



# **Southern Inshore Fisheries and Conservation Authority**

## **Poole Harbour Several Order 2015 Management Plan: 2020 Revision**

**(2024 Review)**

## Document Control

<b>Title</b>	<b>Southern IFCA Poole Harbour Several Order 2015 Management Plan</b>
<b>Approver</b>	Secretary of State
<b>Owner</b>	Southern IFCA

### Revision History: [Tranche 1 2015-2020](#)

Base Document	Author	Reason
As above	Sarah Birchenough	Developed in line with requirements under Poole Harbour Fishery Order 2015. Management Plan directs governance of the Tranche 1 lease allocations (July 2015-June 2020).

Annual Review	Author	Details	Approver
2016	Neil Richardson	No significant changes	Rob Clark
2017	Neil Richardson	No significant changes	Rob Clark
2018	Neil Richardson	No significant changes	Rob Clark
2019	Pia Bateman	Addition of 2018 Natural England (NE) Site Management Statement	Rob Clark

### Revision History: [Tranche 2 2020-2025](#)

Base Document	Author	Reason	Approver	Published
<b>Southern IFCA Poole Harbour Several Order 2015 Management Plan (2020 Revision)</b>	Pia Bateman	Revised edition to consider significant changes to the management of lease beds as detailed in Section 1.1 of this document. The Management Plan directs governance of the Tranche 2 lease allocations for the period July 2020-June 2025.	(1) Southern IFCA Authority, May 2020. (2) Secretary of State sign off	30 <sup>th</sup> June 2020

Annual Review	Author	Reason	Approver	Published
2021	Pia Bateman	<ul style="list-style-type: none"> <li>• Addition of Management Plan 3 (Section 7) following receipt of formal advice from NE in December 2020 on newly allocated lease beds 7, 8 and 12.</li> <li>• Additions to Management Plan 5 (Section 7) following an update in advice from NE regarding the farming of Pacific oysters.</li> <li>• Additions to Section 5.3 re: Lease Condition Requirements following a change in ownership &amp; methodology on Lease Bed 3.</li> </ul>	Southern IFCA Authority, May 2021	May 2021
2022	Sarah Birchenough	<ul style="list-style-type: none"> <li>• Update in Section 1 and Section 2.2.2 (with the removal of Section 2.2.3) to reflect legislative changes following the UK's exit from the EU.</li> <li>• Addition of text to Management Plan 5 (Section 7) to reflect the 2022 update from Defra regarding the farming of Pacific oysters.</li> </ul>	Southern IFCA Authority, May 2022	May 2022

2023	Sarah Birchenough	<ul style="list-style-type: none"> <li>• Update in Section 3.2.1 regarding Pacific oyster monitoring data with other refs to this work updated accordingly in Management Plan 5 (Section 7)</li> <li>• Addition of text to Management Plan 5 (Section 7) to reflect updates from Defra regarding the farming of Pacific oysters</li> </ul>	Southern IFCA Authority, May 2023	May 2023
2024	William Meredith Davies & Sarah Birchenough	<ul style="list-style-type: none"> <li>• Updates to grammar and sentence structure throughout</li> <li>• Update to text in the table for 'Management Plan 2: Aquaculture and the Poole Harbour SSSI' to reflect the phasing of the BTFG review as agreed by the Authority, and the consideration of SSSI components under Phase II.</li> </ul>	Southern IFCA Authority, May 2024	May 2024

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## **1.0 Summary**

The objective of this Management Plan is to demonstrate how Southern Inshore Fisheries and Conservation Authority (IFCA) manage aquaculture activity within a defined area of Poole Harbour under [The Poole Harbour Fishery Order 2015](#) ('The Order'). In accordance with Section (1) of the Sea Fisheries (Shellfish) Act 1967, The Order confers on Southern IFCA the right of several fishery for the cultivation of shellfish of any kind for a period of twenty years from the 1<sup>st</sup> July 2015.

Under Section (3) of The Order, the Authority must manage the aquaculture in Poole Harbour in line with the Management Plan entitled Poole Harbour Several Order 2015 Management Plan ('Management Plan').

Under Section (4) of The Order, the Authority is required to undertake an annual review of the Management Plan. If, during this review any changes are made to the Management Plan, then the Authority must notify, in writing<sup>1</sup> any interested parties<sup>2</sup> of any proposed changes to the Management Plan. The Authority must, prior to publication of the updated Management Plan, take account of any representations it receives in writing from any interested party on the proposed changes.

The management of aquaculture within Poole Harbour must have specific regard to Southern IFCA's responsibilities, as defined in sections (153), (154) and (166) of the Marine and Coastal Access Act (MaCAA) 2009.

In addition, Southern IFCA is a Relevant Authority in the management of sites within the National Site Network, designated under the Habitats Directive and/or Birds Directive, and has a statutory responsibility to ensure that fishing activity does not damage, disturb or have an adverse effect on the wildlife or habitats for which a National Site Network Site has been designated. This includes the governance of the conservation interests of the Poole Harbour Special Protection Area (SPA).

Under sections (28G) and (28I) of the Wildlife and Countryside Act, 1981, IFCAs are required to have consideration of any Site of Special Scientific Interest (SSSI) with marine components giving protection to species and habitats of national importance when carrying out its duties. This includes the governance of the conservation interests of the Poole Harbour SSSI. The Management Plan also has regard to the Poole Harbour Wetland of International Importance under the Ramsar Convention.

### **1.1. Significant Changes in the Management Plan 2020**

The original Poole Harbour Several Order 2015 Management Plan<sup>3</sup> was produced following full and extensive consultation with all interested parties, relevant bodies and stakeholders.

The 2020 edition of the Management Plan ('Management Plan 2020') underwent a full update in order to incorporate some of the main drivers for Tranche 2 of lease bed allocation as follows:

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<sup>1</sup> At least four weeks prior to 1<sup>st</sup> July

<sup>2</sup> Paragraph 4 (4) of The Order defines 'interested parties' as the Secretary of State; Natural England; any person likely to be affected by the Management Plan or changes to it; or any person whom the Authority consider may be the owner, lessee or occupier of the fishery area.

<sup>3</sup> Available from Southern IFCA

- The expiration of the first tranche (T1) of lease bed allocation on the 30<sup>th</sup> June 2020;
- A reallocation of lease bed grounds (where relevant) under the second tranche (T2) of lease bed allocation, in order to reflect the changes in conservation designations in Poole Harbour, specifically with regard to the expansion of the Poole Harbour SSSI in 2018 and the extension of the Poole Harbour SPA in 2017;
- A review and update of the conditions under the terms of lease allocation in line with advice received from NE regarding the farming of Pacific oysters in Poole Harbour.
- A review and update of the conditions under the terms of lease allocation in line with advice received from the Poole Harbour Commissioners (PHC) with regard to the leasing of grounds within a designated area for personal watercraft.

In Section 7.0 of this document there are five Management Plans which document the actions that have been taken by Southern IFCA since 2015 in response to either the advice received from NE concerning the management of aquaculture in Poole Harbour ensuring compatibility with marine nature conservation designations, as well as species-specific measures and mitigations (Management Plans 1-6).

Management Plan 5 comprises a risk assessment undertaken in collaboration with PHC, which assesses the interaction between aquaculture activity and water users operating in an area designated for Personal watercraft.

The Management Plans are:

**Management Plan 1:** Aquaculture and the Poole Harbour SPA Designation.

**Management Plan 2:** Aquaculture and the Poole Harbour SSSI Designation.

**Management Plan 3:** Aquaculture & the Poole Harbour SPA & SSSI Designation (2020 update)

**Management Plan 4:** Aquaculture and the Poole Harbour RAMSAR site.

**Management Plan 5:** Aquaculture and species interaction.

**Management Plan 6:** Aquaculture and water user interaction.

## **2.0 Background**

### **2.1 Poole Harbour**

Poole Harbour is an estuary enclosed by a bar at the mouth with fresh water entering through several small rivers, the largest of which is the River Frome. The Harbour is the largest natural harbour in Europe and the second-largest natural harbour in the world. The Harbour covers an area of 38 km<sup>2</sup> and contains five islands, the largest of which is Brownsea Island.

The Harbour contains a variety of different habitat types leading to a wide variety of benthic communities and a highly productive environment with the growth of seaweeds and saltmarsh providing a sustainable food source for suspension feeding species, deposit feeding species and grazing communities<sup>4</sup>.

Poole Harbour is subject to a large degree of anthropogenic activity both from fishing and other Harbour processes such as maintenance dredging and recreational activities. Fishing activity occurs throughout the Harbour in the form of aquaculture and an established wild shellfishery for clams and cockles, as well as a net fishery, commercial and recreational angling and collection of bait worms by both dragging and digging.

Poole Harbours' unique and varied marine habitat is recognised through its marine nature conservation designations, of both European and National importance. The Harbour provides an excellent case study demonstrating how both commercial (wild and farmed) and recreational fishing can coexist and thrive in these designated areas.

### **2.2 IFCAs duties in the management of aquaculture**

#### **2.2.1 The Marine and Coastal Access Act, 2009**

IFCAs' main duties and responsibilities are defined in sections (153) and (154) of the Marine and Coastal Access Act (MaCAA) 2009 being:

##### (153) Management of inshore fisheries

- (1) The authority for an IFC district must manage the exploitation of sea fisheries resources in that district.
- (2) In performing its duty under subsection (1), the authority for an IFC district must—
  - (a) seek to ensure that the exploitation of sea fisheries resources is carried out in a sustainable way,
  - (b) seek to balance the social and economic benefits of exploiting the sea fisheries resources of the district with the need to protect the marine environment from, or promote its recovery from, the effects of such exploitation,
  - (c) take any other steps which in the authority's opinion are necessary or expedient for the purpose of making a contribution to the achievement of sustainable development, and

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<sup>4</sup> Humphreys, J. and May, V. (eds.) 2005, *Proceedings in Marine Science 7: The Ecology of Poole Harbour*, Elsevier, Amsterdam

(d) seek to balance the different needs of persons engaged in the exploitation of sea fisheries resources in the district.

(154) Protection of marine conservation zones

(1) The authority for an IFC district must seek to ensure that the conservation objectives of any MCZ in the district are furthered.

By definition in subparagraph (10) of Section (153), “sea fisheries resources” means any animals or plants...that habitually live in the sea, including those that are cultivated in the sea. By definition in sub paragraph (12) of Section (153), any reference to the “exploitation” of sea fisheries resources is a reference to any activity relating to the exploitation of such resources, whether carried out for commercial purposes or otherwise, including...introducing such resources to the sea or cultivating such resources.

Under Section (154) of MaCAA if a fishery within the IFCA District (to include a private or several fishery) is, will, or has the potential to damage an MPA, then it is the IFCA’s statutory responsibility to ensure that that site is managed so as to ensure compliance with the relevant legislation. In order to deliver these duties, IFCAs can introduce management measures, specifically the ability to make byelaws (under Section 156) to manage or restrict the several or private fishery rights. Importantly this can be done without the consent of the person enjoying those rights if the right is being exercised in relation to a protected site (Section 158).

In addition, IFCAs can apply for the right of a Several Order under the Sea Fisheries (Shellfish) Act 1967 for the establishment, improvement and the maintenance and regulation of a fishery for shellfish. The Poole Harbour Fishery Order 2015 is an example of this.

### **2.2.2 National Legislation**

Southern IFCA is a Relevant Authority in the management of sites within the National Site Network designated under the Habitats Directive<sup>5</sup> and the Wild Birds Directive<sup>6</sup>. Prior to 2021, these sites were referred to as European Marine Sites and, although the original designations sit under the two pieces of European legislation outlined above, the land and marine aspects of the Habitats Directive and the Wild Birds Directive have been transposed into domestic law by The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019<sup>7</sup>, which outlines how the National Site Network will be managed and reflects any changes required by EU Exit. The National Site Network sites are in place to protect and support rare and threatened species and rare natural habitat types. Southern IFCA has a statutory responsibility to ensure that fishing activity does not damage, disturb or have an adverse effect on the wildlife and habitats for which these sites are legally protected. Any management introduced should contribute to furthering the conservation objectives of the site, ensuring the integrity of the site is maintained and the site makes a full contribution to achieving the aims of the Directives. This includes the governance of

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<sup>5</sup> Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31992L0043:EN:HTML>

<sup>6</sup> Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds.

<http://eur-lex.europa.eu/LexUriServ/site/en/consleg/1979/L/01979L0409-20070101-en.pdf>

<sup>7</sup> <https://www.legislation.gov.uk/uksi/2019/579/contents/made>



the conservation interests of the Poole Harbour SPA when considering any aquaculture practices, current or future.

Section 28G of the Wildlife and Countryside Act (WCA) 1981 (as amended) defines ‘section 28G authorities’, including Southern IFCA and NE, who have a duty to take reasonable steps, consistent with the proper exercise of their functions, to ensure compatibility of activity with the conservation and enhancement of SSSI and to further the conservation and enhancement of the flora, fauna or geological or physical features by reason of which the site is of special scientific interest. Southern IFCA therefore must consider the conservation and enhancement of the Poole Harbour SSSI when managing aquaculture within Poole Harbour, to include any proposals for leased grounds under ‘The Order’.

## 2.3 Marine Conservation Designations within Poole Harbour

### 2.3.1 Poole Harbour Special Protection Area

The Poole Harbour SPA qualifies under Article 4.1 of the EU Birds Directive by regularly supporting more than 1% of the Great Britain populations of five Annex 1 species. It also qualifies under Article 4.2 of the EU Birds Directive in that it regularly supports more than 1% of the biogeographic population of two regularly occurring migratory species not listed in Annex 1 and is used regularly by over 20,000 waterfowl (as defined by the Ramsar Convention) or 20,000 seabirds in any season. The species and associated habitats, which qualify Poole Harbour as a SPA, are provided in Tables 1 and 2. Map 1 shows the extent of the Poole Harbour SPA.

The conservation objectives for Poole Harbour SPA are, subject to natural change, to maintain or restore: (1) The extent and distribution of the habitats of the qualifying features; (2) The structure and function of the habitats of the qualifying features; (3) The supporting processes on which the habitats of the qualifying features rely; (4) The populations of the qualifying features; (5) The distribution of the qualifying features within the site.

