

156 AT A MEETING OF THE TECHNICAL, SCIENCE AND BYELAW SUB-COMMITTEE held at the Strathmore Hotel, Morecambe on 7th August 2018

PRESENT – MEMBERS

Mr R. Graham	(Chairman)	MMO appointee (Commercial)
Dr J. W. Andrews		MMO appointee (Marine Environment)
Dr E. Baxter		MMO appointee (Marine Environment)
Mr S. Brown		MMO appointee (Marine Environment)
Mr T. Jones		MMO appointee (Commercial)
Mr B. Leigh		MMO appointee (Anglers and Recreation)
Mr S. Manning		MMO appointee (Commercial)
Mr K. Thompson		MMO appointee (Commercial/Aquaculture)
Cllr P. Williams		Chairman of the NWIFCA

NWIFCA OFFICERS ATTENDING

Chief Executive Officer (CEO), Head of Enforcement, TSB Clerk (Comms Officer), Senior Science Officer, IFCA Huw James.

IN ATTENDANCE

Mr R. Benson	MMO appointee (Commercial)
Dr B. Pearce	MMO appointee (Marine Environment)

APOLOGIES FOR ABSENCE

Mr S. Garner	Environment Agency
Mr P. Gray	MMO (Officer)
Dr K. Nisbet	Natural England

157 APPOINTMENT OF CHAIRMAN (Agenda Item 1)

Mr Ron Graham was reappointed as chairman.

158 CHAIRMAN'S ANNOUNCEMENTS (Agenda Item 2)

1. Members were reminded of the importance of declaring pecuniary and non-pecuniary interests in Agenda items.
2. The Chairman welcomed members Dr B. Pearce and Mr R. Benson to the authority.

159 APPOINTMENT OF VICE-CHAIRMAN (Agenda Item 3)

Mr Trevor Jones was reappointed as vice-chairman.

160 DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTEREST IN AGENDA ITEMS (Agenda Item 4)

Agenda Item 7 Science Summary Report: Mr R. Graham, Mr T. Jones, Mr S. Manning
Agenda Item 8 Byelaw Review - Potting Permit Byelaw: Mr R. Graham
Agenda Item 9 Chinese Mitten Crab: Dr J. Andrews, Mr T. Jones, Mr S. Manning
Agenda Item 10 Cockle and Mussel Report: Dr J. Andrews, Mr T. Jones, Mr S. Manning
Agenda Item 11 Byelaw Review - Byelaw 3: Dr J. Andrews, Mr R. Graham, Mr S. Manning

161 TO RECEIVE MINUTES OF THE TSB COMMITTEE MEETING HELD ON 15th MAY 2018 (Agenda Item 5)

RESOLVED

Minutes of the TSB Committee meeting held on 15th May 2018 be approved and signed as a correct record.

Proposed: Dr E. Baxter

Seconded: Mr S. Brown

162 MATTERS ARISING (Agenda Item 6)

- a. Minute No. 138: Mr T. Jones was omitted from the attendance list for the meeting held on 15th May 2018

- b. Minute No. 143: The CEO informed members that an offer for the Solway Protector had been received. Members discussed the ongoing costs of ownership and the offer.
- c. Minute No. 144: iVMS was discussed in detail at the AIFCA. The MMO has provided legal advice however the association has also commissioned its own independent legal advice. The project does stand to benefit fishers by providing a unit for free that will be required however several questions remain unanswered and pose a financial risk to IFCA's these include:

The eligibility of individuals who have previous fishing convictions to receive units - If people who have previous convictions are not deemed eligible in retrospect the IFCA will have to cover the losses.

The ownership of the unit - The IFCA's will effectively own the unit for five years which leads to liabilities with the ongoing operation.

RESOLVED

It was agreed that a counter offer will be made to the prospective buyers of the Solway Protector and the decision referred to the finance committee.

163 SCIENCE SUMMARY REPORT (Agenda Item 7):

The Senior Scientist delivered the report which included:

- a) Marine Protected Areas in the NWIFCA District: Members discussed the impacts on science officer time that the EMS assessments for bait collection will have. Dr J. Andrews requested the senior scientist provided an estimation of the time required to perform the bait collection assessment so that the TSB could give the science team a mandate to prioritise it.
- b) St. Bees Voluntary Code of Conduct: The Senior Scientist highlighted the success of the voluntary code of conduct, citing that IFCA patrols indicated 100% compliance.
- c) NWIFCA Research Projects: The Senior Scientist provided an update on the Nephrops creel potting, Bass populations and tagging study, razor clam collaborative research and Whelk fisheries in the North West.
- d) MMO evidence project - Non-lethal deterrents suitable for control of seals from fishing vessels: Members welcomed the project as seals are a large issue for fishers. Members and officers stated they had seen many incidents where a large amount of a catch had been lost to seals. Dr J. Andrews relayed the experience of a fisherman who had shot seals and gave up after he found it ineffective; adding that the actions of a single fisherman cannot resolve the issue and adequate mitigation is a better solution.
- e) Cefas Smooth Hound Tagging: Cefas is running a EMFF funded tagging project around the UK. Any tagged fish should be reported to Cefas.
- f) BLUEcoast - BLUEcoast is undertaking fieldwork at West Plain Flookburgh looking into the regional sediment budgets, morphological change and how the coast recovers of sequences of storms.
- g) Southern RIB Patrol: Science officers accompanied IFCA's on a RIB patrol from Mersey to Ribble Estuary as a training and familiarisation exercise.
- h) TAG - IFCA Technical Advisory Group: The Senior Scientist gave an overview of the TAG meeting held in July at the Marine Stewardship Council offices.
- i) Institute of Fisheries Management Conference and Lancaster University: Science Officers attended the Institute of Fisheries Management Conference at Lancaster

University. Lancaster University is looking at potential for marine based biological and ecological projects within the district. The science team will be drawing up a list of potential projects to pass on.

