

NWIFCA Quarterly Meeting

20 September 2013: 11.00 a.m.

AGENDA
ITEM NO.
7

BYELAW 6 PROTECTION FOR EUROPEAN MARINE SITE (EMS) FEATURES

Purpose of Report

To present the final draft of NWIFCA Byelaw 6 Protection for European Marine Site Features and make the byelaw.

Recommendations

1. That the Authority makes Byelaw 6 as at Annex A subject to any minor amendments following discussion at the meeting.

Background

1. This draft byelaw is the culmination of Officers work on the first part of the Defra initiated Review of Fisheries in European Marine Sites. Feature and gear combinations that are considered to be "red risk" are required to be addressed and prohibited by the end of 2013.
2. This Byelaw has been developed with input from members at several Authority and TSB meetings as well as through targeted stakeholder meetings. Extensive liaison with Natural England and the MMO has taken place together with correspondence with Nature Conservation NGOs.

Content of the Byelaw

3. The byelaw is attached at Annex A. The structure and content of this document has been checked and approved by MMO and is with them for final assessment.
4. The byelaw outlines 4 areas within 3 of the District's SACs where the use of bottom towed gear is prohibited in order to protect reef features (*Sabellaria alveolata* and subtidal boulder & cobble). In addition, bottom towed gear as well as bait collection and hand gathering is prohibited in several areas of seagrass bed in Morecambe Bay.
5. **Solway Firth EMS.** Discussion with local shrimp fishermen revealed that the subtidal boulder and cobble skewer was a dynamic environment. The 'so called' reef was often covered with sand to considerable depth and supported a valuable shrimp fishery. This input was provided to Natural England and the feature was removed from the 'red' list.
6. The closed area now encompasses only the relatively stable and long lived area of *Sabellaria alveolata* reef and nearby skewers. The closed area extends outside of the SAC boundary to the South in order to protect this entire reef. This was previously agreed by the Authority and demonstrates a commitment to protecting important conservation features both within and outside statutory sites.
7. **Morecambe Bay EMS seagrass beds.** Four separate areas of seagrass beds had been identified in the Walney Channel of Morecambe Bay. However, after stakeholder consultation, doubt was cast upon the rather outdated data for the areas around Roa and Foulney Island. After further survey by Natural England it was decided to remove the Foulney areas from the Byelaw until further data is collected. The closed areas now include the seagrass patches with greater data certainty with allowance for expansion if the closed areas prove effective.

8. **Morecambe Bay EMS Walney Channel boulder and cobble reef.** Stakeholder consultation in the area revealed that some recreational shrimp and trawl fishing takes place along the southern edge of this part of the channel. The closed area was moved into the buffer zone for this feature to allow this non-damaging activity to continue.
9. **Morecambe Bay EMS Heysham Flat *Sabellaria alveolata* reef.** The closed area for this feature has been reduced from covering the whole skear to just the more seaward edge of the skear where it is known that *Sabellaria alveolata* reef has occurred historically.
10. **Dee Estuary EMS Hilbre Island *Sabellaria alveolata* reef.** No changes have been made to this closed area since the last Authority meeting.
11. **Shell Flat & Lune Deep SAC reef.** This area has been removed from the Byelaw at this present time. This is due to difficulties in enforcing a closed area while still allowing the limited, non-damaging trawl fishery to occur close to the feature. If an acceptable management solution can be developed, the byelaw will be amended later to include this site. This exception was agreed by the TSB and has been reported to the national Project Board.

**CEO and Science Officers
September 2013**