

124 AT A MEETING OF THE TECHNICAL, SCIENCE AND BYELAW SUB-COMMITTEE held at the Strathmore Hotel, Morecambe on 6th February 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 M. Johnston		Natural England
Mr B. Leigh		MMO appointee (Anglers and Recreation)
Mr S. Manning		MMO appointee (Commercial)
Mr K. Thompson		MMO appointee (Commercial/Aquaculture)
Councillor P. Williams		Chairman of NWIFCA

NWIFCA OFFICERS ATTENDING

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

IN ATTENDANCE

Ms K. Nisbet	Natural England
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APOLOGIES FOR ABSENCE

Mr S. Garner	Environment Agency
Mr T. Jones (Vice-Chairman)	MMO appointee (Commercial/Aquaculture)

125 CHAIRMAN'S ANNOUNCEMENTS (Agenda Item 1)

1. Members were reminded of the importance of declaring pecuniary and non-pecuniary interests in Agenda items.
2. The next TSB Meeting will be held at Morecambe Town Hall.
3. Members held a minutes silence in memory of Keith Willacy and all those who lost their life in the Morecambe Bay Tragedy fourteen years ago.

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

Agenda Item 6 Science Summary Report: Mr. S. Manning
Agenda Item 7 Razor Clam Management Report: Mr. R. Graham, Mr. S. Manning
Agenda Item 8 Cockle and Mussel Report: Mr. S. Manning
Agenda Item 9 Cockle and Mussel Fisheries Enforcement Report: Mr. S. Manning
Agenda Item 11 Byelaw Review Potting Byelaw: Mr. R. Graham
Agenda Item 12 Byelaw Review Byelaw 3: Dr. J. Andrews, Mr. R. Graham, Mr. S. Manning

127 TO RECEIVE MINUTES OF THE TSB COMMITTEE MEETING HELD ON 31st OCTOBER 2017 (Agenda Item 3)

RESOLVED

Minutes of the TSB Committee meeting held on 31st October 2017 be approved and signed as a correct record.

Proposed: Dr. E. Baxter	Seconded: Mr. K. Thompson
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128 MATTERS ARISING (Agenda Item 4)

- a. Minute No. 116A: The Senior Scientist requested an update on the light at Heysham Port. Mr Johnston stated he had had a look but did not see any lighting hitting the mudflats. The Senior Scientist also queried whether the laser lights shone into the sky by various buildings in around Morecambe were assessed for their impacts on SPA bird populations.

- b. Minute No. 116D: The Senior Scientist informed members that the side scan sonar is functional and that it will be tested on the new vessel once it is delivered.
- c. Minute No. 117D: The Lancaster University projects have finished. The Senior Scientist has emailed the University to ask if she can circulate the reports once they have been marked and asked if there is a possibility of a PhD.
- f. Minute No. 117F: The bass measures have been fully published. Mr Leigh stated that the mortality rate of Bass in relation to angling was being investigated and will most likely be revised down.
- g. Minute No. 118: The reworded Voluntary Code of Practice at St Bees comes into effect on 1st March 2018. Notices were sent to fishermen. A press release was circulated and the Senior Scientist did an interview for BBC Radio Cumbria.
- h. Minute No. 122: Mr B. Leigh clarified that he agreed to look at the issue of minimum age but not to draft the section.

129 VESSEL COMPLETION AND DELIVERY (Agenda Item 5) included:

The report provided the new timeline for the delivery. A delay was caused by the RIB and launch ramp design.

Mr S. Manning queried whether the vessel was still within budget. The Chairman Confirmed the additional are agreed the vessel should provide a facility to assist other authorities within the district and provide a level of future proofing.

The CEO stated that a naming and dedication ceremony will be planned to take place in Whitehaven in the May June period. He has written to the Lord Lieutenant of Cumbria to request a suitable official for the ceremony and invited members to put forward suggestions for the ceremony.

RESOLVED

Members approved the report.

130 SCIENCE SUMMARY REPORT (Agenda Item 6)

The report included:

- a. An update on Marine Protected Areas within the District: The MMO has carried out an informal consultation on three management options for the West of Walney MCZ. The outcome is not yet known. Defra is due to carry out a consultation on tranche 3 sites in spring.
- b. NWIFCA New Vessel: Science Officers have been liaising with the Master on design of the scientific areas on board.
- c. Science Work Plan for 2018: The Senior Scientist established the ambitions for the coming year. Familiarisation with the new vessel is the main priority. Whelk MCRS is also of high priority as fishing activity is predicted to increase. The current MLS of 45mm is far too low according to Cefas research. As stocks are regional the authority needs its own plan.

