

**Byelaw Review Meeting
(part 2):
Online**

Items to review from last/TSB meeting

- Vessel length/engine size

Comments on Steve Brown's paper:

- General agreement with the principal of 15m overall length & 221kw engine power 3-6nm
- Also general agreement with 10m overall length limit in 0-3nm but exemptions needed for potting vessels and others as relevant with grandfather clause to accommodate existing vessels in district
- Previous attempt to reduce vessel length in the inshore hit problems so need to review what these were but acknowledgement that situation may have changed

Action: Send round to officers for comment on make up of fleet before going out to informal consultation with stakeholders - SA to undertake after the next authority meeting

Potential new byelaws to review

- Netting (mobile)
- Shrimp & prawn (inc. comments on Steve Brown's paper)
- Recreational gathering (molluscs)
- iVMS
- EA & NRA byelaws

Trawling/mobile netting

- **What is the justification for a new byelaw?**
 - Byelaws need consolidating and updating
 - Need to bring into line with other legislation

Trawling/mobile netting

- **What do we want to achieve with a new byelaw?**
 - Consistency of measures across the district

Trawling/mobile netting

- **Is it specific to a particular species/sector/gear?**
 - Mobile gear i.e. trawling but need to name specific gear types so that we are clear what we are talking about:
 - I.e. trammel, trawl nets, multi-rigging
 - Look at what the fisheries are targeting as well
 - Does it make sense to keep shrimp & prawn netting separate? Is it too complicated to put it all in one byelaw?
 - Need to look at other SIs and legislation

Trawling/mobile netting

- Legacy byelaws to be considered for consolidation and review

| | |
|--|--|
| <p>Mobile netting byelaw</p> <p>Shrimp and prawn byelaws need to be considered but may be better to be kept separate?</p> | <p>CSFC Byelaw 13 1996 Prohibition on multi-rigged trawls</p> <p>CSFC Byelaw 20 1998 Protection of plaice – min mesh</p> <p>NWSFC Byelaw 3 1989 Prohibition of seine netting?</p> <p>NWSFC Byelaw 2 1951 Attachments to nets – does this apply to mobile and static?</p> <p>NRA Byelaw 5 Use of instruments</p> <p>EA Byelaw 5 Dee Estuary Trammel nets, trawl nets, beam trawls, otter trawls, Any instrument</p> |
|--|--|

Trawling/mobile netting

- **Which strategy might be relevant: status quo, consolidate or redevelop?**
 - Redevelop and consolidate and tie in with other existing tech cons and SIs to reduce number of byelaws and simplify for the user
 - Needs careful understanding and consideration of existing tech cons and SIs affecting individual fisheries

Trawling/mobile netting

- **What do we know at the moment?**
 - A lot - but needs bringing together from officers who have a lot of experience and intelligence - vessel monitoring systems, potential satellite imaging could help gain a better understanding.
 - Simple schematic might help to demonstrate what gear is permitted where / with what fisheries; and to show how much activity in our District broken down into gear types / individual fisheries.

Trawling/ mobile gear

- **What additional evidence is required to achieve our aim?**
 - Needs to be addressed later on when we have consolidated the evidence that we have already, before we know what is missing.

Trawling/mobile gear

- **What are the implications (+/-) of implementing new measures? Which other byelaws/SIs/Tech Cons/legislation will it interact with?**
 - Same legislation as shrimping but need to compile a list of all technical measures
 - Tech con 12/41/2019 - and what this includes
 - + others

Trawling/mobile gear

- **Are there any suitable, relevant and well-written byelaws implemented by other IFCA's?**
 - Possibly but needs looking into

Trawling/ mobile netting

ACTION: Look at other IFCA byelaws to look for useful examples

ACTION: To list and detail SIs and tech cons that might interact with a new byelaw

ACTION: Compile evidence on existing activity - what taking place where, how and which species

ACTION: List of gear types/species to be considered for this byelaw

Shrimp & prawn

- **What is the justification for a new byelaw?**
 - Need measures in place to protect fishery from influx of large high powered vessels from other parts of the UK
 - Consolidate and update measures for consistency across the district
 - Should riddling be included? Need to be cautious around making assumptions due to the impact on juvenile shrimp and juvenile fish – this could be mainly market driven rather than conservation measure.
 - Need to look at fish bycatch – science team to prepare summary document on impacts of riddling
 - Should boat trawling and tractor trawling for shrimp be looked at slightly separately, at least to start with, as there are obvious differences in gear, and perhaps in areas fished, by-catch prevention methods, riddling etc.?
 - Need to be clear we are NOT referring to nephrops here – as they are locally called prawns