**Table 1: Qualifying features for Poole Harbour SPA**

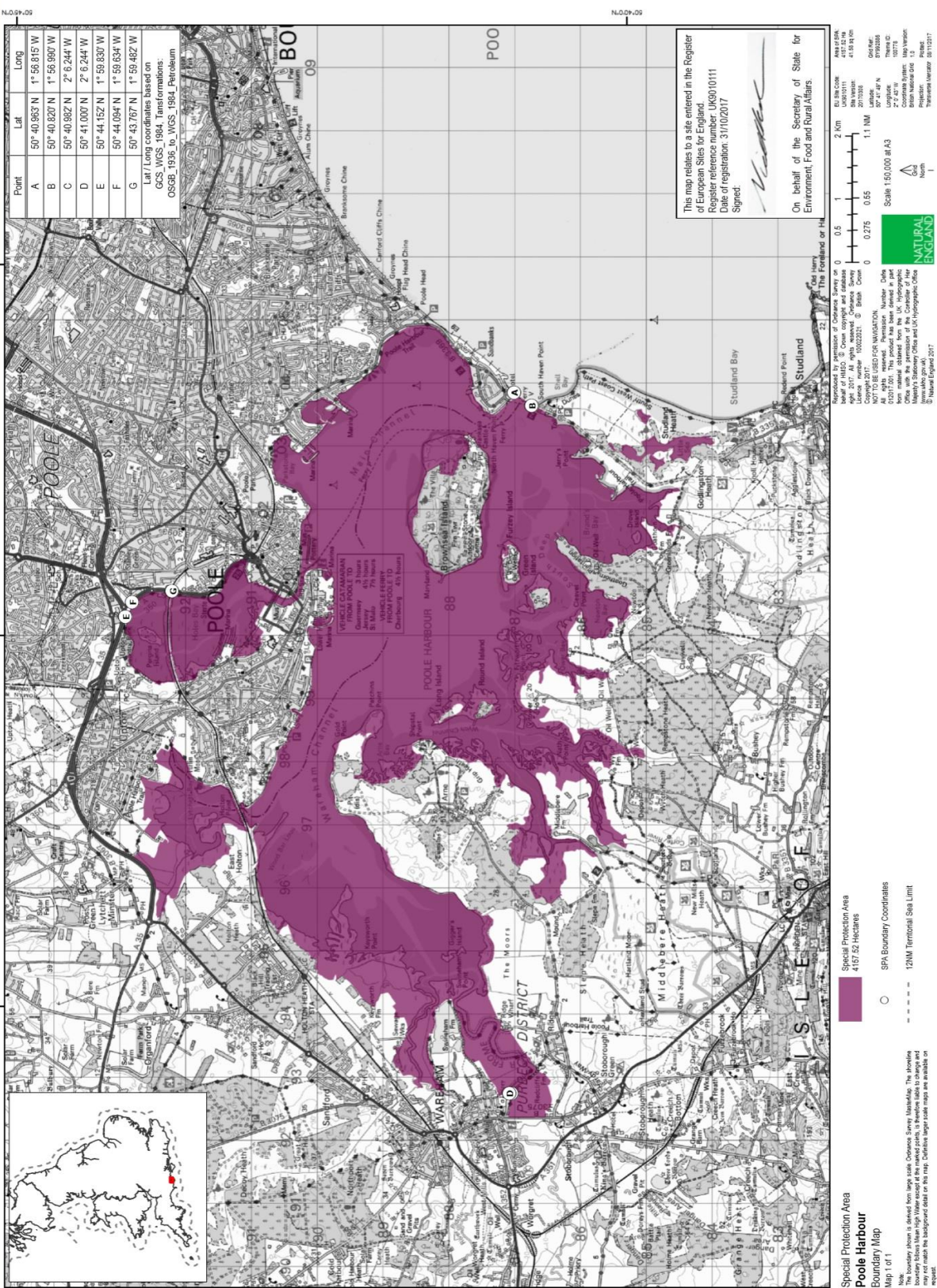
Common Shelduck (non-breeding) <i>Tadorna tadorna</i>
Pied Avocet (non-breeding) <i>Recurvirostra avosetta</i>
Black-tailed Godwit (non-breeding) <i>Limosa limosa islandica</i>
Mediterranean Gull (breeding) <i>Larus melanocephalus</i>
Common Tern (breeding) <i>Sterna hirundo</i>
Waterbird assemblage
Little Egret (non-breeding) <i>Egretta garzetta</i> <sup>8</sup>
Eurasian Spoonbill (non-breeding) <i>Platalea leucorodia</i>
Sandwich Terns (breeding) <i>Thalasseus sandvicensis</i> <sup>9</sup>

**Table 2: Associated habitats for qualifying features**

Coastal lagoons	Mediterranean & thermo-Atlantic halophilous scrubs
Freshwater and coastal grazing marsh	Atlantic salt meadows (saltmarsh)
Spartina swards (saltmarsh)	Intertidal seagrass beds
Intertidal mixed sediments	Intertidal muds
Intertidal sand & muddy sand	Water column

<sup>8</sup> as identified in the 2001 UK SPA Review

<sup>9</sup> these species have been recorded as occurring in internationally important numbers in Poole Harbour and Southern IFCA are advised that as a matter of best practice these additional qualifying features should be given material consideration when assessing impacts of aquaculture on the site



Map 1: Poole Harbour SPA

### 2.3.2 Poole Harbour Site of Special Scientific Importance

In 1990 Poole Harbour was notified as a SSSI. The qualifying features are listed in Table 3.

**Table 3: Qualifying features for Poole Harbour SSSI**

Estuarine habitats including marshes, mudflats and subtidal communities

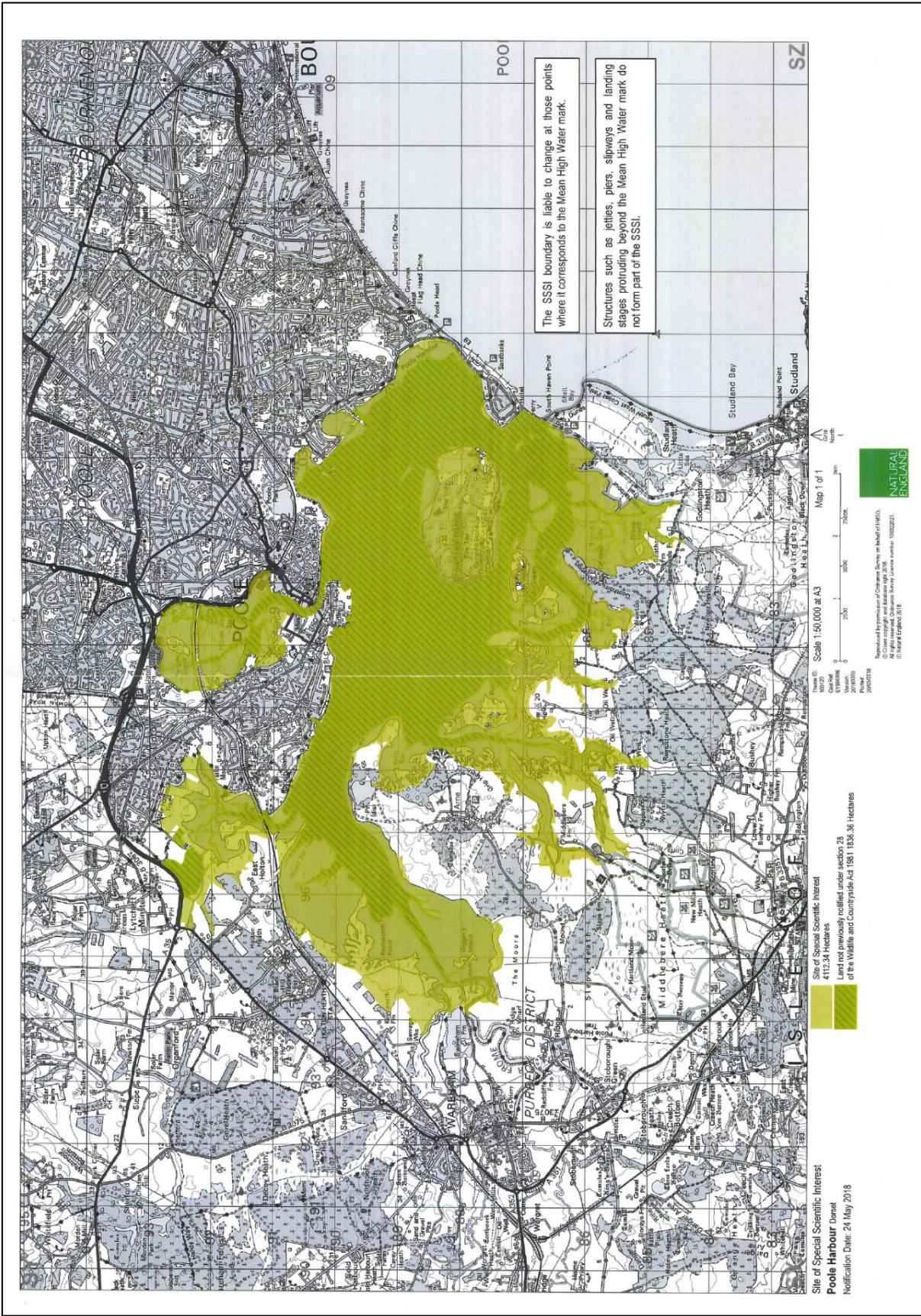
Fringing terrestrial habitats including heathlands and grasslands

Species supported by the above-named habitats including breeding & wintering birds, lichens, rare invertebrates and the red squirrel *Sciurus vulgaris*

On the 24<sup>th</sup> May 2018 NE notified additional land, considered to be of special interest as part of the Poole Harbour SSSI. The extension encompassed four areas of additional land, the largest of which being subtidal estuarine open water below the Mean Low Water (MLW), which extends to the Harbour mouth in the east and west to where the estuary meets the rivers Piddle and Frome (Map 2). The other three areas of additional land include saltmarsh, wetland and supporting habitats around the fringes of Lytchett Bay and Holes Bay. All four areas have been included in the designation as they support estuarine habitats and/or wintering wildfowl and waders for which the site is designated. The area below MLW is also seen to support other features for which the site is designated including foraging habitats for breeding seabirds and subtidal benthic habitats (such as peacock worm (*Sabella pavonina*) and the eelgrass (*Zostera marina*). The area is also included for coastal and marine geomorphological processes, as these are seen to be essential for the maintenance of estuarine habitats such as saltmarshes and intertidal mudflats.

In some locations within Poole Harbour, the estuarial and intertidal areas support the following important subtidal benthic habitats:

- **High-density beds of the Peacock worm *Sabella pavonina*** - Widespread within certain mid-stream areas of subtidal channels - These beds are of conservation interest as a habitat for other species. This species is not rare, but Poole Harbour is the best-known location for high-density bed formation.
- **The sponge *Suberites massa*** - This species has been recorded in a number of areas associated with artificial structures, for example in the Blackwater channel in Holes Bay and has been recorded as common in a restricted area in South Deep on the north-west side of Goathorn Point, associated with the American slipper limpet (*Crepidula fornicata*) shells.
- **Intertidal sediments** - These areas are a key estuarine habitat, which comprises a range of biotopes including areas of *Zostera marina*. No nationally scarce species or biotopes have been found within the intertidal sediments; however, the importance comes from the abundance and biomass of annelid worms and bivalve molluscs, which are key prey species for waterfowl.
- **Bird species** - Large areas of intertidal mudflats lie below MLW provide an additional area of food resource for over-wintering waders and breeding water birds on certain tides. Areas of estuarial water below MLW are essential for fish-eating species to feed and rest and key roosting sites are found in saltmarsh areas across the Harbour. Common and Sandwich terns are part of the notified breeding bird interest of the SSSI and are known to forage within the open water of the Harbour and outside the Harbour entrance.



Map 2: Poole Harbour SSSI

## **3.0 The Poole Harbour Fishery Order 2015**

In accordance with Section (1) of the Sea Fisheries (Shellfish) Act 1967, Southern IFCA manage aquaculture activity within a defined area of Poole Harbour under The Poole Harbour Fishery Order 2015 ('The Order'). The Order confers on Southern IFCA the right of several fishery for the cultivation of shellfish of any kind for a period of twenty years from the 1<sup>st</sup> July 2015. Leases are issued under The Order for a period of five years.

The Order covers an area of 837.8 hectares and allows for the cultivation of aquaculture species, namely 'shellfish' as defined in the MaCAA 2009 as "crustaceans and molluscs of any kind". The main species harvested on the lease beds are Pacific oysters and mussels however, in the past, native oysters, clam species and common cockle have also been farmed and cultivated in Poole Harbour. This definition provided in MaCAA allows Southern IFCA to retain flexibility for shellfish species that could potentially be the subject of future aquaculture activity within the Harbour.

### **3.1 Ensuring compatibility between aquaculture and MPA designations**

The Southern IFCA aims to promote and manage aquaculture in Poole Harbour under The Order with well-structured and appropriate governance that enables Southern IFCA to meet marine nature conservation duties, develop the future potential for aquaculture practice, and seek to better balance the interests of stakeholders.

#### **3.1.1 Poole Harbour SPA**

In order to achieve compliance with statutory duties under the Habitats Directive (as detailed in Section 2.2.2 of this document), Southern IFCA produce a Habitats Regulation Assessment<sup>10</sup> (HRA), which is an assessment of the potential impacts of the proposed aquaculture activities and any mitigating measures proposed by Southern IFCA in order to demonstrate compatibility with the Poole Harbour SPA. The HRA is developed in consultation with NE who provide formal advice to Southern IFCA prior to NE ratifying the HRA.

Management Plan 1 & 3 (Section 7.0 of this document) provide a summary of advice received from NE with regard to the Poole Harbour SPA since 2015. A summary response to this advice is provided by Southern IFCA and a description of management measures Southern IFCA have adopted to mitigate interactions between aquaculture operations and the Poole Harbour SPA.

The most recent HRA accompanying the Tranche 2 Lease Bed Reallocation Programme can be found on the Southern IFCA website. This HRA has been updated (April 2021), following receipt of NE's formal advice received December 2020, specific to aquaculture activities taking place on newly designated lease beds and includes 'Evidence Packages' which are specific in demonstrating how the newly allocated lease beds under Tranche 2 are compatible with the conservation objectives of the SPA.

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<sup>10</sup> Document available from Southern IFCA

### **3.1.2 Poole Harbour SSSI**

In the absence of a formal assessment process for SSSIs at the time The Order was introduced; in order to demonstrate compliance with statutory duties under the WCA (1981) (as detailed in Section 2.2.2 of this document), consideration of the potential interaction between aquaculture activity and the designated features of the Poole Harbour SSSI were recorded in the HRA. For the purposes of issuing Tranche 2 leases, SSSI assessments will continue to be considered under the HRA. Management Plan 2 & 3 in Section 7.0 of this document provides a summary of the advice received from NE since 2015.

To coincide with the extension of the SSSI in 2018, a joint Site Management Statement (SMS)<sup>11</sup> for Poole Harbour was formalised in 2018. The SMS is a public statement, which was prepared, jointly by Southern IFCA and NE in order to outline the management position in relation to fishing activity (to include aquaculture) operating within the Poole Harbour SSSI expansion. Management Plan 2 in Section 7.0 of this document provides a summary of the advice received since 2018 and the management measures taken by Southern IFCA in response.

### **3.1.3 Poole Harbour RAMSAR Site**

Management Plan 4 in Section 7.0 of this document provides a summary of advice received from NE with regard to the Poole Harbour RAMSAR site since 2015 and a summary response to this advice provided by Southern IFCA.

## **3.2 Management of species subject to aquaculture activity**

### **3.2.1 Pacific Oysters**

Pacific oysters (*Magallana gigas*) have been farmed in Poole Harbour prior to the site being designated as a SSSI in 1990. Within the grounds leased by Southern IFCA there are a number of beds on which *M. gigas* are currently farmed, in a process in which the species is grown from spat at a facility before being laid directly on the seabed once individuals have reached a certain size.

The Pacific oyster is defined as an invasive non-native species and is categorised as a 'medium risk' under the Water Framework Directive by the UK Technical Advisory Group and a 'moderate risk' by the GB Non-Native Species Secretariat.

Management Plan 5 in Section 7.0 of this document provides a summary of advice received from NE in 2017 and 2020 with regard to the farming of *M. gigas* within Poole Harbour.

A Pacific Oyster survey by the University of Southampton was undertaken during 2021, with sampling extending into early 2022. This survey work has been referenced in previous versions of this Management Plan. Based on an understanding of resource requirements, the methodology required to collect appropriate data and an ability to robustly review the data to help inform any reviews of the Management Plan, it has been determined that the data from this survey along with a consideration of any requirements for further monitoring work on this species will be reviewed as part of the wider process of developing the lease program for the period 2025-2030, with this work due to commence in the autumn of 2023.

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<sup>11</sup> Document available from Southern IFCA

### **3.4 Ensuring compatibility between aquaculture and other water users**

Working in partnership with Poole Harbour Commissioners (PHC), a risk assessment has been undertaken in order to manage and mitigate the interactions between aquaculture practice and other water users operating within an area of Poole Harbour designated as an area for personal watercraft. Management Plan 6 in section 7.0 of this document provides details on the management measures Southern IFCA will be taking forward in order to mitigate interactions.

### **3.3 Ensuring compatibility between aquaculture and biosecurity**

Southern IFCA has produced a Biosecurity Plan covering the full extent of The Order. The document outlines the types of activities occurring in Poole Harbour and the potential risks associated with these activities, as well as inspection and mitigation procedures for the movement, laying and removal of sea fisheries resources in the proposed area. This is a standalone document<sup>12</sup>.