Investigation into shrimp by-catch: Mr Brown and Mr Manning commented that Lancashire and Western Sea Fisheries Committee had carried out studies in the 1980s into shrimp by-catch which could be compared with new data.
- d. North West Marine Plan: The Authority will attend a workshop in Whitehaven on the 7th February.
- e. Bass Measures 2018 - an update was given on the 2018 measures.
- f. Preesall Gas Storage and Marine Monitoring Group meeting with Halite in early January. The Senior Scientist was concerned that engagement with fishing

stakeholders was lacking. Halite have contracted an independent community liaison panel. A specific meeting for fishery stakeholders was requested but Halite said there is a representative on the panel from the fishing industry.

Concerns around the baseline monitoring survey methodology have led to the delay in construction which allows the Brine Monitoring Group time to be established.

Members discussed the potential environmental impact of the brine. The Senior Scientist said it is essential for onsite monitoring to begin as soon as the discharge starts. If the discharge is not conforming to the levels in the model it will have to be turned off.

The Chairman was concerned that NWIFCA and Natural England had not been kept up to date. Mr Johnston stated that he was informed this was due to an administrative error.

- g. TAG – (IFCA Technical Advisory Group): TAG conference at end of February will focus on whelks, lobster and crab. Cefas research into American lobster suggests hybrids are occurring.
- h. IFCO Shore-Based Sightings Data Analysis: The recording sheet has been revised and is now in use. Science Officers are looking at how the data can be used.
- i. Marine Litter Consultation: The European Commission has published a stakeholder survey titled "Reducing marine litter: actions on single use plastics and abandoned, lost or otherwise discarded fishing gear". The Senior Scientist provided a link.
- j. Pulse Fishing: The Science team provided a briefing on electro fishing as part of the written report. Trials into pulse trawling involving around 100 vessels have occurred in the north sea with a mainly Dutch fleet. During the January meeting EU state members voted against the continuation of electro pulse fishing.

RESOLVED

- a. Check the records for historic shrimp bycatch studies Officers.
- b. A link to the Bass measures be circulated to members Officers.
- c. The Senior Scientist to keep encouraging Halite for a fishing stakeholder meeting.
- d. Members approved the report.

131 RAZOR CLAM MANAGEMENT REPORT (Agenda Item 7)

The report provided an in-depth overview of the management of razor clam fisheries in the UK and Europe.

Dr Andrews queried the statement that the authority cannot afford to carry out a study and suggested that given the potential for a lucrative fishery, industry could help fund collaborative research. The Senior Scientist said the report should encourage industry to collaborate and call for collaborative research, not a trial fishery.

RESOLVED

The Executive Summary be reworded with the assistance of Dr Andrews and be published on the website with a call for interest in collaborative research.

132 COCKLE AND MUSSEL REPORT (Agenda Item 8)

Cold Weather Closures for Intertidal Shellfish Fisheries

Cold snaps during November and December following a period of unseasonably mild weather raised the question of when action should be taken to close fisheries to minimise the disturbance to feeding and roosting SPA birds. Officers discussed with NE colleagues and established that good practice would be to close prior to cold weather setting in. For

2017 a decision was made not to close any fisheries as the risk was deemed extremely low or non-existent.

Mr. Leigh queried how the closure of fisheries would be communicated. The Senior Scientist replied that buyers would be contacted directly and a SMS would be sent to all fishers.

Mr. Brown questioned why the temperature threshold is 0°C. Mr Johnston clarified that it is related to the stress levels on the birds, at 0°C fields will be frozen and other sources of food will not be available to birds. The Senior Scientist clarified that closure will also depend on the nature of the fishery.

Dr Andrews asked what will happen after a closure. The Senior Scientist stated that Officers will seek advice from Natural England and a decision will depend on several factors such as: the part of the season and the condition of the birds.

Cockle Stocks

Leasowe - Fishing activity has reduced to minimal levels. The need to review a closure is no longer required.

Penfold North - Stock was surveyed on 8th November. The bed remains muddy but has hardened slightly. Accessibility is still an issue. The main size class present is 20-30 mm however the majority were 20-25mm. The bed will be surveyed again in early spring.

Flookburgh / Leven Sands and Pilling - Not surveyed during the reporting period.