Shrimp & prawn

- **What do we want to achieve with a new byelaw?**
 - Proven conservation measure for protecting shrimp and fish stocks
 - Align measures across the district (3 different gear restrictions in different parts of the district)
 - Simplify regulation

Shrimp & prawn

- **Is it specific to a particular sector/species/gear?**
 - Shrimp and prawn (not nephrops)
 - Restrictions principally on beam trawls with restrictions on net size and beam width
 - Current methods include tractor, boat and push nets (currently no regulation - might need to ask the question if regulation is needed)
 - Tractor - seen riddling at the top of beach. Riddling not for shrimp conservation but for market - might need regulation around riddling/sorting catch in min depth of water to minimise gull predation and survivability

Shrimp & prawn

- **Legacy byelaws to be considered for consolidation and review**

| | |
|----------------------------------|--|
| Shrimp & prawn byelaw | NWSFC Byelaw 6 2001 Shrimp and prawn fishing restrictions Cumbria Byelaw 14 2004 Shrimp & prawn regulations NRA Byelaw 12 Use of Nets – Beam Trawl or Otter Trawl |
|----------------------------------|--|

- Dee needs thinking about carefully as having two different sets of measures in the same stretch of water prosecuted by the same fishermen needs considering and consulting on

Shrimp & prawn

- **Which strategy might be relevant: status quo, consolidate or redevelop?**
 - Consolidate and redevelop

Shrimp & prawn

- **What do we know at the moment?**
 - Requirement to conserve and protect shrimp and fish species
 - Shrimping is very important to the District's fishers
 - Solway used to be second largest shrimp fishery after the Wash
 - There is a lot of historic data and information on shrimps in the district
 - Jane Lancaster PhD on shrimp has a wealth of info on ecology, migration, movement & life-cycle – but areas thought to be nursery areas (i.e. Robin Rigg) may be very different now to in 1996.
 - Lot of work done by MAFF historically on why shrimp populations are so changeable – temperature key driver so climate change likely to have an impact

Shrimp & prawn

- **What additional evidence is required to achieve our aim?**
 - Again, Jane Lancaster shrimp study would be useful to review:
<https://www.sciencedirect.com/science/article/abs/pii/S0165783601003575>
 - Fishermen raise concerns about shrimp populations in District (but have been raising same concerns since 60s)
 - Shrimp populations are highly variable and other potential impacts on key areas such as nursery areas
 - MK looking into use of a riddle for sorting catch (i.e use of a riddle/veil) and impacts on shrimp and fish by-catch to be included in any new byelaw – is a veil used in any of our fisheries?

Shrimp & prawn

- **What are the implications (+/-) of implementing new measures? Which other byelaws/SIs/Tech Cons/legislation will it interact with?**
 - The shrimp fishery in Cumbria is geographically centred in the upper Solway; in addition important fisheries in Morecambe Bay, the Ribble and the Dee
 - Interaction with shellfish fisheries
 - Will interact with other current and new byelaws such as vessel size and engine power limitations
 - Jon Haines made a spreadsheet a few years ago to identify cross over with other legislation so this would be key to review when starting to look at this byelaw.

Shrimp & prawn

- **Are there any suitable, relevant and well-written byelaws implemented by other IFCAs?**
 - MK been collating measures from all other IFCAs on riddling methods through TAG
 - Eastern (and possibly Kent & Essex) have shrimp fisheries

Shrimp & prawn

Comments on Steve Brown's paper:

- Well-written paper but also need to take other scientific work into account (i.e. Dr Jane Lancaster and Dr Eric Perkins from CSFC district, plus Bill Cook)
- Good basis to start from and pull further information together – as discussed issue of riddling needs further consideration

Shrimp & prawn

ACTION: Review Jon's spreadsheet and make sure up to date

ACTION: MK to produce summary of evidence around effective methods for improving selectivity - i.e. riddling/veil

ACTION: Options for amalgamating measures as set out by SB should be put out to consultation with fishers in each part of the district and gather views

ACTION: MK to produce summary of key info from Jane Lancaster's PhD & MAFF research

Recreational gathering (molluscs other than cockle & mussel)

N.B. The discussion around this byelaw in the meeting centred on the need for an emergency byelaw – the following comments were written before the emergence of the recent issues