The IFCA work with the Centre for Environment, Fisheries and Aquaculture Science (CEFAS) to conduct inspections of lease beds allocated under The Order. The process by which inspections will be carried out and the requirements on the rights holder for the inspection are set out in the conditions of the lease issued by Southern IFCA.

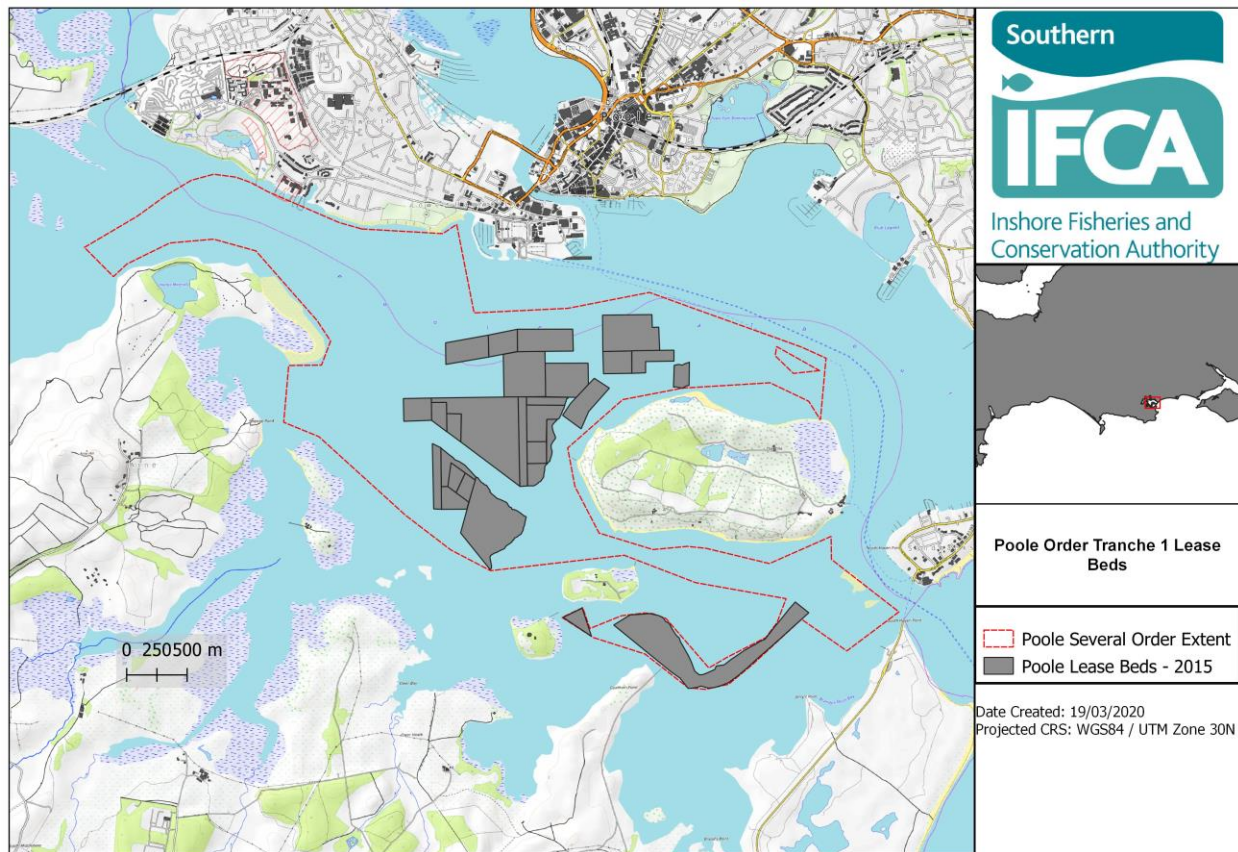
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<sup>12</sup> Document available from Southern IFCA

## 4.0 Management under Tranche 1: 2015-2020

In 2015, under The Order, the first tranche (T1) of lease beds were allocated to nine companies or individuals for a period of five years, under the Terms of the Lease of Right of Several Fishery of Shellfish Laying in Poole Harbour. Under these Terms the T1 leases terminate on the 30<sup>th</sup> June 2020.

The footprint of the T1 beds (Map 3) replicated the lease bed allocations under the former Poole Fishery Order 1985 (which expired in 2015). Under T1, 31 lease beds were sub-leased from Southern IFCA with the consent of the Commissioners of Crown Lands under the provisions of the Southern IFCA lease from the Crown. Annex 2 provides a map of the 31 T1 bed allocations.



Map 3: Tranche 1 Lease Beds (2015-2020)



## **5.0 Management under Tranche 2: 2020-2025**

### **5.1 T2 Lease Application Process**

The second tranche (T2) of lease bed allocation will begin on the 1<sup>st</sup> July 2020 and expire on the 30<sup>th</sup> June 2025.

#### **5.1.1 Expressions of Interest**

In December 2019 Expressions of interest (EOI) were invited from T1 leaseholders; the basis of which was to enable Southern IFCA to determine whether T1 leaseholders intended to apply for lease grounds under T2 of lease bed allocation. In addition, the EOI sought to provide confirmation that any T1 leaseholders wishing to apply for a T2 lease had a full understanding of the following:

1. Of the terms under which a T2 application would be considered;
  - a) Which may include the need for closure and reallocation of an existing T1 lease bed if subtidal benthic habitats are present (Lease Bed Reallocation Plan);
  - b) That the boundaries of the T2 beds will be defined using WGS84 coordinates and as a result, the existing T1 boundaries may be subject to change;
  - c) That the annual fee based upon price per hectare may be subject to change;
  - d) The requirement for T1 holders to provide a Business Plan 2020-2025 and an 'End of T1 Lease' Report;
  - e) There may be a monetary fee required at the point of application.
  - f) That consideration of lease allocation under T2 will be subject to applicants meeting specific and comprehensive criteria;
  - g) That each application will be considered on its own merits with Southern IFCA reserving the right to consider the proposals contained within the application in accordance with their statutory responsibilities.
2. The timelines for application.

#### **5.1.2 Application Criteria**

Consideration of the allocation of lease beds under T2 is subject to the production of the documentation outlined in this section at the time of application. Southern IFCA invited applications between the 7<sup>th</sup> February and the 3<sup>rd</sup> April 2020.

##### ***5.1.2.1 A Business Plan 2020-2025***

A comprehensive Business Plan must be provided at the point of application. Reference to the following must be included in the Business Plan:

- i. **Executive summary** providing an overview of your proposed business and plans.
- ii. **Methodology** to include:
  - a. The target species to be grown and harvested;
  - b. Details of supplier of seeds for laying;
  - c. Details of buyers/target market of the harvested product;
  - d. Specification of vessel(s) and platforms to be used; and
  - e. Details of equipment used in both laying of seeds and harvesting of seeds (please note that the proposed activity must not place any structure on the seabed).
- iii. **Company and management summary**
  - a. Details of the leaseholder and any other personnel involved in aquaculture operations.
- iv. **Financial forecast**

- a. Funding and demonstrable sources of funding.
- b. The projected quantities of each species to be broken down into annual forecasts for years 2020 to 2025:
  - i. kg/year seeding forecast;
  - ii. kg/year harvesting forecast; and
  - iii. Identification of any variables, which may compromise the achievement of annual forecasts.
- v. Details of how the proposed business operations are compatible and consistent with the following **conservation considerations**:
  - a. Applicants will need to demonstrate compatibility with the Southern IFCA HRA, in that there will be no significant impact on the Poole Harbour Special Protection Area (SPA) as a result of proposed business operations; and
  - b. Compatibility with the special interest of the Poole Harbour SSSI.
- vi. **Safety**
  - a. A Safety Plan to demonstrate that appropriate safety measures are in place for the proposed activity; and
  - b. To provide evidence of permissions granted by Poole Harbour Commissioners (PHC) for the use of a commercial vessel within Poole Harbour, under the Registration of Small Commercial Craft<sup>13</sup>, registration via <https://phc.co.uk/webforms/register/>.
- vii. A **Biosecurity Plan** to detail the processes by which the lease bed operator will ensure that their activities are consistent with best practices and legal requirements.

#### 5.1.2.2 End of Tranche 1 Lease Report

A comprehensive End of T1 Lease Report must also be provided at the point of application, with reference to the following to be included:

- i. **Summary of business operations** under the T1 lease.
- ii. Demonstration of how leaseholders **met their 2015-2020 Business Plan**
  - a. Where projected seeding and harvesting forecasts weren't met, to provide detail on:
    - How and why projected forecasts (seeding and harvesting) weren't realised;
    - Any lessons learnt.
  - b. Future mitigation considerations for proposed business operations under T2.

## 5.2 T2 Lease Bed Allocation

Consideration of lease allocation under T2 is subject to applicants meeting the criteria detailed in this Management Plan. Following submission of relevant documentation, all applications will be subject to an assessment undertaken by the Southern IFCA. This process will be carried out with each application being considered on its own merits and Southern IFCA reserves the right to consider the proposals contained within the required documentation in accordance with their statutory responsibilities. These duties are detailed under Sections (153), (154) and (166) of the Marine and Coastal Access Act (2009), which includes any provision made by or under The Poole Harbour Fishery Order 2015 under Section 1 of The Sea Fisheries (Shellfish) Act 1967, conferring

<sup>13</sup> '...For the purpose of promoting or securing conditions conducive to the... safety of navigation...persons and property in the harbour, PHC seek to ensure that all commercial craft operating within Poole Harbour are properly maintained, equipped and manned and used only for the purposes for which they are capable...' Extract taken from the General Direction – Registration of Small Commercial Craft.

the right of regulating a fishery, as well as with specific regard to its duties as the competent and relevant authority for the governance of the conservation interests of the Poole Harbour SPA and the Poole Harbour SSSI, the former under Section 9(3) of the Conservation of Habitats and Species Regulations 2017 and the latter under Sections (28G) and (28I) of the Wildlife and Countryside Act 1981. More details on statutory duties can be found in Section 2.2 of this Document.

The Authority reserves the right to consider the proposals contained within documents and plans submitted by applicants in terms of the risk to the conservation interests of the site and any mitigation proposed to avoid deterioration of notable communities, such as peacock worm (*Sabella pavonina*). Where mitigation is proposed to avoid active use of ground to ensure that such communities are maintained, Southern IFCA will consider the transfer of the lease in question within the extent of The Order and in so doing, recognises the risk to the Authority of not attaining its duties under Section (153) of MaCAA 2009 by causing unnecessary and unsustainable damage to the marine environment.

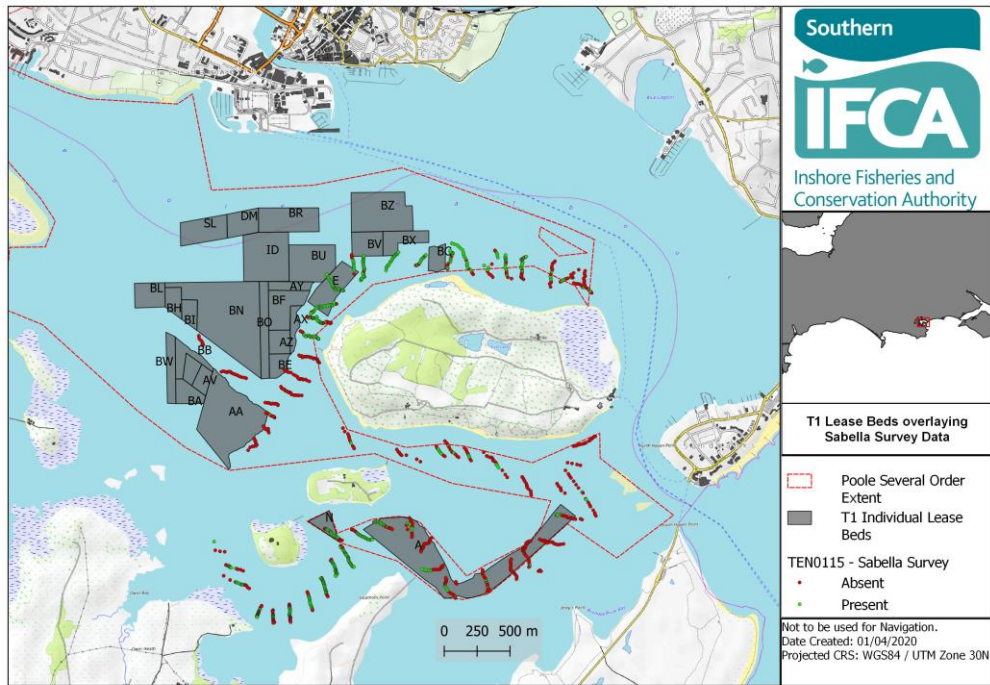
### **5.2.1 Tranche 2 Lease Bed Reallocation Plan**

Following the Poole Harbour SSSI extension in 2018; below MLW, encompassing subtidal estuarial waters and lower shore intertidal mudflats, which support subtidal benthic habitats such as *S. pavonina* and intertidal sediments; advice from NE was that no aquaculture is to be allowed to operate in areas of *S. pavonina* beds and in areas of associated sponge communities including *Suberites massa*. In addition, where lease beds overlay areas of intertidal sediments the impact of aquaculture must be considered to ensure that there is no adverse effect on the integrity of the site.

In direct response to the advice received by NE, as documented in Section 7.1 of the Site Management Statement, under the T2 Lease Bed Reallocation Programme Southern IFCA will close three of the T1 lease beds highlighted by NE to be affected by *S. pavonina*. The total area of these closures equates to 32.4 hectares. The footprint of these areas will receive permanent protection from bottom-towed fishing through separate management.

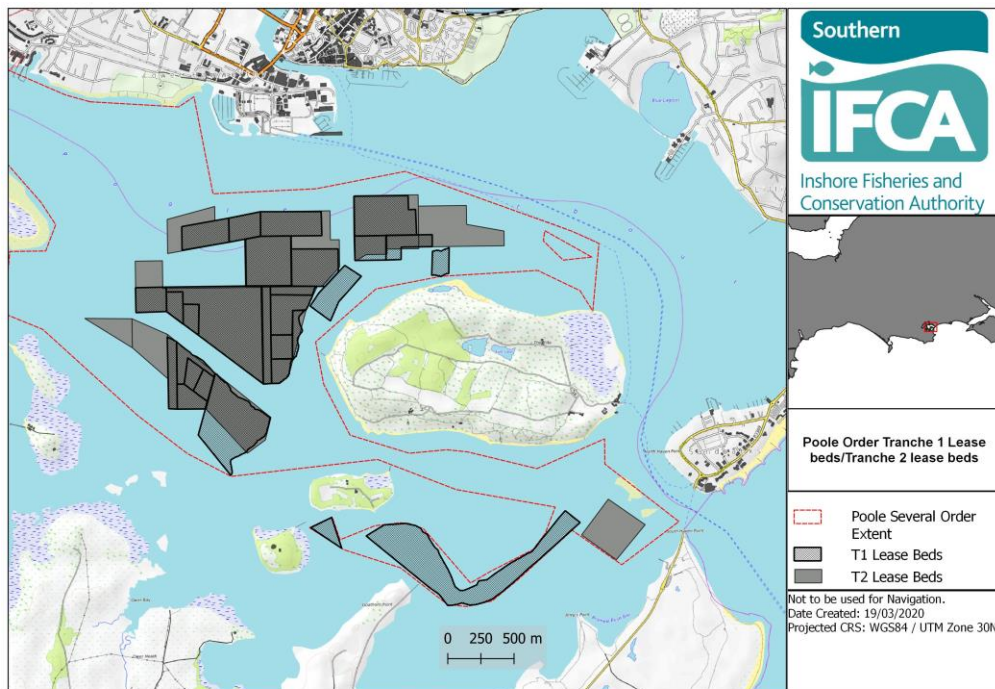
In addition, following Southern IFCA's undertaking of a *Sabella* survey (Map 4) in the vicinity of the Poole Harbour T1 lease beds:

- One other T1 lease bed requires full closure and reallocation (to coincide with the second tranche of lease bed allocation), due to the presence of *S. pavonina*. The total area equates to 9.8 Hectares. The footprint of these areas will receive permanent protection from bottom-towed fishing through separate management;
- Two T1 lease beds require part closure and reallocation (to coincide with the second tranche of lease bed allocation), due to the presence of *S. pavonina*. The total area equates to 1.77 Hectares;
- One T1 lease bed requires part closure and reallocation due to its location on intertidal sediments. The total area equates to 7.09 Hectares.

