management of these FMPs 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 to allow to them to provide feedback on Nephrops FMPs.

Business / Third Sector engagement

Seafish, on behalf of the fisheries policy authorities, delivered a series of stakeholder engagement events between March and April 2024. Feedback from these events was used to refine draft content and to develop the goals presented in these plans. Further pre-consultation work was undertaken by the Scottish Government via a working group of industry, environmental and SNCBs stakeholders which met multiple times to help 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 Nephrops 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 Nephrops FMPs include a variety of policies and actions, these will not be implemented immediately following publication of the FMP. 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 Nephrops 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 Nephrops FMPs

The costs associated with adhering to 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, 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, a change of fishing area, 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 time 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 changing environmental pressures as a result of business adapting to new measures. Again, as the specific measures to be implemented are unknown, the exact impact on the environment cannot be identified.

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 Nephrops 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 measure of sustainability and therefore the likelihood of this occurring is likely to be low.

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 Nephrops 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 at 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 pathway 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 fishing opportunities 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 Nephrops 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. In 2024, the value of *Nephrops* stocks landed by the UK fishing fleet was £83.4 million. A breakdown by individual FMP is outlined in Table 1 above. £71.8 million (86%) of this was landed by Scottish vessels, with English vessels landing a further £5.8 million (7%) and Northern Irish Vessels landing £5.7 million (7%). A negligible amount (<1%) was caught by other UK administrations.

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 FMP 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. 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 *Nephrops*-targeting gear consisted of 215 active vessels. 168 of these vessels (78% of this fleet) were over ten metres in length, with 47 vessels (22% of the fleet) ten metres and under. The majority of the over ten metres fleet were between the lengths of 15 metres to 24 metres (109 vessels, 51% of this fleet). *Nephrops* are also caught by the Scottish creel fishing fleet, although the tonnages involved are a lot lower. However, the species represented just under 30% of this fleet's total landed value in 2024¹⁰. The Scottish creel fishing fleet is a much larger fleet than the *Nephrops* trawl fleet, consisting of 883 vessels in 2024. 797 vessels (90% of this fleet) within this fleet are under 10 metres, with 86 vessels (10% of this fleet) being over 10 metres in length. No Scottish creel fishing vessel was longer than 24 metres in 2024¹¹. Note that – although smaller vessels tend to have smaller crews – vessel length does not always correlate with business size.

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 2015¹². Every business in the Marine Fishing standard industry classification would be a small or micro business, as all employ fewer than 50 FTE¹³. 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

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.

¹⁰ Weblink to the Scottish Government statistics, 2025. [Scottish Sea Fisheries Statistics 2024](#), Table 27

¹¹Weblink to the Scottish Government statistics, 2025. [Scottish Sea Fisheries Statistics 2024](#), Table 47

¹² Weblink to [Small Business, Enterprise and Employment Act 2015](#)

¹³ Weblink to [UK business: activity, size and location - Office for National Statistics](#): 2025, table 4

Climate change/ Circular Economy

There are unlikely to be any direct impacts affecting climate change/ circular economy. FMPs set out our approach to increasing or maintaining sustainability of fish stocks and as additional evidence is developed, this will help fisheries managers to respond to changes in the status of stocks.

The Nephrops FMPs acknowledge that climate change is expected to affect many commercial sea fish and shellfish species—particularly those inhabiting or relying on inshore waters—through changes in habitat suitability, geographical distribution, and overall productivity. Nephrops populations in UK waters are considered eurythermal (temperature-tolerant) and generally fall within the colder end of their thermal range. As such, they are not expected to experience major temperature-driven changes under projected warming scenarios, but the overall impacts are not yet fully understood. Warming seas have shifted the timing of larval release earlier in the year, but this change has had little effect on larval survival or dispersal to date, indicating physiological and ecological flexibility. However, ocean acidification may have adverse effects, including reduced immune function (Thornborrow et al., 2024¹⁴; Hernroth et al., 2012¹⁵).

Although Nephrops show a degree of physiological resilience to increasing water temperatures, their mud habitats are more vulnerable to climate-driven changes and, established populations, have limited ability to shift location once suitable habitat is lost. When combined with fishing pressure, these stressors have the potential to reduce habitat quality and, in some areas, lead to the degradation or loss of suitable mud habitat.

Specific policies and actions within the Nephrops FMPs look at how the fishing industry can be supported to adapt to the impacts of climate change. This includes actions on wider research to identify impacts of climate change on fisheries, including their links within the wider ecosystem, as well as identifying the impacts of the fisheries on the marine environment. Further research will be required to predict the scale of impacts on the environment and over what timeframe this will be applicable to the Nephrops FMPs.

As our evidence base grows, we will understand better the specific impacts of climate change on the Nephrops species covered by these FMPs, and the scale of change required to support vessels fishing for these species to reduce their emissions and also adapt to changes in stocks and general fishing conditions. These actions are likely to adjust over time and will become more refined.

¹⁴ Weblink to research report [Informing Scotland's fisheries policies to be adapted and resilient to climate change and ocean acidification](#);

¹⁵ Hernroth B, Sköld HN, Wiklander K, Jutfelt F, Baden S. Simulated climate change causes immune suppression and protein damage in the crustacean *Nephrops norvegicus*. *Fish & Shellfish Immunology*. 2012 Nov 1;33(5):1095-101.

Possible measures which could support the sector's contribution to the UK's climate targets or promote Circular Economy, are already in development and / or being delivered. The FMP will support these measures, although it is not directly introducing or delivering them.

Competition Assessment

Will the measure directly or indirectly limit the number or range of suppliers?

Nephrops FMPs are unlikely to limit the number or range of suppliers.

Will the measure limit the ability of suppliers to compete?

Nephrops FMPs are unlikely to limit the ability of suppliers to compete.

Will the measure limit suppliers' incentives to compete?

Nephrops 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?

Nephrops 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?

Nephrops 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 Nephrops stocks as required by the 2020 Act 2020 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?

Nephrops 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 Nephrops 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 Nephrops FMPs. Domestic and foreign businesses will be impacted in the same way within Scottish waters.

There has been a negligible volume of *Nephrops* landed by foreign vessels into the UK since 2020, with no recorded landings in 2024¹⁶. We do not foresee these FMPs having disproportionate impacts on foreign vessel landings into the UK.

EU Alignment consideration

Nephrops 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 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. Where relevant, the policies and actions contained within the FMPs reflect the context already in place under the Multi-Annual Plans (MAPs). 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.

¹⁶Weblink to [UK sea fisheries annual statistics](#), Table 2.3

Legal Aid

Implementation of the Nephrops 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 Nephrops 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 Nephrops 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 Nephrops FMPs – is recommended.

Implementation considerations/ plan

Subject to the consultation, it is proposed to publish the West Coast of Scotland and North Sea Nephrops 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 stock 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 stock will be the indicator used to monitor the effectiveness of the FMPs in managing the Nephrops 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: Cabinet Secretary for Rural Affairs, Land Reform and Islands, Mairi Gougeon MSP

Date: 23.02.2026

Minister's name: Mairi Gougeon

Minister's title: Cabinet Secretary for Rural Affairs, Land Reform and Islands

Scottish Government Contact point: FMPs@gov.scot



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Any enquiries regarding this publication should be sent to us at

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