- **What is the justification for a new byelaw?**
 - IFCOs have been monitoring gathering of otter clams, razors and other bivalves at Leasowe and in Morecambe Bay for last few years. There are concerns over levels of activity and sustainability of the fishery at Leasowe now heightened during lock-down leading officers to consider an emergency byelaw.
 - Winkles - historically in Cumbria gathering has at times been undertaken on a recreational and commercial scale particularly during the winter months, and as such there is a requirement to investigate the need for regulation

Recreational gathering

- **What do we want to achieve with a new byelaw?**
 - Needs to include at least the measures in CSFC byelaw 7 (winkles). Whilst not aware of any gathering on the Lancashire or Merseyside coast line, other officers can advice on this.
 - Same as all byelaws - sustainability of the fishery - to enable people to carry out their public right to fish but in a sustainable way. This needs to be evidence based not just an assumption that because it is carrying on and has done for years it must be sustainable. eg. MLS for winkles needs to be based on scientific evidence of SOM in our District (in case there are regional variations).

Recreational gathering

- **Is it specific to a particular species/sector/gear?**
 - Winkles
 - May want to include bait collection for shore crabs
 - Digging/pumping for worms doesn't appear to be an issue at present
 - Otter/razor clams in some areas?
- Keep as simple as possible – keep species or area specific to stop it becoming unwieldy

Recreational gathering

- **Legacy byelaws to be considered for consolidation and review**

| | |
|--------------------------------------|--|
| Recreational gathering byelaw | CSFC Byelaw 7 2004 Winkle fishing method & min size NRA Byelaw 6 Shellfishery temporary closure NRA Byelaw 9 Protection of shellfish beds CSFC Byelaw 18 Shellfishery temporary closure NWSFC Byelaw 16 Shellfishery temporary closure (Above shellfish byelaws don't specify species) ? Any others - some measures included within Byelaw 3 (for cockle & mussel) |
|--------------------------------------|--|

Recreational gathering

- **Which strategy might be relevant: status quo, consolidate or redevelop?**
 - Consolidate and redevelop
 - Evidence based and showing need e.g. don't bring regulation in for bait collection unless there is an issue over it in terms of sustainability and effects on the environment

Recreational gathering

- **What do we know at the moment?**
 - Winkles – as previously mentioned
 - IFCOs' sightings data on bait collection along with recreational bait collection questionnaire - over 50 responses. Need time to analyse all this and put it into a report.
 - We know there is an issue with bivalve collection at Leasowe.
 - We know shore crab collection at Drigg and along Cumbria coast has raised concerns over the years and have been attempting to assess - it is just during crab moult season which is temperature driven. People coming over from the northeast to gather. We've missed it for this year due to lock-down.
 - Not aware of any current issues around winkle collection and agree the measures need consolidation across the District as winkles are showing in larger numbers from time to time on other rocky scar ground in the south of the District.

Recreational gathering

- **What additional evidence is required to achieve our aim?**
 - Opportunity to go and assess shore crab collection;
 - SOM for winkles in the NE Irish Sea
 - Are any other species harvested for bait – e.g. mussels etc (although questionnaire is showing it is mainly worms and shore crab)
 - Species & quantities gathered at Leasowe and potential impact on shellfish populations & ecology (inc. bird feeding requirements) of the protected areas.

Recreational gathering

- **What are the implications (+/-) of implementing new measures? Which other byelaws/SIs/Tech Cons/legislation will it interact with?**
 - Bait collection and recreational gathering is a subsidiary right under the public right to fish under the Magna Carta so needs to be very good justification and evidence to restrict any activity

Recreational gathering

- **Are there any suitable, relevant and well-written byelaws implemented by other IFCAs?**
 - Would need to review this

Recreational gathering

ACTION: As SA concerned about the implications of bringing in an emergency byelaw – suggested action was to take to TSB for a decision to take burden off the officers

Next steps likely to include the introduction of an emergency byelaw, survey, consultation & development of a full byelaw

iVMS

- **What is the justification for a new byelaw?**

- Defra - System didn't work and gone back to the drawing board. Need to know where Defra is with national roll out of iVMS regulation before moving forward so put on hold for now.
- It would be beneficial to NWIFCA to have clear data on fishing activity but understand that there are implications for fishers in terms of cost and maintenance, and also data storage and analysis. So this is better dealt with under national legislation if possible.
- Potential benefit to fishers longer-term as there will be evidence to provide as to fishing activity in relation to developments in the coastal and marine environment and the likely impact of developments on their socio-economics.
- The spatial scale of vessel monitoring at the present time does not provide IFCA's with the spatial scale and resolution needed for improved fisheries management.