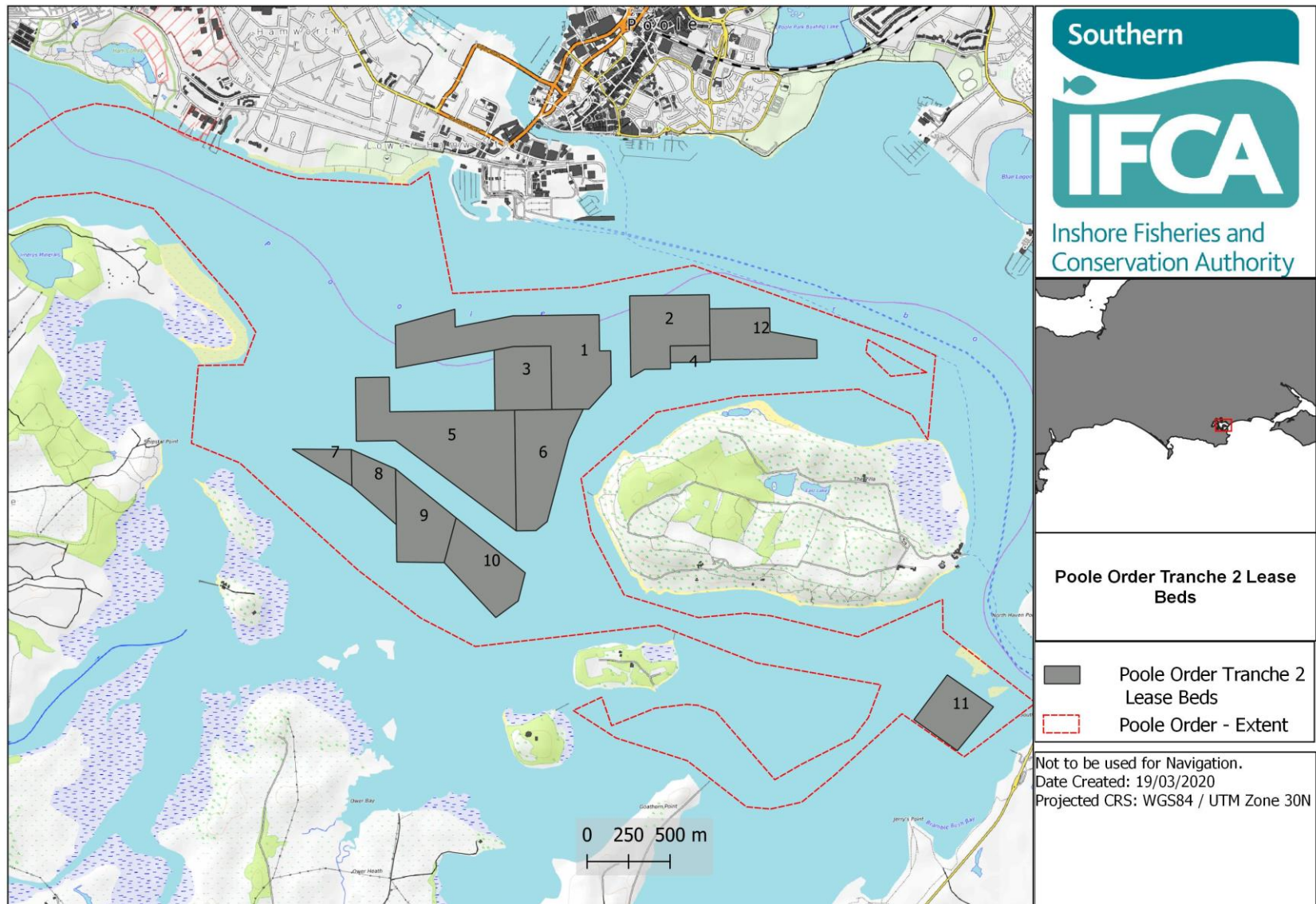


Map 4: Presence and absence of *Sabella pavonina* in Poole Harbour (specific to the vicinity of T1 lease beds)

Map 5 overlays the T2 Lease beds with the T1 lease beds, in order to demonstrate where T1 lease beds have been closed and reallocation has occurred as a result of the presence of *Sabella pavonina*. Map 6 shows the proposed footprint of the T2 lease beds. More detailed charts and coordinates for each of the proposed beds are contained within the Annex 3 of this document.



Map 5: The footprint of Tranche 1 (2015-2020) vs. Tranche 2 (2020-2025) lease beds



Map 6: Tranche 2 Lease beds (2020-2025) More detailed charts and coordinates for each bed are available in Annex 3

### **5.3 Conditions on Lease Holders under Tranche 2**

Each leaseholder is managed under the terms of a 'Lease of the Right of Several Fishery of Shellfish Laying'. The lease agreement documents the provisions and management measures that the Lessee must observe. These may be general conditions, or specific to individual lease beds and may include, but are not limited to:

- a) The requirement for leaseholders to use and manage the lease beds in accordance with the provisions submitted in the lease holders Business Plan (as submitted at the time of application);
- b) Restrictions on the removal of shellfish, to include compliance with minimum conservation reference sizes and the identification of persons permitted to remove shellfish;
- c) Compliance with species-specific measures, such as measures specific to the farming of Pacific oysters;
- d) Compliance with vessel length requirements;
- e) The requirement for leaseholders to specify in writing any proposed changes in methodologies within a specified time frame to enable Southern IFCA to ensure compatibility of methodologies with the conservation objectives and biosecurity objectives of the site;
- f) Compliance with temporal or spatial measures, in order to reduce water user interactions in Poole Harbour;
- g) Compliance with temporal or spatial measures, in order to mitigate against interactions between conservation objectives of the SPA and the specific methodologies employed by leaseholders;
- h) The requirement for leaseholders to mark and maintain the limits of lease bed boundaries;
- i) Compliance with any issues detailed in the HRA within a given timeframe;
- j) The requirement for leaseholders to facilitate inspections;
- k) Requirement for all relevant leaseholder(s) who relay shellfish from the wild fishery in Poole Harbour to provide documentation in line with conditions specified in the lease;
- l) The requirement for all relevant leaseholders who relay shellfish from the wild fishery to notify Southern IFCA, in line with the conditions of the lease, prior to undertaking any activity.

Leaseholders will be required to comply with all conditions outlined in the lease issued by the Authority. These conditions may be specific to a particular area of lease ground. Any leaseholder that contravenes any conditions may, at the discretion of the Authority, have the lease revoked and any lays shall return to the possession of the Authority.

#### **5.3.1 Dispensations**

The Authority, in its sole discretion, may consider issuing a dispensation, following an application made in writing to The Authority, from the leaseholder. Leaseholders may apply for dispensations for the following purposes:

- a) The replacement of a Main Vessel;
- b) The use (to be time-limited and activity specific) of an Ancillary Vessel;
- c) The replacement of an Ancillary Vessel;
- d) The removal of shellfish less than that specified in the lease.

### **5.3.2 Compliance with Conditions**

Under Section (166) of the Marine and Coastal Access Act 2009, an Inshore Fisheries and Conservation Officer (IFCO) has the powers to enforce any provision made by or under Section 1 of the Sea Fisheries (Shellfish) Act 1967 conferring the right of regulating a fishery and whilst enforcing The Order, has common enforcement powers. Any person operating under The Order is subject to the provisions under section 292 of MaCAA (2009).

Southern IFCA Officers may monitor the area covered under The Order at any time and formal inspections of areas leased will be conducted as appropriate with additional inspections forming part of routine compliance patrols of the Harbour.

## 7.0 Management Plans

<b>Management Plan 1: Aquaculture and the Poole Harbour SPA Designation</b>			
<b>Disturbance caused by human activity</b>	<i>Frequency, duration and/or intensity of disturbance affecting foraging and roosting overwintering waterbird assemblage, avocet, black-tailed godwit, shelduck and little egret should not reach a level which significantly affects the feature.</i>		
	<b>NE Advice (2015)</b>	<b>Southern IFCA Response (2015)</b>	<b>Management Measures</b>
	<i>"...it cannot be dismissed that boat movements used for aquaculture together with other disturbance factors would not cause a significant disturbance to the features of the SPA when taking place in proximity to key feeding and roosting habitats. Aquaculture activity could cause noise and visual disturbance (either alone or in combination with other plans and projects) to the features listed above when taking place at key times of the year for the overwintering birds and in proximity to important feeding and roosting sites..."</i>	The extent of The Order excludes areas designated as 'Bird Sensitive Areas' in the Poole Harbour Aquatic Management Plan <sup>14</sup> to avoid disturbance to bird species during key sensitive periods. The majority of these areas are also closed to shellfish dredging and hand raking through the Southern IFCA byelaw 'Prohibition on using or carrying a shellfish dredge, scoop or handrake in certain areas of Poole Harbour'* ensuring that disturbance in these areas is further minimised. Existing aquaculture activity in the Harbour also does not take place within these defined areas.  <i>*The Byelaw applicable in 2015 has since been replaced by The Poole Harbour Dredge Permit Byelaw and the Poole Harbour Hand Gathering Byelaw</i>	<u>Relevance to the extent of The Order (2015):</u> No action required  <u>Relevance to T1 lease beds (2015-2020):</u> No action required  <u>Relevance to T2 lease beds (2020-2025):</u> See Management Plan 3
<b>Extent and distribution of supporting non-breeding habitat</b>	<i>The extent and distribution of suitable habitat which supports overwintering waterbird assemblage, avocet, black tailed godwit, shelduck and little egret for all stages of the non-breeding period (moulting, roosting, loafing and feeding) is maintained.</i>		
	<b>NE Advice (2015)</b>	<b>Southern IFCA Response (2015)</b>	<b>Management Measures</b>
	<i>"...eelgrass beds within the intertidal sediment communities in Poole Harbour are known to support fish eating species such as red breasted mergansers as well as providing a food source for dark bellied Brent geese. Physical damage could occur from laying of shellfish and structures support aquaculture on intertidal sediment communities including eelgrass beds. In addition, shallow inshore waters provide important feeding and roosting habitats, some aquaculture practices could potentially have an impact on the extent of this habitat e.g. where floating structures are causing a loss in the extent of the habitat..."</i>	The extent of The Order excludes the eelgrass beds in the Harbour. These beds are protected from bottom towed fishing gear and hand gathering under the Southern IFCA byelaws 'Bottom Towed Fishing Gear Byelaw*' and 'Prohibition of Gathering (Sea Fisheries Resources) in Seagrass Beds Byelaw' respectively. Aquaculture activity currently taking place in Poole Harbour does not occur over this feature.  <i>* The Bottom Towed Fishing Gear Byelaw has since been replaced by The Bottom Towed Fishing Gear Byelaw 2016</i>	<u>Relevance to the extent of The Order (2015):</u> No action required  <u>Relevance to T1 lease beds (2015-2020):</u> No action required  <u>Relevance to T2 lease beds (2020-2025):</u> See Management Plan 3
<b>Extent and distribution of supporting</b>	<i>The extent, distribution and availability of breeding habitat which supports common tern, sandwich tern and Mediterranean gull for all stages of their breeding cycle (courtship, nesting and feeding) is maintained.</i>		
	<b>NE Advice (2015)</b>	<b>Southern IFCA Response (2015)</b>	<b>Management Measures</b>
	<i>"...shallow inshore waters provide key feeding habitat for breeding common and sandwich terns and Mediterranean gull. Some aquaculture</i>	Shallow inshore waters will be included within the extent of The Order however areas where species are seen to preferentially feed will be assessed against the positioning of individual lays	<u>Relevance to the extent of The Order (2015):</u> No action required.

<sup>14</sup> <http://www.pooleharbouraqmp.co.uk/viewplan.html>



<b>breeding habitat</b>	<i>practices could potentially have an impact on the extent of this habitat e.g. where floating structures area causing a loss in the extent of the habitat...</i>	and proposed activity within those lays. Lays which are to be included in the Tranche 1 allocation do not currently use floating structures and this will be considered against the business plans proposed through this tranche.	<p><u>Relevance to T1 lease beds (2015-2020):</u> Methodologies in Business Plans screened and assessed to ensure floating structures are not an intended practice.</p> <p><u>Relevance to T2 lease beds (2020-2025):</u> Methodologies in Business Plans screened and assessed to ensure floating structures are not an intended practice.</p>
<b>Breeding population (productivity and survival)</b>	<i>Overall breeding productivity and adult survival is at a level which is consistent with maintaining the structure and abundance of the population of Mediterranean gulls at or above its current or target level, whichever is the higher at all stages of its breeding cycle (courtship, nesting and feeding) is maintained.</i>		
	<p><b>NE Advice (2015)</b></p> <p><i>“...disturbance of Mediterranean gull nesting sites from boat movements for aquaculture taking place in proximity to Seagull Island could cause a decline in the annual productivity or breeding success of the population and this may adversely affect the overall size and age-structure of the breeding population and its long-term viability...”</i></p>	<p><b>Southern IFCA Response (2015)</b></p> <p>The extent of The Order excludes the area of Seagull Island and Brownsea Lagoon. The extent into the Wareham Channel is deemed to be of a distance great enough not to cause disturbance to the Mediterranean gull by remaining in the area of the channel and avoiding areas designated as intertidal sediment. Lays proposed under tranche 1 allocation are not within proximity to Seagull Island or Brownsea Lagoon.</p>	<p><b>Management Measures</b></p> <p><u>Relevance to the extent of The Order (2015):</u> No action required</p> <p><u>Relevance to T1 lease beds (2015-2020):</u> No action required</p> <p><u>Relevance to T2 lease beds (2020-2025):</u> No action required</p>
<b>Food availability (function and supporting processes)</b>	<i>Maintain the overall prey availability of key prey species of preferred prey sizes which supports overwintering water bird assemblage, avocet, black-tailed godwit, shelduck and little egret and breeding common tern, sandwich tern and Mediterranean gull.</i>		
	<p><b>NE Advice (2015)</b></p> <p><i>“...sediment disturbance as a result of aquaculture (and in combination with other fishing activities) can potentially impact o bird prey availability, prey size and the bird's ability to forage over intertidal sediment communities and shallow inshore waters. This can be through removal (mortality) or target and non-target species and impacts on non-target prey availability through changes in habitat structure of the intertidal sediment communities. In addition, aquaculture practices could also potentially affect the water quality which in turn could impact on the prey availability...”</i></p>	<p><b>Southern IFCA Response (2015)</b></p> <p>The extent of The Order excludes the supporting habitats designated for the SPA; areas of intertidal sediment above mean low water (other than that already used for aquaculture), reed bed and saltmarsh are not contained within the extent. Lays under the Tranche 1 allocation have been in place for a period of 30 years and therefore under The Order will have a minimal impact on prey availability and habitat structure as the seabed within these lays is already well defined and developed for aquaculture. Currently under the Tranche 1 lays there are no structures placed on the seabed, which may affect prey availability access, the majority of these areas are also not exposed at low tide making them unsuitable for foraging. Currently there are no structures placed on the seabed for aquaculture, should this be proposed in the future, the IFCA will require a lease from the Crown Estate to cover the ground where structures would be placed, consideration will also be made to the impact on the available sediment on the placing of these structures.</p>	<p><b>Management Measures</b></p> <p><u>Relevance to the extent of The Order (2015):</u> No action required</p> <p><u>Relevance to T1 lease beds (2015-2020):</u> Methodologies in Business Plans to be screened and assessed to ensure structures are not placed on the seabed.</p> <p><u>Relevance to T2 lease beds (2020-2025):</u></p> <ul style="list-style-type: none"> <li>• Methodologies in Business Plans screened and assessed to ensure structure placed on the seabed are not an intended practice.</li> <li>• See Management Plan 3</li> </ul>

