

138 AT A MEETING OF THE TECHNICAL, SCIENCE AND BYELAW SUB-COMMITTEE held at the Strathmore Hotel, Morecambe on 15th May 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 C. Booth		MMO appointee (Marine Environment)
Mr P. Gray		MMO (Officer)
Mr B. Leigh		MMO appointee (Anglers and Recreation)
Mr S. Manning		MMO appointee (Commercial)
Dr K. Nisbet		Natural England
Mr K. Thompson		MMO appointee (Commercial/Aquaculture)

NWIFCA OFFICERS ATTENDING

Chief Executive Officer (CEO), Head of Enforcement, TSB Clerk (Comms Officer), Senior Science Officer, Deputy Senior Scientist, Science Officer Hartley.

IN ATTENDANCE

Mr S. Brown	MMO appointee (Marine Environment)
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APOLOGIES FOR ABSENCE

Mr S. Garner	Environment Agency
Cllr P. Williams	Chairman of the NWIFCA

139 CHAIRMAN'S ANNOUNCEMENTS (Agenda Item 1)

1. Members were reminded of the importance of declaring pecuniary and non-pecuniary interests in Agenda items.

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

Agenda Item 6 iVMS: Mr. R. Graham
Agenda Item 7 Science Report: Mr. R. Graham, Mr. T. Jones, Mr. S. Manning
Agenda Item 9 MPA Monitoring: Mr. T. Jones, Mr. R. Graham
Agenda Item 10 Byelaw Review Potting Byelaw: Mr. R. Graham
Agenda Item 11 Byelaw Review Netting: Mr. R. Graham, Mr. S. Manning
Agenda Item 12 Razor Clam Study: Mr. R. Graham, Mr. T. Jones
Agenda Item 13 Cockle and Mussel Report: Mr. J. Andrews, Mr. T. Jones, Mr. S. Manning
Agenda Item 14 Cockle & Mussel Enforcement:
Mr. J. Andrews, Mr. T. Jones, Mr. S. Manning
Agenda Item 15 Cockles in NWIFCA District - History of MLS Management:
Mr. J. Andrews, Mr. T. Jones, Mr. S. Manning
Agenda Item 16 Byelaw Review Byelaw 3:
Mr. J. Andrews, Mr. R. Graham, Mr. T. Jones, Mr. S. Manning

141 TO RECEIVE MINUTES OF THE TSB COMMITTEE MEETING HELD ON 6th FEBRUARY 2018 (Agenda Item 3)

RESOLVED

Minutes of the TSB Committee meeting held on 6th February 2018 be approved and signed as a correct record.

Proposed: Mr. B. Leigh

Seconded: Mr. K. Thompson

142 MATTERS ARISING (Agenda Item 4)

- a. Minute No. 124: Mr S. Brown was omitted from the attendance list for the meeting held on 6th February 2018

- b. Minute No. 134: The Senior Scientist reported that members of industry had passed on their concerns that the recent crab and lobster stock report had increased fishing effort in certain locations. This highlighted the problem of putting information in the public domain having unintended consequences and might make industry less likely to share information.

143 NEW PATROL VESSEL (Agenda Item 5):

The CEO updated members on the progress made towards the new vessel and dedication ceremony and invited members to submit their suggestions of who should be invited to attend.

The chairman expressed his confidence that the new vessel will be able to fulfil both its current duties and any duty that may come in the future.

RESOLVED

Members approved the report.

144 Inshore Vessel Monitoring System (iVMS)(Agenda Item 6):

The CEO informed members about the iVMS project and concerns about the potential financial impact the project may have on the IFCA.

The Chairman led the discussion of the report. Members discussed the benefits of the iVMS funding. The saving of unit and installation costs of approximately £1,400 would be beneficial to fishers, especially as iVMS is likely to become a statutory requirement. The installation will also assist in meeting traceability standards within the European market and assist the NWIFCA with enforcement duties.

Concerns were raised about the cost implications for the Authority of delivering the project as the Authority will have to pay the money upfront then claim it back and the Authority cannot claim back staff time, estimated to cost around £12,000. The Chairman recommended that the subject should be referred to the Finance Committee with a recommendation taken forward to the full Committee.

RESOLVED

Members moved for the subject to be discussed by the Finance Committee with a recommendation brought forward to the full Authority.

Moved: Dr J. Andrews

Seconded: Mr B. Leigh

145 SCIENCE SUMMARY REPORT (Agenda Item 7)

The report included:

- a) Marine Protected Areas in the NWIFCA District: The MMO has started consultation for West of Walney MCZ byelaw
- b) St. Bees Voluntary Code of Conduct: The code of conduct has been well adhered to. The vessels operating in the area have been using pots and no netting has been detected. The ban was covered by BBC Countryfile on the episode that aired on 15th April.
- c) i) NWIFCA Research Projects: The project leadership of the nephrops creel project has been taken over by Cumbria Wildlife Trust from Natural England. Gear has been bought and a fisherman from Barrow is contracted to test the use of the creels.
ii) The Cefas Bass project has received funding for a further 3 years of study. They're working with commercial fishermen and IFCA's to deploy data storage tags and are looking to engage with recreational anglers to deploy T bar tags.