- j) Invasive Non-Native Species and Chinese Mitten Crab - Discussed as a separate agenda item.
- k) Recreational Anglers Engagement: Science Officer Huw James has taken over the Recreational Angling Strategy and has been working on engaging with anglers.
- l) Crown Estate Offshore Wind Leasing: Crown Estate held some engagement events for statutory stakeholders and industry representatives on the potential for new offshore wind leasing. This has now been made publicly available and Officers will report further in the future.
- m) Staff Training: Members were informed of the courses science officers have taken and will undertake.

RESOLVED

Members approved the report.

164 BYELAW REVIEW - POTTING PERMIT BYELAW (Agenda Item 8):

The Senior Scientist delivered the report, providing members with an update on the current status of the Potting Byelaw.

The chairman relayed concerns from industry that the combination of the escape gap byelaw unintentionally preventing the use of whelk pots within the CSFC District, gear conflict outside the district and the slow byelaw review process is putting them under financial pressure.

Members discussed the intention of CSFC Byelaw 25 to protect juvenile crabs and lobsters, and that the byelaw clearly did not intend to prevent fishing for whelks. Interim solutions to protect the integrity of the byelaw while allowing controlled whelk fishing were discussed.

Dr J. Andrews proposed for a derogation against CSFC Byelaw 25 be circulated to members of the TSB with a view to a recommendation being made to the September Authority meeting for approval to establish a system for issuing a derogation in exchange for gathering scientific information which will help to develop the new flexible permit byelaw.

RESOLVED

Members approved the work of officers, the circulation of a draft potting byelaw by email to TSB members for comment and Dr J. Andrew's proposal for a draft derogation against CSFC Byelaw 25 to be drawn up, circulated to TSB members and presented to the Authority.

Moved: Dr J. Andrews

Seconded: Mr K. Thompson

165 CHINESE MITTEN CRAB (Agenda Item 9)

The Senior Scientist delivered two reports, covering the developments since three specimens of Chinese mitten crab were discovered by crab tilers in Walney channel.

Mr R. Benson relayed that the Republic of Ireland is accepting seed mussel from Morecambe Bay at one location with scope to opening another.

Members discussed the recommendation to permit Deepdock to dredge seed mussel from two different locations if the necessary conditions are met following the companies attempt to help resolve the issue of mussel from Morecambe Bay being refused import to Northern Ireland. Members questioned the legality of providing exclusivity to one company and felt

that the opportunity must be open to all interested parties and dealt with through the dredge permit byelaw.

RESOLVED

Members approved the Senior Scientist continuing to work with industry to find a solution to the block on imports of mussel from Morecambe Bay.

166 COCKLE AND MUSSEL REPORT(Agenda Item 10):

The Senior Scientist presented the report, updating the members on the current status of the cockle and mussel beds within the district.

The Head of Enforcement gave a verbal update on mussel fishing activity within the district, informing members that approximately 10 fishermen had prosecuted South America and Falklands and that no more than 20 tonnes had been fished. The mussel fishery in the Dee has seen limited fishing by 2 to 3 permit holders with approximately 500kg being removed per tide. Mixed reports have been received that the activity takes place daily but officers have not been able to corroborate this.

The Chairman mentioned that there has been issues with intimidation within the cockle and mussel fisheries. The Head of Enforcement stated that he cannot comment on ongoing investigations but stressed that the relevant authorities have been informed.

RESOLVED

Members approved the actions of Officers to authorise mussel fisheries at Heysham Flat and Falklands.

167 BYELAW REVIEW - BYELAW 3 (Agenda Item 11):

The CEO delivered the report, updating members on the progress made with the revision of Byelaw 3. The CEO added that he intends to allow pump use. The Senior Scientist stated that she had not being informed about the use of pumps to soften the ground on cockle beds and that the issue has not been discussed as an authority before.

Mr B. Leigh suggested that paragraph 15 should have a clause that to hold a permit the person needs to have left full time education.

Mr S. Manning queried the minimum landing size of 45mm for mussels highlighting that the majority of mussel gets stunted at 40mm. The Senior Scientist stated that a MLS of 45mm has been in byelaws for over 100 years, and while the reasoning behind the size is not known, the size cannot be reduced without data to back up the decision.

Support worker permits were discussed and their removal is proposed as part of the review.

The Chairman encouraged members with amendments to send them in writing to the CEO for consideration.

RESOLVED

Members will submit their suggested amendments to the CEO by email.

168 ANY OTHER BUSINESS (Agenda Item 12):

The Head of Enforcement requested that the authority write to the Police and GLAA regarding assistance on enforcement matters.