## Management Plan 2: Aquaculture and the Poole Harbour SSSI

NE Advice (2015)	Southern IFCA Response (2015)	Management Measures
<p>In addition to the overwintering birds the SSSI is designated for nesting birds using the fringing reed bed and saltmarsh habitats of Poole Harbour and several marine invertebrate species. Natural England advise that aquaculture has the potential to damage the breeding bird assemblage feature through disturbance in proximity to their nesting and feeding sites. Additional notable communities, including <i>Sabella</i>, have been identified in some channels in the Harbour. Natural England advise that proposals for aquaculture could potentially damage these communities.</p>	<p>The extent of The Order excludes reed bed, saltmarsh and key areas of intertidal sediment. The extent also excludes areas defined as 'Bird Sensitive Areas', which are also closed to shellfish dredging and hand raking, removing disturbance impacts and providing an area for nesting and feeding sites. Any proposals for aquaculture activity will be considered in relation to any notable communities' present in designated areas.</p> <p>In addition to the above considerations, Southern IFCA are advised that bird count data analysed by Natural England in 2012 indicates declines in numbers of overwintering birds in sectors of the Harbour. The areas of Lychett Bay and Brands Bay were highlighted; these areas are excluded from the extent of The Order.</p> <p>Mid-stream areas of the subtidal channels of Poole Harbour have high-density beds of the polychaete <i>Sabella</i> species. These are particularly widespread in the South Deep area and are of particular conservation interest as a habitat for other species (Dyrynda 1991). The species itself is not rare but Poole Harbour is the best-known example of where the species form high-density beds with a substantial associated fauna. As such they exhibit a high species richness and diversity, with the tubes colonised by seaweeds, sponges (including the rare <i>Suberites massa</i>), bryozoans and ascidians while crabs and fish are associated with these <i>Sabella</i> beds. (Dyrynda 1991; Baldock, 2016). <i>Sabella pavonia</i> is not a feature of the SSSI, however it supports the features and habitats of the designation and should be maintained in favourable condition, therefore any damage to <i>Sabella</i> beds constitutes damage to the feature and should be maintained.</p>	<p><u>Relevance to the extent of The Order (2015):</u> No action required</p> <p><u>Relevance to T1 lease beds (2015-2020):</u> Voluntary non-farming of the following lease beds: A, E, N (39.8 Hectares) to account for the presence of <i>Sabella</i>. Provision written into Business Plan</p> <p><u>Relevance to T2 lease beds (2020-2025):</u> (1) Specific objectives for ongoing and future aquaculture management were outlined in the Site Management Statement. It is these management objectives that are being taken forward in the Lease Bed Reallocation Programme 2020 and will coincide with the second Tranche (T2) of lease bed allocation under The Order, as well as the introduction of new lease conditions.</p> <p><b><u>(i) Full closure of:</u></b></p> <ul style="list-style-type: none"> <li>• T1 beds <b>A, E, N</b>: due to presence of <i>Sabella pavonina</i> (equating to 39.8 hectares) in South Deep and Wych Channel.</li> <li>• T1 bed <b>BC</b>: due to presence of <i>Sabella pavonina</i> (equating to 2.4 hectares) within Wych Channel.</li> </ul> <p>The footprint of these areas (A, E, N, BC) will be considered for management as part of the Bottom Towed Fishing Gear Review: Phase II, which is currently underway. The scope of Phase II of the review and the process for the phasing of the BTFG review is outlined in the Management Intentions Document for the BTFG Byelaw 2023, available on the Southern IFCA website<sup>15</sup>.</p> <p><b><u>(ii) Part closure of:</u></b></p> <ul style="list-style-type: none"> <li>• T1 bed <b>BV</b>: due to the presence of <i>Sabella pavonina</i> (equating to 0.85 hectares) within Wych Channel</li> <li>• T1 bed <b>BX</b>: due to the presence of <i>Sabella pavonina</i> (equating to 0.92 hectares) within Wych Channel</li> <li>• T1 bed <b>AA</b>: (equating to 7.09 hectares) due to location in relation to intertidal sediments, which under the SSSI are key estuarine habitats, which comprise a range of biotopes including areas of <i>Zostera marina</i>. In addition, intertidal mudflats provide important areas for wintering waders and breeding rare birds in certain tides.</li> </ul>
<b>NE and Southern IFCA Site Management Statement (2018)</b>		
<p>Within Poole Harbour there are a number of areas where <i>Sabella pavonina</i> has been located. Advice received from Natural England was that aquaculture practice could potentially damage the <i>Sabella pavonina</i> beds. With the SSSI extension below mean low water and a clearer understanding of the location of <i>Sabella pavonina</i> beds and associated important sponge communities including <i>Suberites massa</i>, the advice from Natural England is that no aquaculture is to be allowed to operate in these areas. In addition, where lease beds overlay areas of intertidal sediments the impact of aquaculture must be considered to ensure that there is no adverse effect on the integrity of the site. This advice is clarified in a Site Management Statement<sup>16</sup>, which is a public statement prepared jointly by Southern IFCA and Natural England in order to outline the management position in relation to fishing activity (to include aquaculture) operating within the Poole Harbour SSSI expansion, as notified on the 24<sup>th</sup> May 2018.</p> <p>The Joint Management Statement was agreed at the Meeting of the Full Authority in December 2018.</p>		

<sup>15</sup> [BTFG Byelaw 2023 - Management Intentions Document](#)

<sup>16</sup> Document available from Southern IFCA

(2) See Management Plan 3

**Management Plan 3: Aquaculture and the Poole Harbour SPA and SSSI Designations 2020 update**

**NE Advice on interactions between overwintering birds and Lease Beds 7, 8 and 12 (December 2020)**

“... the key period of the year for most overwintering bird features in Poole Harbour SPA is between September and March. Based on this... there is a clear overlap in terms of the presence of protected bird features and the planned ‘cleaning’ and ‘harvesting’ operations. Due to the location of these lease beds (7, 8, 12)) these activities could be impacting potentially important SPA supporting habitat if bird features are using these areas. We appreciate that these lease beds are below the mapped mean low water mark but parts are above chart datum and could be exposed at certain times over the winter. There is evidence that although rarely exposed, these lower shore habitats can provide an extremely dense and therefore valuable source of prey items for wildfowl and waders...”

**NE advice specific to Lease Beds specified**

**Southern IFCA Response (2020)**

**Management Measures**

**Lease Bed 12:**

**Feeding and Prey Availability:**

‘...based on the anecdotal evidence provided by local ornithologists, NE understands that few of the protected features use this area and the key species are red-breasted merganser and goldeneye. Given the preferred prey for both bird species (fish and various invertebrates including *M.edulis* respectively), NE...concludes that the prey availability and the ability of bird features to prey on species using the area around lease bed 12 will not be impacted by planned operations...’

**Night-time rafting:**

‘...Natural England recognises that vessel-based activity such as dredging will take place at high water, during day light hours (and any night-time activity will only take place April to May) and since the nearest area of exposed supporting habitat is likely to be some distance away (ca. 500m), pressures related to disturbance of birds using the intertidal supporting habitat such as ‘visual disturbance’ and ‘above water noise’ are not likely to be relevant. In addition, any rafting species such as red-breasted merganser and goldeneye that could aggregate to roost on the water will not be disturbed due to operations only taking place in daylight hours.

**Conclusion:** ‘...Natural England recognises that while there will be impacts associated with lease bed operations, it can be confidently concluded that, given the proposed methods of aquaculture being employed, the species being farmed and the mitigation implemented, these impacts are not significant and will not adversely affect integrity of the SPA. Natural England therefore agrees with SIFCA’s conclusion...’

The most recent HRA 2020 (updated February 2021, following the receipt of NE’s formal advice in December 2020) can be found on the Southern IFCA website. This updated version of the HRA includes ‘Evidence Packages’ demonstrating how the newly allocated lease beds under Tranche 2 are compatible with the conservation objectives of the SPA.

**Relevance to T2 lease beds (2020-2025):**

**Seasonal and Temporal Restriction: Lease Bed 12**

Prohibition of aquaculture activity outside of the hours 20:00 to 08:00 daily, during the calendar months April, May, June, July, August and September.

**Lease Bed 7&8:**

**Feeding and Prey Availability:**

‘...As above (re: bed 12) and using the same rationale Natural England agrees with SIFCA’s conclusion that prey availability and the ability of bird features that use the area (specifically red-breasted merganser and goldeneye) to prey on species using the area around lease bed 7 and 8 will not be impacted by planned aquaculture operations...’

**Night-time rafting:**

‘...since all activities are proposed to take place between 08:00-16:00 NE concludes that aquaculture operations will not present a risk to any birds using the area for rafting at night as there will be no interaction, and therefore no disturbance.

**Abrasion:**

‘...While not specifically supporting habitat for SPA features, Natural England supports the SIFCA’s proposed measure to require leaseholders to carry out any lease bed ‘cleaning’ operations (i.e. one off dredging to flatten the

**Relevance to T2 lease beds (2020-2025):**

**Seasonal and Temporal Restriction: Lease Beds 7&8**

Prohibition of ‘bed cleaning’ during the calendar months September, October, November, December, January, February and March.

<p>seabed and remove undesirable material of permanently submerged seabed), after winter after the over-wintering birds have largely left the site. NE advises that ideally this should take place after March in order to avoid the over-wintering period as set out in the seasonality table in Natural England's conservation advice for the site. As demonstrated as part of this Appropriate Assessment, although the time spent 'cleaning' these beds over these months is considered to be small, and resulting pressures unlikely to impact prey availability, by avoiding this period goldeneye can use the lease beds for feeding without any disturbance at all. This will further reduce any residual impacts on the waterbird assemblage feature...'</p> <p><b>Conclusion:</b> '...Natural England recognises that while there will be impacts associated with lease bed operations, it can be confidently concluded that, given the permanently submerged nature of the lease beds, proposed methods of aquaculture being employed, and the mitigation implemented, these impacts are not significant and will not adversely affect the integrity of the SPA. Natural England therefore agrees with SIFCA's conclusion...'</p>		
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Management Plan 4: Aquaculture and the Poole Harbour RAMSAR Site		
NE Advice (2015)	Southern IFCA Response (2015)	Management Measures
<p>In addition to overwintering waders and wildfowl the Ramsar site is designated for eelgrass beds. Natural England advised that physical damage could occur to this habitat if shellfish or structures supporting aquaculture were laid over the eelgrass beds.</p>	<p>Eelgrass beds are excluded from The Order extent and will not be subject to aquaculture activity. In addition, these areas are protected from bottom towed fishing gear and hand gathering under the Southern IFCA byelaws 'Bottom Towed Fishing Gear Byelaw'* and 'Prohibition of Gathering (Sea Fisheries Resources) in Seagrass Beds Byelaw' respectively. Aquaculture activity currently taking place in Poole Harbour does not occur over this feature.</p> <p>* The Bottom Towed Fishing Gear Byelaw has since been replaced by The Bottom Towed Fishing Gear Byelaw 2016</p>	<p><u>Relevance to the extent of The Order (2015):</u> No action required</p> <p><u>Relevance to T1 lease beds (2015-2020):</u> No action required</p> <p><u>Relevance to T2 lease beds (2020-2025):</u> No action required</p>

## Management Plan 5: Aquaculture and species interactions

NE Advice (2017)	Southern IFCA Response (2017-18)	Management Measures
<p><i>'...Due to the proximity of the Poole Harbour lease beds to the SSSI, SPA and Ramsar site, we believe that there is a risk that wild oyster settlement could adversely affect the features and supporting habitats of these sites. It is Natural England's view that in most cases, the risk of wild settlement can be minimised by using triploid oysters...on this basis we would support revised management measures to prohibit the laying of diploid oysters under the terms of the Poole Harbour Several Order. The advice provided above is consistent with Natural England's general guidance on Pacific oyster aquaculture within or adjacent to designated sites. However, in the absence of formal policy guidance, there may be circumstances where an applicant specifically requests the use of diploid oysters. In such cases, we would review the request on a site-specific basis with regard to local environmental conditions and seek assurance that any potential impacts of wild settlement are adequately mitigated.</i></p> <p><i>In addition, Natural England have further clarified that their current view for Poole Harbour is that, as there has been no evidence of Pacific Oysters spreading over the intertidal mudflats in Poole Harbour as a result of current cultivation, Pacific Oysters may be laid on leased beds providing the oysters are of triploid stock or are subject to another method of sterilization including but not limited to the laying of quadriploid stock. Provided that appropriate amendments are incorporated into the Management Plan Natural England do not object to the farming of Pacific Oysters within Poole Harbour...'</i></p>	<p>In order to ensure that the stock of Pacific oysters laid onto leased ground in Poole Harbour is of triploid stock or subject to another method of sterilization, an amendment will need to be made to the Poole Harbour Fishery Order 2015 Management Plan to stipulate a provision relating to the specific farming of Pacific oysters. This amendment to the Management Plan will also state that applications to farm Pacific Oysters using a type of stock different to that stipulated will be considered on a case-by-case basis with the proposed method being subject to an Appropriate Assessment.</p>	<p><u>Relevance to the extent of The Order (2015):</u> No action required</p> <p><u>Relevance to T1 lease beds (2015-2020):</u> Specific objectives for ongoing and future aquaculture management were outlined in the Site Management Statement in 2018 – leaseholders were made aware of the need to use triploid stock, or stock subject to another method of sterilisation on lease grounds.</p> <p><u>Relevance to T2 lease beds (2020-2025):</u> Management Plan and lease conditions updated to reflect advice received from NE. New conditions relating to Pacific oysters to be introduced in the T2 leases, being:</p> <ol style="list-style-type: none"> <li>1. The stock of Pacific oysters laid onto lease ground in Poole Harbour must be of triploid stock or subject to another method of sterilisation;</li> <li>2. Applications to farm Pacific oysters using a type of stock different to that stipulated in (1) will be considered on a case-by-case basis, with the proposed methodology subject to an Appropriate Assessment.</li> </ol> <p>For reference: it is anticipated, following the formulation of a Pacific Oyster Review Group in the Department for Environment, Food and Rural Affairs (DEFRA), that a National Policy on the use of Pacific oysters in aquaculture may be introduced in the future. Where appropriate, both the Management Plan and Lease Conditions may be subject to amendments in line with the introduction of future National Policy.</p> <p><b>Update 2022:</b> At a meeting of the Shellfish Association of Great Britain Mollusc Committee in March 2022, a representative from Defra provided an update that it had been determined that a National Policy on Pacific Oysters was not required. It had been decided that each Pacific Oyster aquaculture enterprise (farm) would require an individual HRA based on site-specific considerations. An HRA is already completed in line with the issuing of leases for The Order, it is therefore expected that any future amendments to the Management Plan and Lease Conditions which may be required will be determined on the basis of the drafting of the HRA every five years.</p> <p><b>Update 2023:</b> In September 2022 a new national position on Pacific oysters was published by Defra. This position includes the following points:</p>