Mussel Stocks

Dee - Not surveyed during reporting period, to be resurveyed once conditions allow. Sampling for the presence of the INNS Chinese Mitten Crab will also continue.

Heysham Flat - An inspection was carried out on 5th January. Mainly undersized mussel remains on the lower reaches of the main skear and Knott End skear. There are areas of newly settled *Sabellaria alveolata* on the northern side of Knott End skear and the southern side of the main skear. On the northern side of the main skear there is a combination of newly settled worm with older structures and live structures. It will be monitored to see whether remaining mussel and the worms will be buried under this year's mussel settlement.

RESOLVED

Members approved the report.

133 COCKLE AND MUSSEL FISHERIES ENFORCEMENT REPORT (Agenda Item 9)

Industry activity has shifted from Leasowe to Flookburgh. Activity is also increasing at Pilling. Returns compliance has dropped and sanctions implemented; ranging from advisory letters to permit suspensions. Minimum landing size compliance has been good throughout all fisheries within the reporting period.

RESOLVED

Members approved the report.

134 CRAB AND LOBSTER STOCKS REPORT (Agenda Item 10)

The Senior Scientist said that information has been presented to protect commercially sensitive information.

Dr Andrews recommended sharing the report with Cefas to assist with their study into lobster stocks around the United Kingdom.

RESOLVED

- a. The data to be shared with Cefas.
- b. Members approved the report.

135 BYELAW REVIEW: POTTING BYELAW

The Senior Scientist proposed a Flexible Permitting Byelaw for potting. The Byelaw could cover all relevant species and both recreational and commercial permits. This approach will allow five existing Byelaws to be revoked.

RESOLVED

- a. Sussex IFCA's potting byelaw will be circulated.
- b. The flexible permit approach to potting was approved and a draft byelaw be discussed at TSB as soon as possible.

Proposed: Dr. J. Andrews Seconded: Mr. B. Leigh All in favour.

136 BYELAW REVIEW: BYELAW 3

The CEO highlighted two issues to be resolved:

- a. Cockle and Mussel trading permit

The trading permit has been discussed at August and October TSB meetings. A query was raised in regards to the legality of the proposal in respect of IFCA powers. The CEO has asked the MMO for legal advice and expects a response in March.

- b. Applications from minors to go on the waiting list.

Two minimum ages were suggested: fourteen which coincides with the time the individual begins making choices about their future and twelve which is the age at which both parent and child must sign to apply for a passport.

Mr Leigh stated that he had checked what other IFCAs allow and did not find anything. The Chairman stated for either age, appropriate safeguards should be in place. Mr. Manning raised concerns that due to the length of the waiting list an applicant that is fourteen at the time of application may not receive a permit until they're twenty four.

The option of endorsing a child on a current permit was considered. The Head of Enforcement stated that enforcement with children is difficult as they have to be dealt with in different ways from adults and certain sanctions are not available, making a trial at a youth court more likely.

Dr Andrews queried the need for a minimum landing size (MLS) for cockles stating that there is the option to manage spatially like Eastern IFCA. He also asked whether scientific evidence exists to back up the existing minimum landing sizes. The Senior Scientist responded that a search would be made of the historic records for the rationale of the cockle MLS and reported at the next TSB.

The Chairman tabled an industry letter requesting the cockle MLS be increased from 20mm to 25mm and complaining that the MLS was not adequately enforced. The Head of Enforcement said that enforcement was carried out within available resources as reported to the Authority and the recent incident which resulted in 800kg of cockles being seized and returned to the bed showed active enforcement.

RESOLVED

The minimum age to go onto the waiting list be set at 12 years old.

Proposed: Mr. S. Manning Seconded: Mr B. Leigh All in favour.

137 A.O.B.

Mark Johnston relayed concerns raised with NE about cockle pickers riding quad bikes in areas that they do not need to access. The Head of Enforcement commented that it may have been IFCA Officers accessing a sample point. The Senior Scientist stated that a member of the public had reported that the fishers were encroaching on the salt marsh. Following up the report an IFCO attended Pilling and found Jumbos being stored on the marsh near an existing track; the fishers were advised not to use the area for storage and complied immediately.

Mr Manning raised the incident of palm oil washing up on beaches within the district and asked if it was known where it originated from. The Senior Scientist responded that Wyre Council had the palm oil tested and it was found to be at least two years old and had potentially washed round from the Atlantic.