

**DISTRICT CLAM AND RAZOR FISHERY**

**Purpose of Report**

To inform members of proposals to allow fishing for clam and razor fish species within the NWIFCA District.

**Recommendations**

1. That the report be received.
2. That members of the TSB consider whether or not to recommend the authorisation of a trial fishery for clams to the full Authority.

**Background**

1. Since 2004, the Authority has received several expressions of interest in the mechanical harvesting of clam species, most notably for razorfish (*Ensis siliqua*) but also for surf clams (*Spisula solidissima*), otter shells (*Lutraria lutraria*) and bean solen (*Pharus legumen*). Of these, only one has resulted in any actual fishing which took place in 2007 in the form of trial tows across three areas in Liverpool Bay.
2. In the meantime CEFAS conducted two surveys, one by grab off Southport and the other by suction dredge in the mouth of the Duddon estuary. The results of this activity suggest there is potential for a fishery, but provide little else in terms of useful data to inform the management of such a fishery.
3. Also during this period, a large part of the area of interest in fishing terms was being designated as a Special Protection Area (SPA) for two bird species; Common Scoter and Red Throated Diver. To support this designation, further scientific work was conducted to provide evidence for the management of the SPA. Some of that work related to the distribution and abundance of clam species which are a primary food source for Common Scoters. While this has been helpful, officers feel that it is still not sufficient to provide a basis for a robust management regime for a full scale commercial fishery.
4. The operators have sought to find their own way into this fishery which resulted in two of them making applications for Several Orders directly to Defra. The IFCA opposed these applications citing concerns relating to the effective privatisation of a public resource and that the proposals contained little or nothing about how the operators would “improve and enhance the fishery” – a fundamental requirement of a Several Fishery proposal. As a result, the operators have withdrawn, or are in the process of withdrawing, the Several Order applications.



5. Despite this setback the operators are still keen to find a way forward and a number of discussions have since taken place with regards to the options open to them. As far as the IFCA is concerned these remain essentially the same as when the proposal was first mooted i.e. use a Regulating Order or run the fishery under byelaw.
6. Officers consider that the three main problems in enabling a fishery are:
  - a) Limiting effort
  - b) Lack of data on stocks
  - c) Potential impacts on the bird interest features of the SPA in terms of disturbance (both species) and removal of prey (Common Scoter only).
7. As the IFCA's new byelaw powers under the MACAA should allow for the effective control of effort, both a Regulating Order and a byelaw regime would, in theory, be able to address problem a). Neither solution helps with problem b) but both could be equally effective in terms of mitigating impacts on the bird interest features. However, Regulating Orders are notoriously slow and expensive to implement whereas byelaws are relatively cheap and quick. In this instance, officers feel that the extra work attached to a Regulating Order brings little or no benefit over using byelaws and therefore consider a fishery under byelaw or byelaws to be the most cost effective solution.
8. However, while byelaws could address problems a) and part of c) through a suite of technical measures directed at limiting effort and spatial and temporal restrictions to reduce disturbance, the lack of data pertaining to extent, recruitment and structure of the target species' populations poses a much greater obstacle to enabling the fishery.
9. The CEFAS experience from their two surveys suggests that to obtain the necessary data to ensure a sustainable fishery with no likely significant effect (or at least none that can't be mitigated against) would be impractical for the IFCA to conduct in-house and prohibitively expensive to contract out.
10. The operators say they are willing to carry out some or all of this work but only if they were allowed to sell the catch to recover some of the not inconsiderable costs in fishing. Agreeing to this course of action has drawbacks in respect of the independence and integrity of the data. These could be offset by undertaking a separate, small scale program of stock assessment either in-house or contracted out but the fact remains that commercial fishing would still be occurring at levels that might be unsustainable.
11. Officers feel that they have taken this matter as far as they can without further consideration of the issues by the Authority and are therefore presenting this paper as a basis for discussion by the TSB sub-committee.

**Scientific and Environmental Officer**  
**7 February 2012**