

87 AT A MEETING OF THE TECHNICAL, SCIENCE AND BYELAW SUB-COMMITTEE held at the Strathmore Hotel, Morecambe on 16th May 2017

PRESENT – MEMBERS

Mr R. Graham	(Chairman)	MMO appointee (Commercial)
Dr E. Baxter		MMO appointee (Marine Environment)
Mr C. Booth		MMO appointee (Marine Environment)
Ms E. Hardman		Natural England
Mr B. Leigh		MMO appointee (Anglers and Recreation)
Mr J. Parr		MMO (Officer)
Mr K. Thompson		MMO appointee (Commercial/Aquaculture)

NWIFCA OFFICERS ATTENDING

CEO, Head of Enforcement, Clerk, Senior Science Officer.

IN ATTENDANCE

Mr R. Benson
Mr S. Manning

APOLOGIES FOR ABSENCE

Dr J. W. Andrews	MMO appointee (Marine Environment)
Mr D. Bedworth	Environment Agency
Mr D. Clarke	MMO appointee (Fishing Industry - Cumbria)
Mr M. Johnston	Natural England
Mr T. Jones	MMO appointee (Commercial/Aquaculture)
S. Mounsey	Environment Agency
Mr D. Ward	MMO (Officer)

88 CHAIRMAN'S ANNOUNCEMENTS (Agenda Item 1)

1. The Chairman reminded members of the importance of declaring pecuniary and non-pecuniary interests in Agenda items.

89 DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTEREST IN AGENDA ITEMS (Agenda Item 2)

There were no declarations of pecuniary and non-pecuniary interests.

90 TO RECEIVE MINUTES OF THE TSB COMMITTEE MEETING HELD ON 7th FEBRUARY 2017 (Agenda Item 3)

RESOLVED

Minutes of the TSB Committee meeting held on 7th February 2017 be approved and signed as a correct record.

91 MATTERS ARISING (Agenda Item 4)

Members requested an update on the progress of the Dredge Byelaw consultation. The CEO informed Members that only one phone call was received and that no written responses were received.

The Senior Scientist raised the need for Defra to implement the Dredge Byelaw before the emergency byelaw expires at the start of August.

92 LEVEN & PILLING COCKLE FISHERIES REPORT (Agenda Item 5)

The cockle fisheries at Leven and Pilling closed on the 30th April after being open for 175 days. Leven saw the majority of the fishing activity while activity at Pilling remained low. Reports of non-compliance with the authorised area were received and ATV patrols were used to try and detect the activity. The only breaches that were detected were prior to the extension of the Leven authorised area.

The Chairman asked if the reports of fishing outside the box came from other fishermen. The HoE clarified the reports came from other fishermen.

Mr Manning voiced concerns from the industry that cockles are being left in piles after riddling. He said that leaving piles of cockles defeats the object of riddling and that they need to be spread out. The HoE agreed that this is an issue.

The Chairman asked why the Leven fishery was favoured by industry over Pilling. Mr Manning said the cockles at Pilling were small and the bed wasn't as commercially viable. He said if graded you would get approximately 80% small and 20% medium from Pilling, compared to 80% medium and 20% small from Leven. The HoE added that a lot of seizures occurred at Pilling on the first day of opening, which also deterred industry.

It was RESOLVED to receive the report.

93 SCIENCE REPORT (Agenda Item 6)

The report covered:

- a. An update on Marine Protected Areas in the NWIFCA District.

The Science team are arranging meetings with netters in the Cumbria area to discuss activity levels in the pSPA and around St Bees Head. The Senior Scientist would support a voluntary agreement to limit netting around St Bees Head to reduce bird entanglement. The Chairman raised concerns that the engines of certain vessels may also cause a disturbance. The Senior Scientist said that this has been raised by Fishery Officers and Natural England is looking at activity that may cause disturbance.

- b. Bait Collection Habitats Regulations Assessments - A deadline of December 2018 has been set for management of damaging bait collection activities. Only baitworm digging and pumping, and crab tiling are to be included.
- c. Recreational Sea Angling Strategy - The draft Strategy has been circulated to clubs and individuals within the community for feedback.
- d. CEFAS Bass Tagging Project - Officers are working with Cefas to facilitate tagging within the district. The project aims to better understand the biology of European Sea Bass. There has been a lot of interest and support from both commercial and recreational fishers.

Members agreed to ask Cefas to speak at a future TSB Sub-Committee meeting.

- e. MMO Liaison Meeting Newcastle - A letter of concern was sent from NWIFCA to the MMO Licensing Team over the lack of early consultation on applications with the fishing industry. MMO responded with an invitation to meet in Newcastle. Other teams at the MMO also took the opportunity to meet with science officers during the visit. Officers have been reviewing the following Marine Ecology documents produced by NuGen; Commercial Fish Baseline, Subtidal Ecology Baseline and Marine Fish Baseline.