		<ul style="list-style-type: none"> <li>• Pacific oysters are currently considered to be established in England south of latitude 52°N and therefore, with current technology, cannot be prevented from establishing in, or be successfully or economically eradicated from this area;</li> <li>• Defra does not support the expansion of the Pacific oyster farming industry north of latitude 52°N;</li> <li>• Authorisations for farms south of 52°N within 5km of an MPA will continue to be granted only after the regulator has considered the outcome of site-based environmental impact assessments. These must take into account the impact of the Pacific oyster on the current condition of local MPAs if there is a likely adverse impact, Defra supports regulators to introduce mitigating authorisation conditions such as using triploidy or monitoring;</li> <li>• Cefas are working to carry out all outstanding environmental assessments for existing Pacific oyster farms near MPAs.</li> </ul> <p>Pacific oysters are currently covered under the HRA for the issuing of leases for 2020-2025 (updated February 2021, following the receipt of NE's formal advice in December 2020) with a specific annexed Evidence Package on the management of this species.</p>
<b>NE Advice (December 2020)</b>	<b>Southern IFCA Response (December 2020)</b>	<b>Management Measures</b>
<p><i>'... (1) NE advise the need to establish and demonstrate that the current levels of Pacific oyster production are not causing an impact. To that end and in order to conclude no adverse effect on site integrity beyond reasonable scientific doubt, NE advises that 2 further aspects (in addition to the lease conditions introduced) are considered:</i></p> <p><i>(a) That current levels of effort i.e. the amount of stock laid should be capped until it can be demonstrated that there is no risk to the Poole Harbour SPA and RAMSAR site;</i></p> <p><i>(b) that robust annual monitoring and reviews will be implemented to demonstrate that no feral populations have or will become established – the annual monitoring to be of particular relevance in light of expected CEFA's Pacific oyster analysis due in 2021...'</i></p>	<p>Southern IFCA provided evidence of Mills (2016) as the most relevant source of data that demonstrates the status of Pacific oysters in the SPA. This PhD study presents an assessment of Pacific oyster presence and distribution in Poole Harbour based on data from 2013 and provides a comparison with other sites such as Southampton Water. The study reflects the apparent lack of feral populations of Pacific oysters in Poole harbour and suggests possible reasons for this.</p>	<p style="text-align: center;"><b>Relevance to T2 lease beds (2020-2025):</b></p> <p>a) Current effort (amount of stock laid) has been capped in line with current (2020) and/or historic levels on beds farming Pacific oysters. Details of which can be found in the HRA.</p> <p>b) Annual monitoring and outcomes to be published in this Management Plan annually. The first monitoring to take place in April 2021 and continue annually for the duration of the leases in order to establish a baseline and provide a robust assessment of change over time. NE will be involved in discussions around methodology and outcomes (resulting analyses).</p> <p>The report for the 2021-22 survey is due to be provided in spring 2022.</p> <p><b>Update 2023:</b> A survey of Pacific oysters was undertaken during 2021 into early 2022 by the University of Southampton. This survey work has been referenced in previous versions of this Management Plan. Based on an understanding of resource requirements, the methodology required to collect appropriate data and an ability to robustly review the data to help inform any reviews of the Management Plan. It has been determined that the data from this survey along with a consideration of any requirements for further monitoring work on this species will be reviewed as part of the wider process of developing the lease program for the period 2025-2030, with this work due to commence in the autumn of 2023.</p> <p>c) A National Policy on the use of Pacific oysters in aquaculture is anticipated to be introduced in 2021. As such, and where appropriate,</p>

		<p>both the Management Plan and Lease Conditions may be subject to amendments in line with the introduction of future National Policy.</p> <p><b>Update 2022:</b> as per the section above, Defra will not be producing a National Policy for Pacific oysters at this time.</p> <p><b>Update 2023:</b> as per above, Defra produced a national policy for the farming of Pacific oysters in September 2022.</p>
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## Management Plan 6: Aquaculture and water user interactions

### Management Measures

<b>Relevance to the extent of The Order (2015):</b>  Full assessments of interactions with other water users (navigation, wild fisheries and shellfish beds, personal watercraft interactions e.g. jet ski designated areas), small craft moorings, Port of Poole operations) undertaken during the consultation phase for The Order.	<b>Relevance to T1 lease beds (2015-2020):</b>  As per relevance to extent of The Order (2015).	<b>Relevance to T2 lease beds (2020-2025):</b>  Risk assessment (below) undertaken to quantify the interaction of aquaculture operations (vessel on site) on Lease Bed 12 with personal watercraft users. Outcomes: specific lease conditions to be introduced as per Risk Assessment controls.
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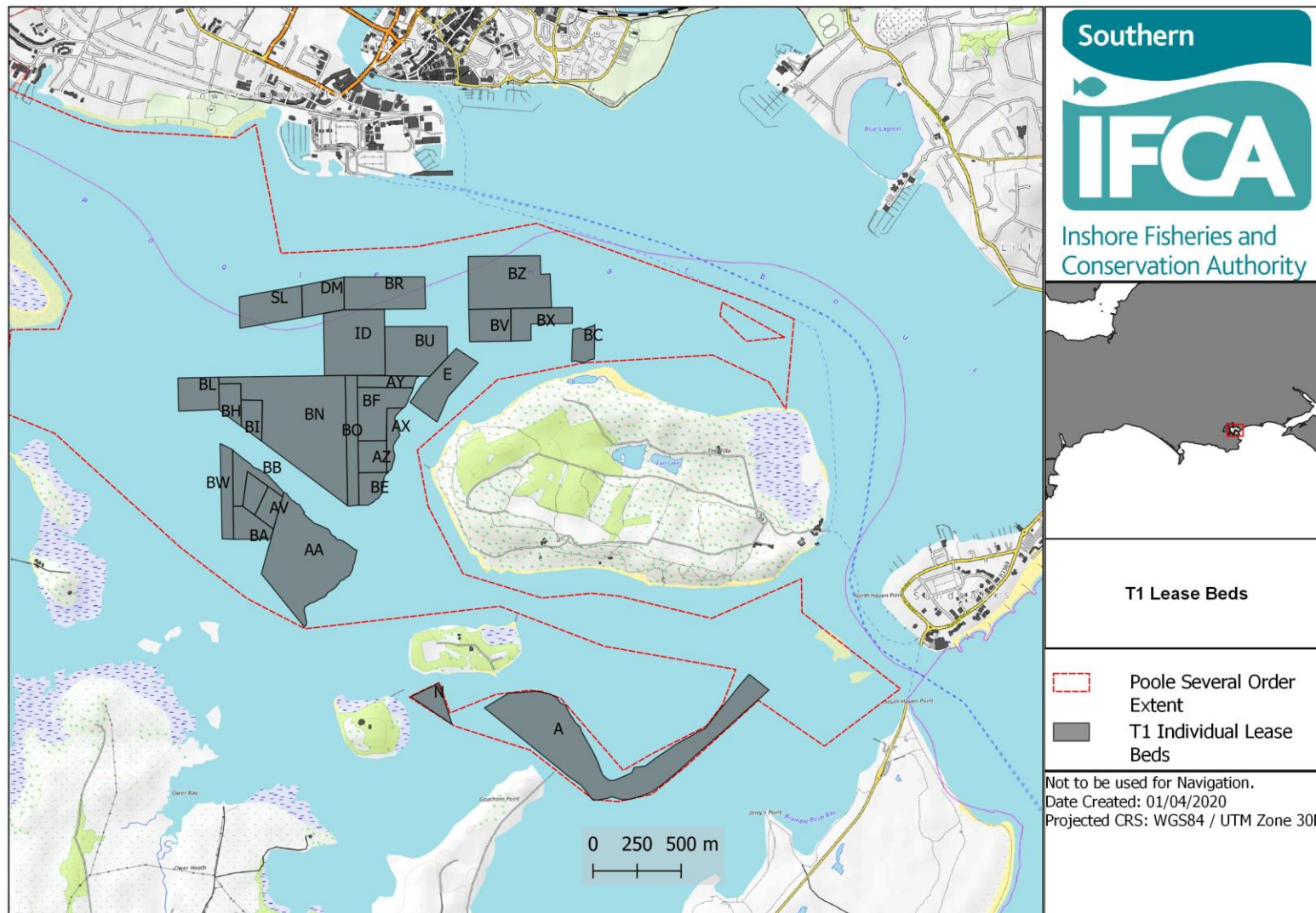
<b>Annex 1: Risk Assessment for aquaculture vessel operations and personal watercraft interactions</b>	<b>Risk Assessment undertaken:</b> 11 <sup>th</sup> April 2022  <b>Review:</b> Annually	<b>Assessor:</b> Southern IFCA (in collaboration with PHC)
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<u>Activity/Process</u>	Number of persons at risk:		
	Number	Lease holder and operatives	Personal watercraft users
Interaction between aquaculture vessel operations (cleaning bed, seeding and harvesting) on Lease Bed 12 with the Personal Watercraft Area north of Brownsea Island	1		
	2-5		
	6-10		
	10+		

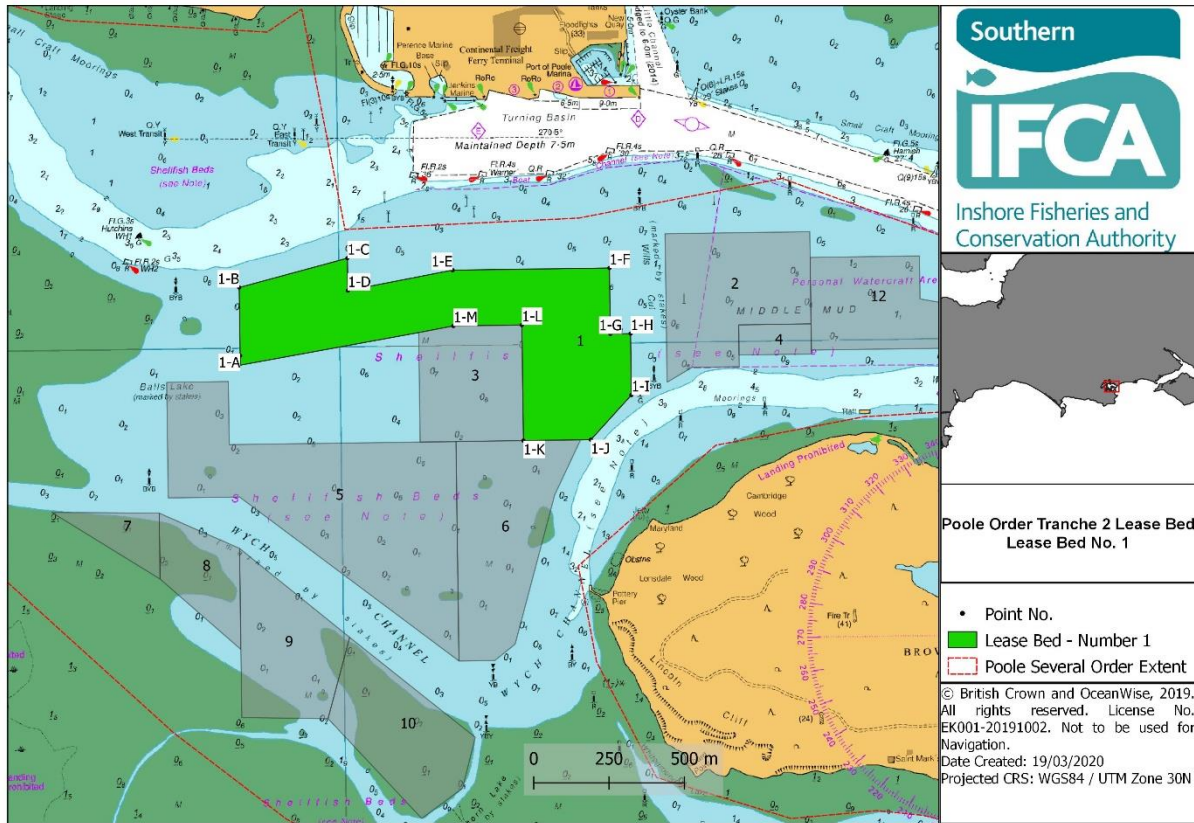


<u>Hazards involved with activity/process</u>		Without control measures			With control measures		
		Likelihood X	Severity =	Rating	Likelihood X	Severity =	Rating
A	Collision between vessel used for aquaculture and personal watercraft users	4	4	16	1	4	4
B	Collision between personal watercraft users and buoys used to demarcate the boundary of the lease bed	4	4	16	1	4	4
<u>Basic safety measures/controls/mitigation</u>							
1	<b>Prohibition of aquaculture activities outside of the hours: 08:00 and 20:00 during the months April to September</b> , with the intention to reduce the interaction between water users and vessels used for the purposes of aquaculture. Assumption that the peak number of water users will be operational during daylight hours and during the spring and summer months.						
2	Requirement for leaseholder to have <b>functional AIS onboard vessel and active during hours of operations</b> . This will negate the need for physical marking of the lease bed area (buoys), and thus remove the potential for interaction between personal watercraft and buoys.						

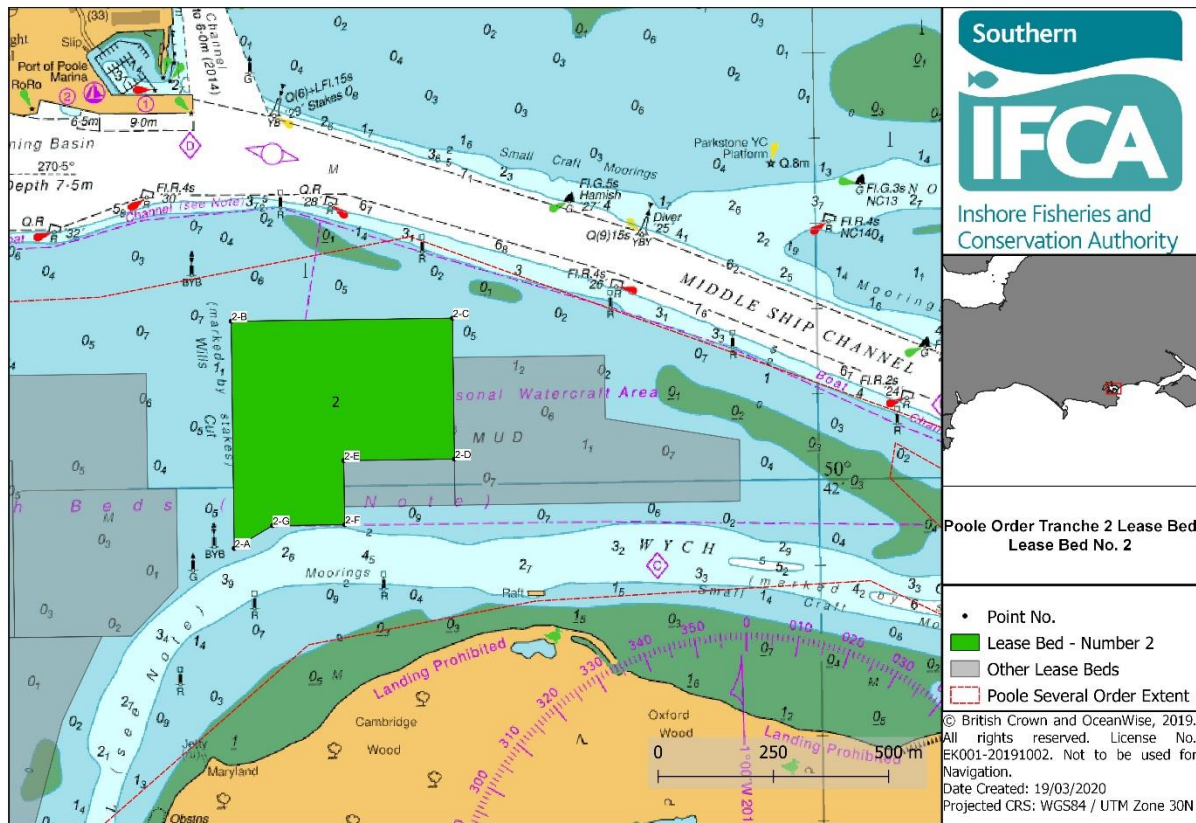
## Annex 2: Tranche 1 lease bed locations