iVMS

- **What do we want to achieve with a new byelaw?**
 - Better spatial scale and resolution to improve fisheries management
 - Better monitoring of fishing effort in restricted areas (inc. MPAs)
 - Improved data for fishers (as discussed)

iVMS

- **Is it specific to a particular sector/species/gear?**
 - All inshore vessels

iVMS

- **Legacy byelaws to be considered for consolidation and review**
 - No legacy byelaws

iVMS

- **Which strategy might be relevant: status quo, consolidate or redevelop?**
 - Wait for update on national strategy & funding

iVMS

- **What do we know at the moment?**
 - iVMS has been trialled and working successfully in some areas (e.g. Devon & Severn, Wales)
 - Defra looking into technology again

iVMS

- **What additional evidence is required to achieve our aim?**
 - Wait for Defra to reconsider national strategy

iVMS

- **What are the implications (+/-) of implementing new measures? Which other byelaws/SIs/Tech Cons/legislation will it interact with?**
 - Was the SI for <10m vessels ever finalised?

iVMS

- **Are there any suitable, relevant and well-written byelaws implemented by other IFCAs?**
 - Devon & Severn - <https://www.devonandsevernifca.gov.uk/Resource-library/E-Legislation-and-management-relevant-to-functions/Current-Permit-Byelaws-Permit-Conditions/Mobile-Fishing-Permit-Byelaw/Policy-for-Mobile-Fishing-IVMS-Failure>

iVMS

ACTION: Wait for Defra with next steps on national strategy

Recommendation: Put on hold for now

EA/NRA byelaws

- **What do we want to achieve?**
 - To understand which of the NRA / EA byelaws are still in law on the English side of the Dee, who has responsibility for enforcing them, and whether or not they are still needed or have been superseded by newer regulation. Revoke the obsolete byelaws and tidy everything up

EA/NRA byelaws

- **Legacy byelaws to be considered for consolidation and review**
 - Jon Haines drew up a detailed document on which regulations were thought to have been inherited under which SI.
 - Are we totally sure there are no other EA / NRA byelaws lurking for the other rivers and estuaries?

ACTION: SA to follow up with the EA

ACTION: SA to detail all but particularly others which have not been accounted for in other byelaws considered?

Meeting was held just before lockdown discussing all of these byelaws. SA was to circulate notes but can't do it from home.

ACTION: JH to get notes from meeting and circulate

EA/NRA byelaws

- **Which strategy might be relevant: status quo, consolidate or redevelop?**
 - Review existing byelaws, consolidate or revoke as appropriate

EA/NRA byelaws

- **What do we know at the moment?**
 - Need to ensure we have complete picture of historic byelaws

EA/NRA byelaws

- **What additional evidence is required to achieve our aim?**
 - Need to hear back from EA and NRW

EA/NRA byelaws

ACTION: SA to follow up with the EA

ACTION: SA to detail all but particularly others which have not been accounted for in other byelaws considered?

ACTION: JH to get notes from meeting and circulate

Summary of Actions

- **Vessel size:**
 - **ACTION:** Send round SB paper on vessel size to officers for comment on make up of fleet before going out to informal consultation with stakeholders - SA to undertake after the next authority meeting
- **Trawling:**
 - **ACTION:** Look at other IFCA byelaws to look for useful examples
 - **ACTION:** To list and detail SIs and tech cons that might interact with a new byelaw
 - **ACTION:** Compile evidence on existing activity - what taking place where, how and which species
 - **ACTION:** List of gear types/species to be considered for this byelaw
- **Shrimp & prawn**
 - ACTION:** Review Jon's spreadsheet and make sure up to date
 - ACTION:** MK to produce summary of evidence around effective methods for improving selectivity - i.e. riddling/veil
 - ACTION:** Options for amalgamating measures as set out by SB should be put out to consultation with fishers in each part of the district and gather views
 - ACTION:** MK to produce summary of key info from Jane Lancaster's PhD & MAFF research

Summary of Actions

- **Recreational gathering:**
 - **ACTION:** As SA concerned about the implications of bringing in an emergency byelaw – suggested action was to take to TSB for a decision to take burden off the officers
 - **ACTION:** Next steps likely to include the introduction of an emergency byelaw, survey, consultation & development of a full byelaw
- **iVMS:**
 - **ACTION:** Put on hold for now and wait for Defra review of national strategy
- **EA/NRA:**
 - **ACTION:** SA to follow up with the EA
 - **ACTION:** SA to detail all but particularly others which have not been accounted for in other byelaws considered
 - **ACTION:** JH to get notes from officer's byelaw meeting and circulate