Mr. B. Leigh raised that it would be useful for the TSB to receive a presentation on the Bass project. The Senior Scientist responded that Ms Bendall is keen to present

to all the IFCA's; however conflicts with scheduling have made this difficult to arrange.

- iii) Interest is increasing nationwide in whelk fisheries. There is a need for baseline data to be collected to inform future management. Data will be gathered on whelk fishing both within and outside the 6nm. Officers have been trained in the sexing of whelks, determining sexual maturity, determining spawning condition and aging whelks by their otoliths.

Members stressed the need for proper management with the evidence to back up decisions. Mr T. Jones stated that he recommends a larger MLS than 45mm as soon as possible, based upon the scientific evidence currently available and knowledge of the current Welsh whelk fishery.

- d) North West Marine Plan: Consultation on the second iteration of the marine plan took place between 29th January and 20th March. The Senior Scientist felt it was confusing what was being asked of stakeholders so attended a workshop in Whitehaven accompanied by the Chairman and Cllr Tony Markley. The large amount of documents and detail meant that no time could be found to respond. This point was relayed during the workshop and it is understood others felt the same.
- e) Halite Brine Discharge (Preesall) and Marine Monitoring Group: Infrastructure work has begun; however the construction of the pipeline has been postponed for 6-12 months. This has given the Marine Monitoring Group to convene its first meeting. The Terms of Reference of MMG and Summary Note of First meeting was provided.
- f) Wyre Power Station: There is a proposal for a new gas power station and storage facility to be built on the former ICI site on the Wyre Estuary. It is not clear whether the development will require a marine licence at this stage; if it does not NWIFCA may not be kept informed. Wyre council will be contacted to request to be included in any planning consultation should a marine licence not be required.

Mr S. Brown raised his concerns that the proposed site is not well bunded and that the risk for contamination could be considerable.

- g) TAG - IFCA Technical Advisory Group: The TAG Conference this year concentrated on crab, lobster, whelk, cephalopods and bivalve fisheries. IFCA's shared their research, management and future work streams.
- h) Mersey Charter Boats: Charter boat skippers have contacted the science team saying that they're going out of business due to developments in the Mersey and Burbo Bank. They report they are losing business due to stocks of fish declining.

The Senior Scientist has approached Peel Ports regarding their sediment management and possible covering of spawning grounds. The current evidence is anecdotal. However, it does raise concerns that there is no robust monitoring of projects granted Marine Licenses. Mr. S Brown stated that in his experience the cod fisheries within the Mersey are cyclical. Mr. B. Leigh added that he has spent a large amount of time angling within the Mersey system from September to October and has observed a drop off in catches following heavy rainfall.

- i) Invasive Non-Native Species (INNS) and Biosecurity Workshop – Peel Ports: Science Officers attended a workshop on INNS in the North West coastal region. Concerns were raised over the lack of information regarding the responsible bodies and the fragmented nature of reports and data collection.

RESOLVED

Members approved the report.

146 PHD FUNDING PROPOSAL (Agenda Item 8):

The Senior Scientist approached Lancaster Environment Centre at Lancaster University to discuss NWIFCA and PhD opportunities. Of particular interest was a proposal to use

satellite and remote sensing imaging to further investigate the shifting sandbanks and channels in the Bay and their impact on the ecology of the Bay focusing particularly on cockle and mussel fishery resources. Two possible funding options were presented; a studentship which would require NWIFCA to contribute £23,600 over 3.5 years or the possibility of ENVISION funding which would require a contribution of £4000-£5000 per year.

Members praised the Senior Scientist for building relationships with local universities. Members felt that while the proposed study could provide useful data, the costs associated with it will consume too much of the science budget and would prevent other priorities going ahead.

RESOLVED

Members moved not to proceed with this PhD proposal.

Proposed: Mr S. Manning

Seconded: Dr J. Andrews

147 MPA MONITORING AND CONTROL PLAN (Agenda Item 9):

A final version of the NWIFCA MPA Monitoring and Control Plan was presented to members for discussion. The Chairman queried whether the plan will incur any additional cost. The Senior Scientist clarified that it will take officer time (both enforcement and science) but will not incur any additional costs.

RESOLVED

Members approved adopting the plan and committing staff time to ensure the plan is fully implemented and effective.

Proposed: Dr J. Andrews

Seconded: Dr E. Baxter

148 BYELAW REVIEW: POTTING PERMIT BYELAW (Agenda Item 10):

A flexible permitting potting byelaw which incorporates all species for which potting currently occurs has been drafted by the Senior Scientist and circulated internally. A draft was not presented to the TSB as the Senior Scientist was still incorporating the extensive comments of Officers.