### Annex 3: Tranche 2 lease bed charts and coordinates

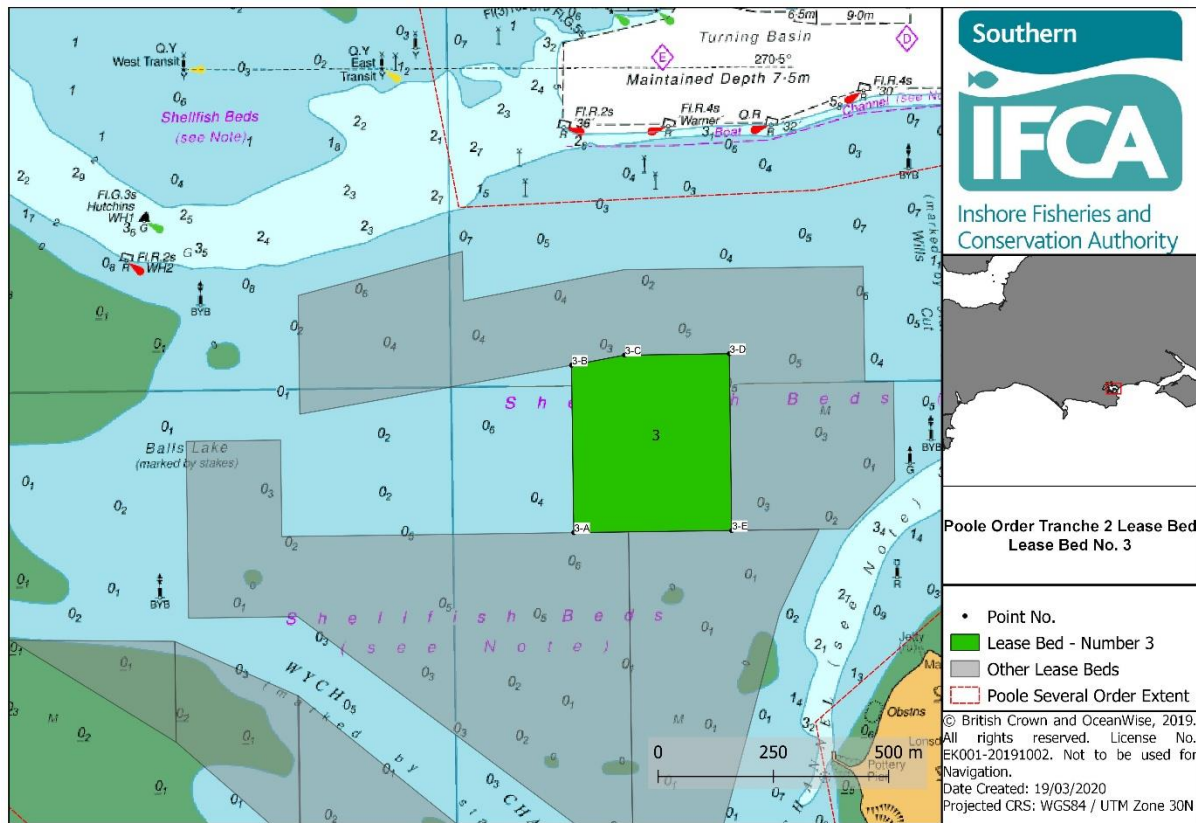


Lease Bed 1 – external coordinates		
Point No.	Longitude	Latitude
1-A	002° 00.282' W	50° 41.970' N
1-B	002° 00.282' W	50° 42.109' N
1-C	001° 59.976' W	50° 42.158' N
1-D	001° 59.976' W	50° 42.100' N
1-E	001° 59.680' W	50° 42.134' N
1-F	001° 59.238' W	50° 42.134' N
1-G	001° 59.238' W	50° 42.016' N
1-H	001° 59.181' W	50° 42.016' N
1-I	001° 59.181' W	50° 41.906' N
1-J	001° 59.297' W	50° 41.827' N
1-K	001° 59.487' W	50° 41.827' N
1-L	001° 59.487' W	50° 42.034' N
1-M	001° 59.680' W	50° 42.034' N



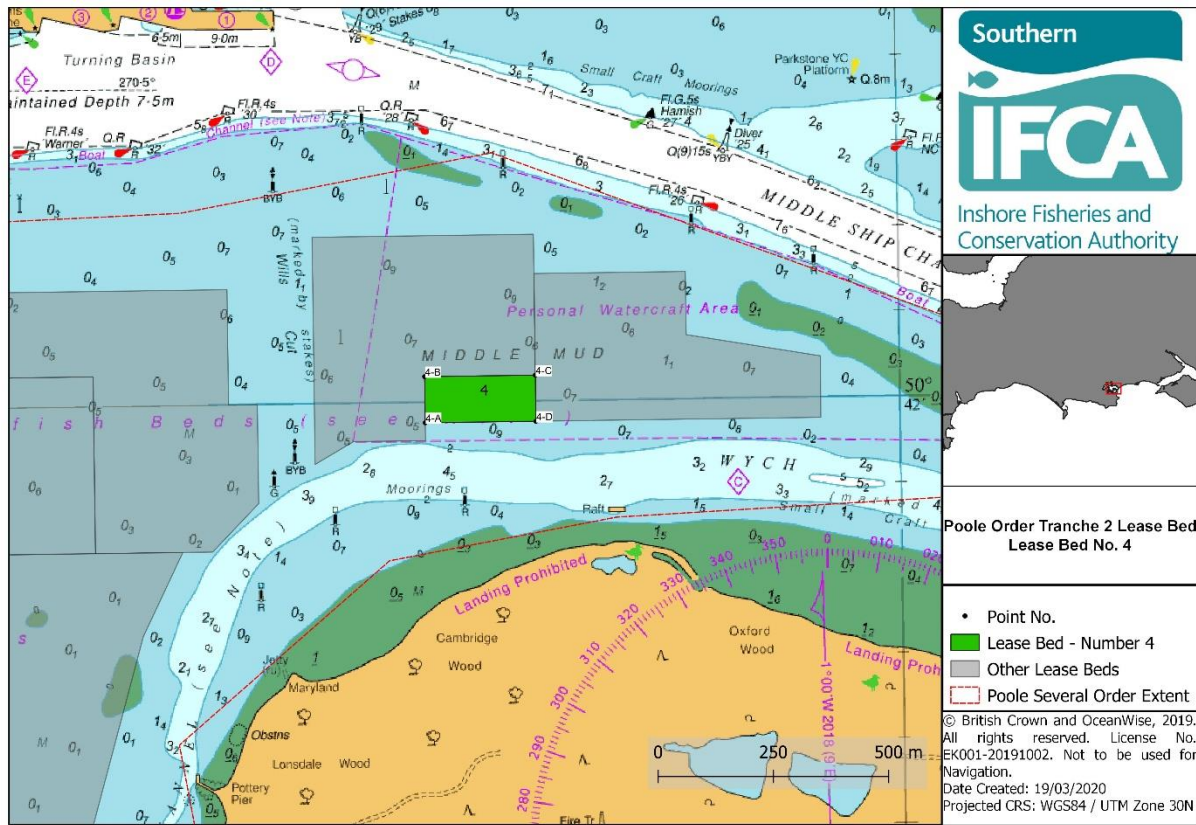
**Lease Bed 2– external coordinates**

Point No.	Longitude	Latitude
2-A	001° 59.080' W	50° 41.928' N
2-B	001° 59.080' W	50° 42.194' N
2-C	001° 58.672' W	50° 42.194' N
2-D	001° 58.672' W	50° 42.029' N
2-E	001° 58.876' W	50° 42.029' N
2-F	001° 58.876' W	50° 41.954' N
2-G	001° 59.009' W	50° 41.954' N



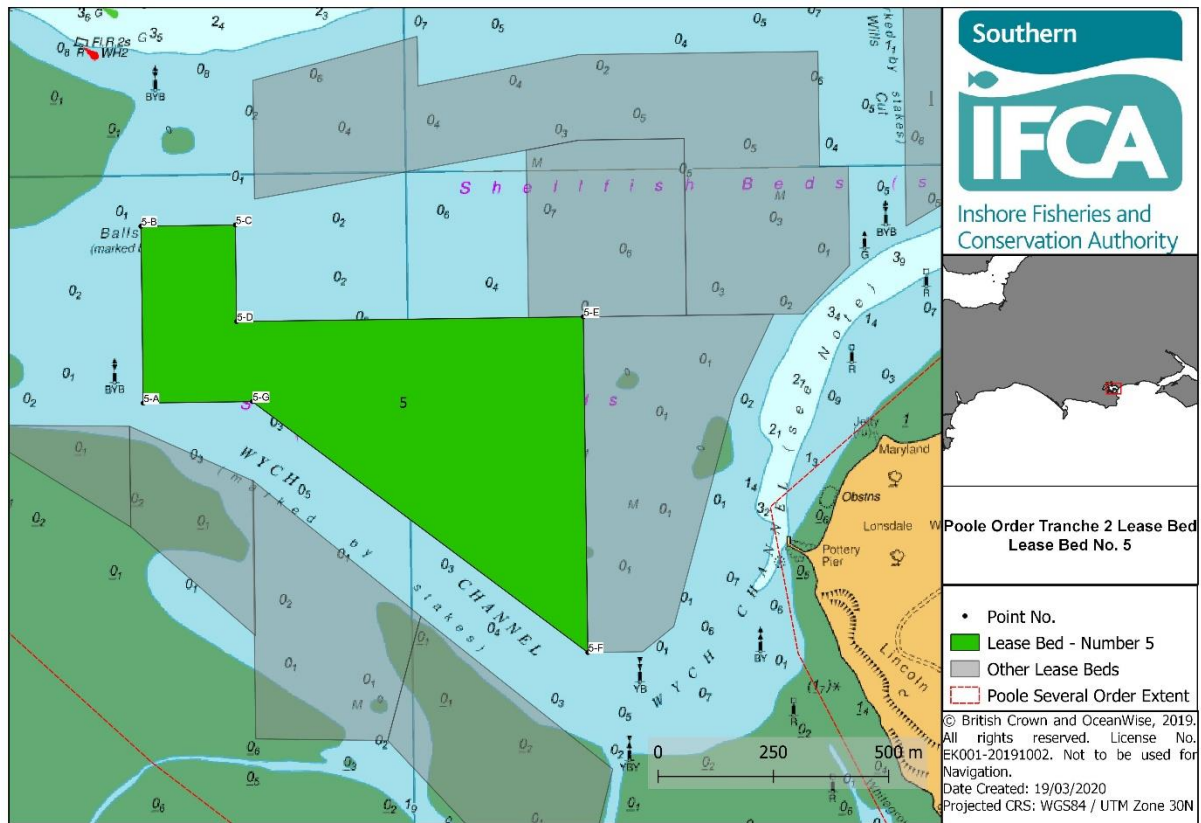
**Lease Bed 3 – external coordinates**

Point No.	Longitude	Latitude
3-A	001° 59.778' W	50° 41.827' N
3-B	001° 59.778' W	50° 42.023' N
3-C	001° 59.680' W	50° 42.034' N
3-D	001° 59.487' W	50° 42.034' N
3-E	001° 59.487' W	50° 41.827' N



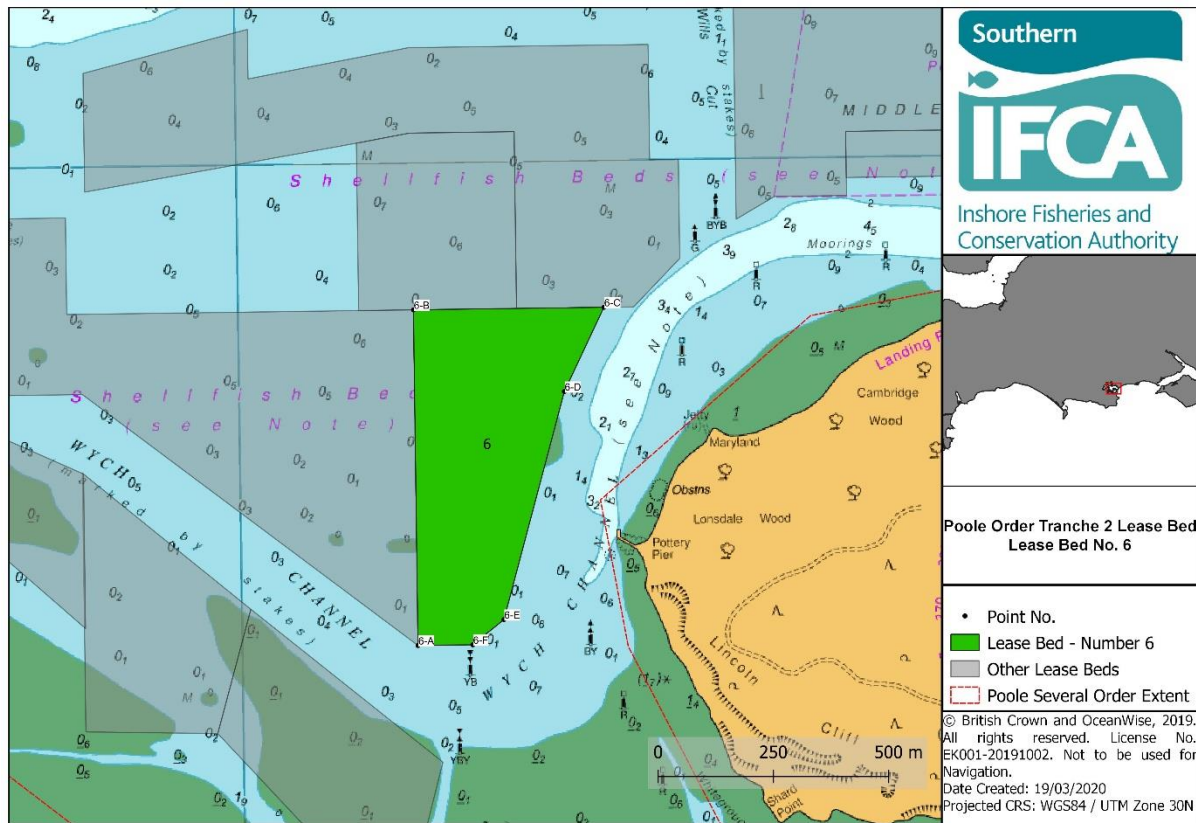
**Lease Bed 4 – external coordinates**

Point No.	Longitude	Latitude
4-A	001° 58.876' W	50° 41.975' N
4-B	001° 58.876' W	50° 42.029' N
4-C	001° 58.672' W	50° 42.029' N
4-D	001° 58.672' W	50° 41.975' N