- f. Moorside Power Station - The project is currently on hold; the company that makes the reactors is in receivership and Toshiba (a main funder) has pulled out. NuGen is confident the project will go ahead once other investors have been secured.
- g. Heysham Power Station Fish screens visit and Fish Sampling - Officers visited with Natural England. EDF are keen for the monitoring of fish bins to continue. Science officers will require security clearance which is being applied for.

Mr Leigh asked what species of fish were present in the fish bins. The Senior Scientist said a large range of fish were present, there was not as much Bass as expected.

Mr Manning raised concerns about a bright white light being emitted from Morecambe towards Barrow and its potential effects on birds and marine life. Mr Booth suspects it is related to the new turbines. He will investigate.

- h. Small Fish Surveys - The EA have not sampled the Mersey since 2009, and NWIFCA SFS could help fill gaps in their data. Three out of the nine EA sites were chosen due to their higher diversity. Surveys will begin on suitable tides.

RESOLVED

CEFAS to be asked to report on the Bass tagging project to a future TSB sub-committee.

94 COCKLE AND MUSSEL FISHERIES (Agenda Item 7)

The report covered three topics:

- a. Mussels - Mussel has settled at Foulney, Foulney Ditch and the area from Low Bottom to the oyster frames. Spat has settled at Heysham Flat and further settlements are expected; further inspections will take place with the view of a possible hand-gathered fishery in late summer.
- b. Cockles - There is a potential fishery at Leasowe later in the year, depending on the survival of the stock. IFC Officers and the Port Health Authority have also found stock at Hoylake. A survey will be scheduled. Penfold North stocks are growing slower than predicted, and will be surveyed again in summer for potential opening in September if the stocks have grown to size and remain in sufficient densities. Flookburgh, Pilling and Leven Sands have potential for low level fisheries in September and will be surveyed in summer to provide data to make a decision.
- c. Bivalve Mollusc Working Group - Members of industry at BMWG requested a scientific study to assess damage to the honeycomb worm reef from quad bikes and mussel harvesting within the Heysham Flat exclusion zone. Science Officers, Natural England and the Wildlife Trust investigated the request, however due to the wide ranging influences and variability affecting the skear it would not be possible to collect meaningful data.

Mr Manning queried the science team's assessment of stocks, stating that he had visited Foulney and none of the stock was commercially viable. The Senior Scientist clarified that the assessments of stock provided are not an assessment of commercial viability.

Dr Baxter requested an update on the discrepancy in returns figures and industries estimates. The HoE answered that this is a compliance issue relating to unfiled returns which is being dealt with. Mr Manning stated that the majority of returns are filled retrospectively and that it is difficult for a fisherman to accurately recall the quantities caught on each day. The Chairman highlighted that this is a requirement within Byelaw 3 to submit accurate returns.

The Chairman queried the discrepancy between the industries estimated take of around 500t and the science teams estimate of 200t of biomass. The Senior Scientist clarified that the estimates of biomass are conservative and that growth will also increase the biomass present throughout the fishery.

Mr Manning raised a letter sent to the Chairman by a fishing family. The letter voiced concerns about a potential mussel dredge fishery at South America and whether it was possible to leave the mussel to grow on. The Senior Scientist clarified that it would only be opened as a dredge fishery if the bed was acting as an ephemeral bed and highlighted 2014 as an example of when the bed was not opened due to not acting ephemerally.

It was RESOLVED to receive the report.

95 BIRD FOOD MODEL REPORT (Agenda Item 8)

The use of a model to assess bird food requirements has been a point of discussion for many years. Regulators elsewhere in England use bird food models; however they are costly, while also requiring data that the NWIFCA cannot collect for Morecambe Bay because the site is so large and complex. Work continues with partners to develop a spreadsheet with agreed thresholds showing food levels that must be available for birds at all times of year. Further work is required to justify the figures. The Senior Scientist presented the spreadsheet to the committee.

Mr Manning stated he had observed the birds feeding on mussel skears. He said the birds were not feeding on mussels but feeding on other benthic organisms and questioned whether the model takes other benthic species into account. Mr Booth stated that scientists are confident that Oystercatchers do eat mussel in large proportions. Mr Manning queried why the Oystercatchers had not wiped out mussel stocks. Mr Booth said that the accessibility of the stock to the birds is a factor, noting the birds are opportunistic and will prey swap. Therefore, it is important to work on averages as large amounts of data are required to identify all variables in feeding habits across bird populations.

RESOLVED

The recommendation to "approve on-going work to progress the use of stock condition spreadsheets and an overall agreed tonnage for fisheries management" was approved.

96 BYELAW REVIEW - BYELAW 3 PERMIT TO FISH FOR COCKLES AND MUSSELS (Agenda Item 9)

The Head of Enforcement sought the committee's approval of the timeline established in the report and to open informal consultation with industry.

The Chairman queried if the suggestion to remove boat safety requirements from the byelaw was due to the time taken to enforce it. The HoE stated that it needs to be considered. Mr Manning added that the enforcement of boat safety should be the duty of the MCA, not the NWIFCA, and noted that the Foreshore Gatherers Safety Certificate does cover aspects of boat safety.

RESOLVED

1. The time frame and broad measures were agreed.

97 A.O.B.

No further business.