The Chairman raised that there is a need for standardisation within the district and invited discussion around the table for the benefit of members who are not involved with pot fishing.

Members queried what approach will be taken with escape gaps and whether a distinction will be made between 3nm and 6nm as exists in the Sussex IFCA Byelaw. The Senior Scientist responded that she is looking at changing the size of escape gaps based on recommendations that the Cumbria Sea Fisheries Committee had received and that she does not envision making a distinction between 3nm and 6nm.

RESOLVED

Members approved the approach taken of a specified species flexible permitting potting byelaw

Members approved the circulation of a draft byelaw via email to the TSB for comment.

Proposed: Dr J. Andrews

Seconded: Mr T. Jones

149 BYELAW REVIEW: NETTING (Agenda Item 11):

The review of the netting byelaws is currently in the very early stages. A proposed approach was presented to TSB by the Head of Enforcement including implementing a flexible permitting byelaw similar to Devon and Severn IFCA's and a consultation with industry.

Mr S. Manning raised that the number of current byelaws is due to the variety of netting activity which happens within the district and queried whether all the byelaws should be amalgamated into one byelaw. The Head of Enforcement clarified that the flexible permit will allow for variations where needed.

RESOLVED

Members approved the approach established in the report.

150 RAZOR CLAM STUDY CALL FOR INDUSTRY INTEREST UPDATE (Agenda Item 12):

Three companies came forward following the call for interest. Science officers held a meeting with the companies in May 2018 to discuss ways to progress collaborative research into razor clam fisheries in the district. A list of actions was drawn up, the first being to gain the approval of TSB to develop the work.

RESOLVED

Members approved the work of Officers to develop a research project with industry.

151 COCKLE AND MUSSEL FISHERIES REPORT (Agenda Item 13):

Cockle Stocks

Leasowe: A low level effort continued till closure of the bed. It is not likely a fishery will occur in autumn.

Penfold North: Officers have considered a summer opening however do not consider the bed a viable fishery at present.

Members discussed the age of the cockle present and the potential for bird disturbance if the fishery was opened too soon.

Pilling: Effort increased in the final two weeks of the fishery. Numerous complaints were received from members of the public regarding litter which were followed up by officers. The Senior Scientist emphasised that the message needs to be clear to the industry to clean up their act.

Flookburgh: Fishery continued till the seasonal closure with no current evidence of a 2017 settlement.

Mussel Stocks

Dee Mussels: Remain open as a boat based fishery.

Heysham Flat: Dense spat has settled and there is potential for a future seed fishery.

South America and Falklands: Spat began to settle on top of last year's settlement. Gatherers requested authorisation to gather the mussel there before a greater spat settlement. A HRA was carried out and the fishery was opened under authorisation on 14th May for one week.

Foulney: Mussel is present but the majority has not yet reached size.

RESOLVED

Members approved to maintain the seasonal closure on the Penfold North cockle bed.

152 COCKLE AND MUSSEL FISHERIES ENFORCEMENT REPORT (Agenda Item 14):

The quantities removed from the cockle and mussel fisheries within the district were provided to members. Returns compliance remained an issue with varying sanctions being taken including permit suspensions. Officers discovered a large quantity of undersize cockle at Pilling in the possession of a merchant. The HoE highlighted that current provisions within Byelaw 3 are inadequate to deal with this situation.

Mr. S. Manning stated that the estimated value of the fisheries provided within the report only show the value at first sale and does not reflect the full value of the industry.

RESOLVED

Members approved the report.

153 COCKLES IN NWIFCA DISTRICT - HISTORY OF MLS MANAGEMENT REPORT (Agenda Item 15):

Cockle MLS has been incorporated into regulations since at least 1884 in Lancashire SFC District and since 1956 in the Cumbria SFC District. The original justifications for the MLS are not known but the cockle MLS has been consistently set around a 20mm square gauge. Until research is carried out it would be risky to remove the MLS without evidence to inform alternative management measures.

Dr J. Andrews queried the minimum landing size for mussels and asked whether the same research could be done for mussels.

RESOLVED

Members approved the report.

154 BYELAW REVIEW: BYELAW 3 (Agenda Item 16):

The CEO has received legal advice from the MMO that it is not within the IFCA's powers to regulate cockle and mussel fisheries with trader permits. However, the need for further controls once cockles are removed from the bed was highlighted at Pilling when a large container of undersized cockles was found with no one admitting ownership. As a solution a measure in the byelaw to require owner identification on containers with cockles for transportation away from the fishery could be added to the byelaw.

Members discussed the labelling requirement and the need for possession/transportation to be an offence. The importance of making possession of illegal cockles an offence was emphasised by several members and officers. The Chairman stressed the importance of traceability and its requirement in most aspects of the fishing industry.

RESOLVED

Members approved a new draft of the byelaw be prepared without provision for a trader permit but with measures to require identification on containers into which shellfish are put for transport away from the fishery.

155 ANY OTHER BUSINESS (Agenda Item 17):

No further items were raised.