

North Western Inshore Fisheries and Conservation Authority

**Quarterly Meeting: 6 December 2011,
Morecambe Town Hall, 10.30 a.m.**

Agenda Item: 7

SUPPLEMENTARY REPORT

Management of Foulhaze cockle bed update for meeting on 6 December 2011

Current position

1. Surveys show that stocks have reduced since 1 September by approximately 84% to 1700 tons. This reduction is mostly accounted for by fishing but some predation or natural mortality is indicated. The remaining tonnage represents less than 40% of the total stock as more than 60% is undersize. These data suggest that all Ribble beds should remain closed to allow growth to size. By spring 2012 there could be fishable stocks of 3000-4000 tons.
2. The high density of undersize stocks on the inner Ribble Estuary North Run bed are being monitored as part of the experimental cockle transplant study. On Friday 2 December, surveys indicated major loss of stock which may have been caused by the north easterly gales in the last week of November. This result may have implications for other beds on the Ribble including Foulhaze and shows that cockle stocks are vulnerable to bad weather.

An emergency measure to strengthen byelaw 5

3. As set out in the main report, re-opening the Foulhaze fishery depends on improvements to Byelaw 5 to strength both safety conditions and enforceability.

Safety

4. Defra advise that IFCA can make and enforce byelaws containing safety requirements. The main report concludes that full coding to MGN280 of all vessels is not practical because most vessels used do not meet the construction standard required for the code and cannot be modified. The alternative lesser solution is to require all boat users to hold the full set of fishers' safety qualifications and all vessels must carry an approved list of safety equipment.
5. These lists have not been finalised. Safety courses should include Sea survival, First aid at sea, Fire fighting in addition to the foreshore gatherers course required under byelaw 5. All vessels must have a nominated skipper who will be held responsible for the vessel who must hold a VHF radio operators course and must register all sailings with the coastguard.
6. Safety equipment on board vessels should include all on board wearing high quality life jackets, flares, anchor, auxiliary engine, VHF radio, navigational aids

Enforceability of byelaw 5

7. The provision for anyone to collect 5kg of cockles for personal non-commercial use has grossly reduced the enforceability of byelaw 5. Following a meeting on 28 November with MMO lawyers, advice has been given that a solution to the problem of the 5kg non-commercial limit may be found. MMO have drafted an outline measure which could be

introduced as an emergency byelaw based on the idea of designating an area of shore as a commercial fishery within which all fishers and everyone participating in the fishery in any way would have to have a NWIFCA Byelaw 5 permit.

8. MMO lawyers have been asked to consider other measures to add to Byelaw 5 including
 - i. Charging for permits to recover reasonable administration and management costs,
 - ii. Inclusion of an apprentice scheme to allow young entrants to the fishery,
 - iii. Limiting permits to people with addresses (by post code) within the District,
 - iv. Requiring an improved intertidal safety training course,

Work which has to be done before Foulnaze can reopen

9. The Foulnaze bed must be resurveyed in January – February to monitor growth to size.
10. An emergency byelaw containing the above safety and enforceability improvements must be completed and made by the NWIFCA.

Comments received in a short public consultation prior to the 6 December meeting

11. *Many livelihoods depend on the fishery so it should be opened urgently.* The NWIFCA is acutely aware of the hardship caused by the paucity of fishing opportunities in the District. However, we must look long term, promote sustainability and not permit the stock to be fished out. Data indicate that there is at most 2 weeks fishing at the exploitation rates of October. Officers let the fishery continue until risky boat use, the Media and the Minister forced closure. We cannot restart fishing until we can bring in much stronger safety regulation but most of the stock has been fished. Neither the NWIFCA nor the fishing industry can afford to have a repeat of the intense adverse publicity that occurred in October. There is a real concern that re-opening the fishery in winter conditions of short days and adverse weather could rapidly lead to more boats in difficulty and a repeat of the media storm.
12. *There may be additional stock on a bed to the SW of the existing Foulnaze bed.* Surveys on 22 November took place on a 2.2m tide and no other beds were exposed on that day. Hand fishing further to the SW will require tides of less than 1m which only occur on 30 days per year. Officers will survey this area at the first available opportunity.
13. *Strengthen the cockle registration document system operated by Environmental Health Services to improve enforcement and traceability.* All agencies agree a stronger system is required but there are insufficient resources in EHS services to radically improve the system.
14. *The Fishery could be licenced under a Fishery Order as are the Dee, Solway, Wash and Thames fisheries. This would help self-policing and provide finance for management and enforcement. Regulations could be included to limit fishing to certain times, set a total allowable catch per day and define how fishing is done.* The NWIFCA has asked for consideration of a District-wide fishery order for cockles and mussels in the NW. This would provide for all the beds in the NW which appear from time to time to be managed under a similar system. A Fishery Order would take 1-2 years to develop.