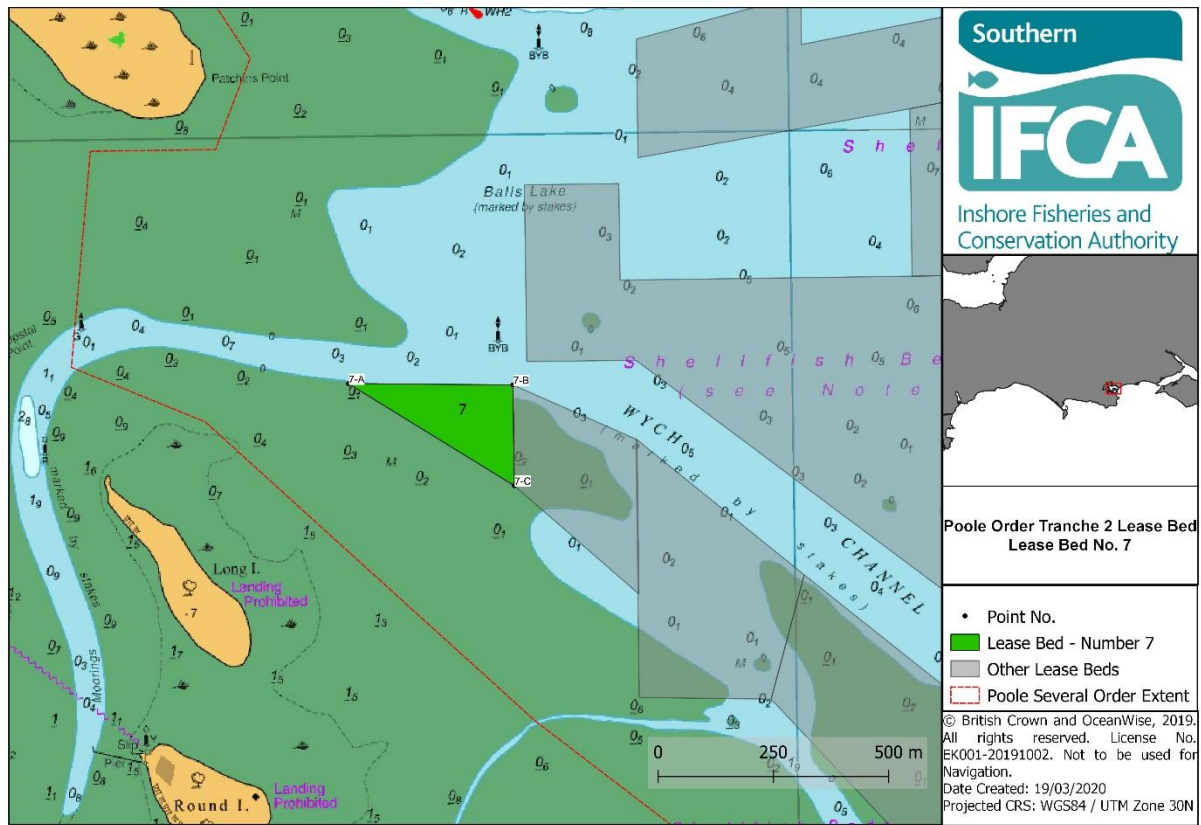
**Lease Bed 5 – external coordinates**

Point No.	Longitude	Latitude
5-A	002° 00.490' W	50° 41.733' N
5-B	002° 00.490' W	50° 41.940' N
5-C	002° 00.316' W	50° 41.940' N
5-D	002° 00.316' W	50° 41.827' N
5-E	001° 59.677' W	50° 41.827' N
5-F	001° 59.677' W	50° 41.434' N
5-G	002° 00.289' W	50° 41.733' N

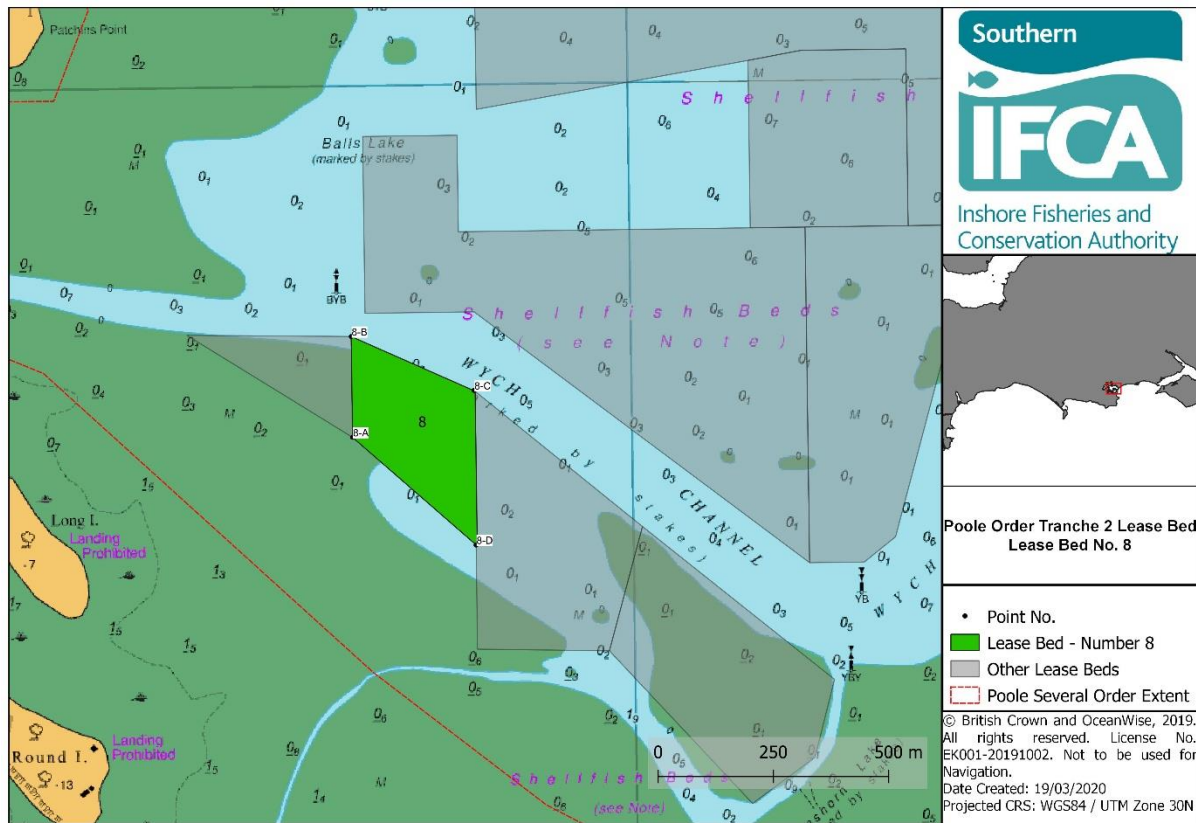


Lease Bed 6 – external coordinates		
Point No.	Longitude	Latitude
6-A	1° 59.677' W	50° 41.434' N
6-B	1° 59.677' W	50° 41.827' N
6-C	1° 59.326' W	50° 41.827' N
6-D	1° 59.401' W	50° 41.729' N
6-E	1° 59.518' W	50° 41.463' N
6-F	1° 59.576' W	50° 41.434' N

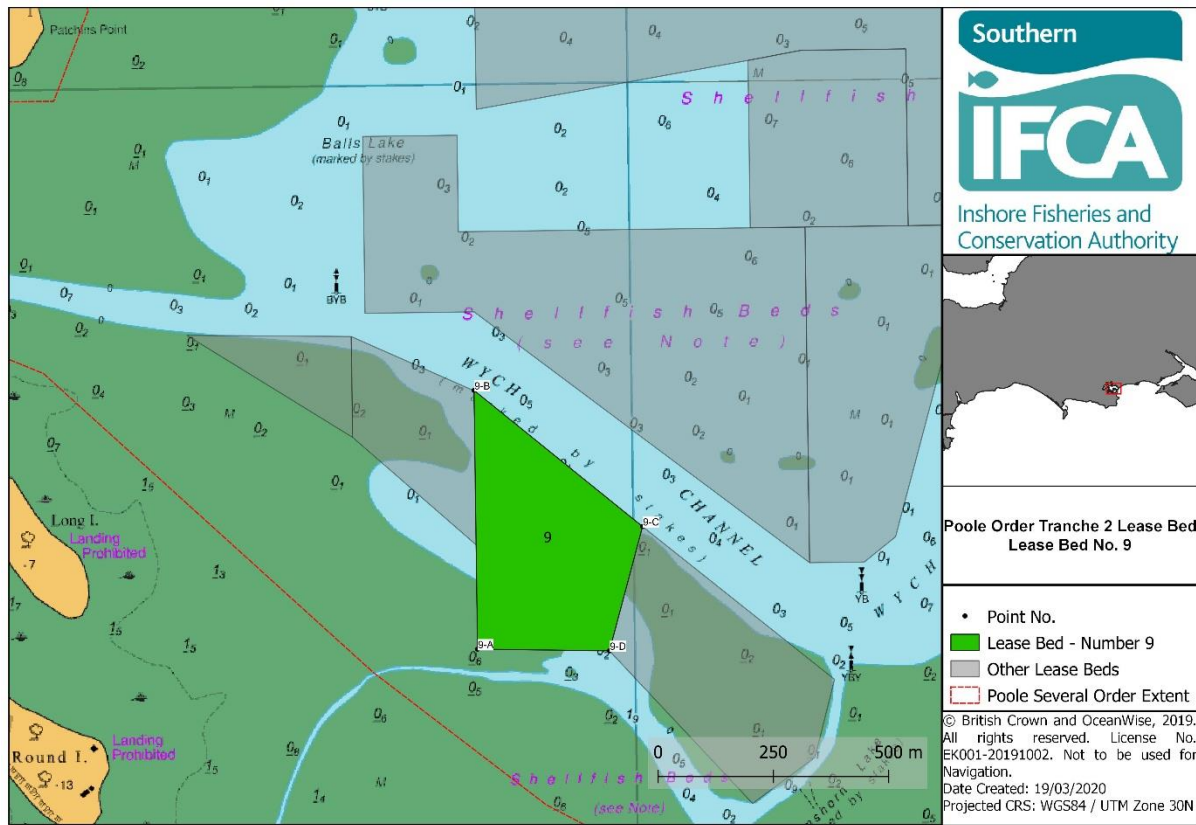




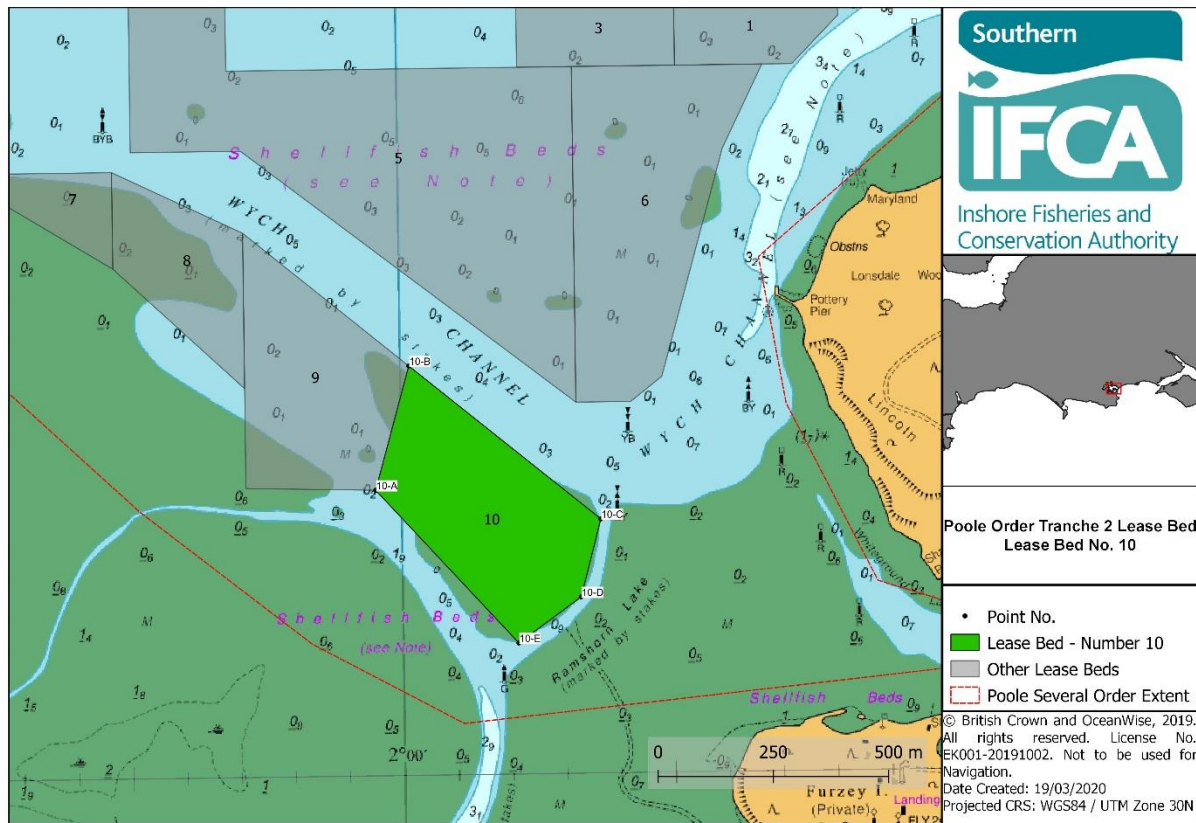
Lease Bed 7 – external coordinates		
Point No.	Longitude	Latitude
7-A	002° 00.819' W	50° 41.710' N
7-B	002° 00.516' W	50° 41.706' N
7-C	002° 00.516' W	50° 41.588' N



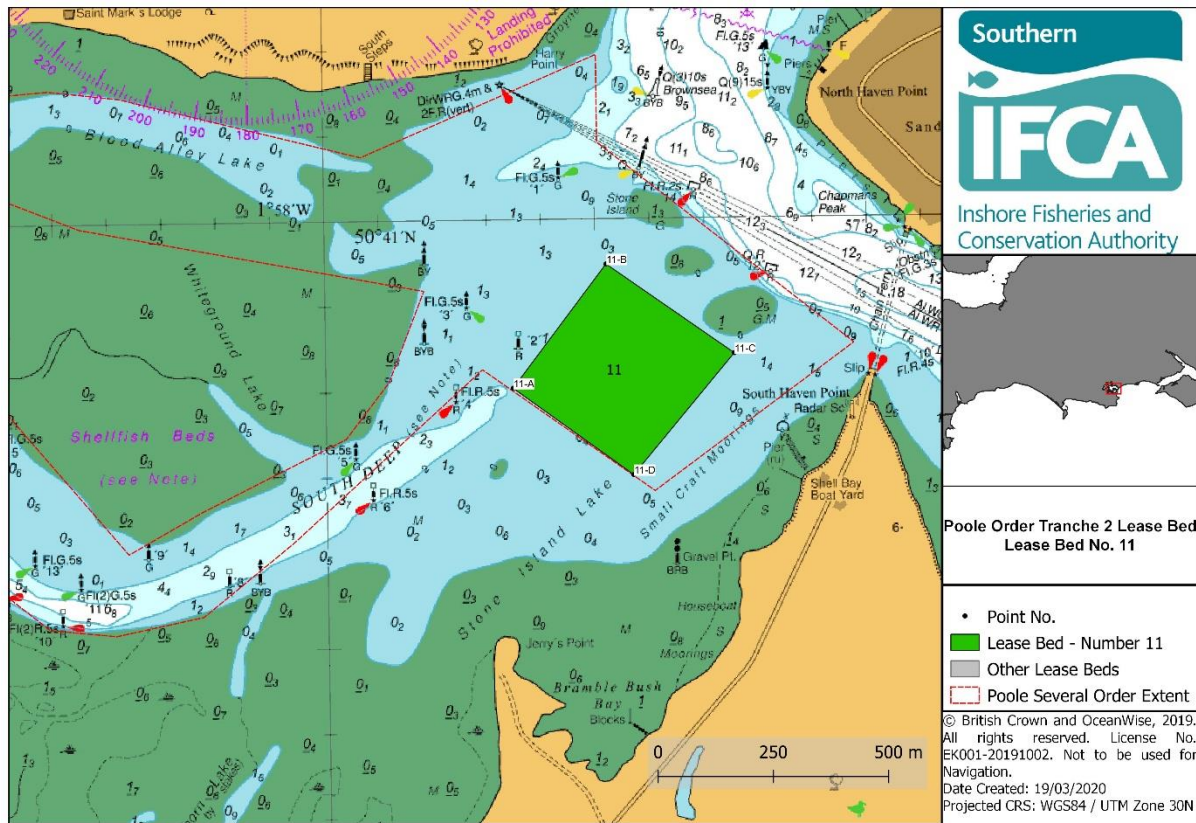
Lease Bed 8 – external coordinates		
Point No.	Longitude	Latitude
8-A	002° 00.516' W	50° 41.588' N
8-B	002° 00.516' W	50° 41.706' N
8-C	002° 00.291' W	50° 41.641' N
8-D	002° 00.291' W	50° 41.460' N



Lease Bed 9 – external coordinates		
Point No.	Longitude	Latitude
9-A	002° 00.291' W	50° 41.338' N
9-B	002° 00.291' W	50° 41.641' N
9-C	001° 59.984' W	50° 41.479' N
9-D	002° 00.048' W	50° 41.334' N

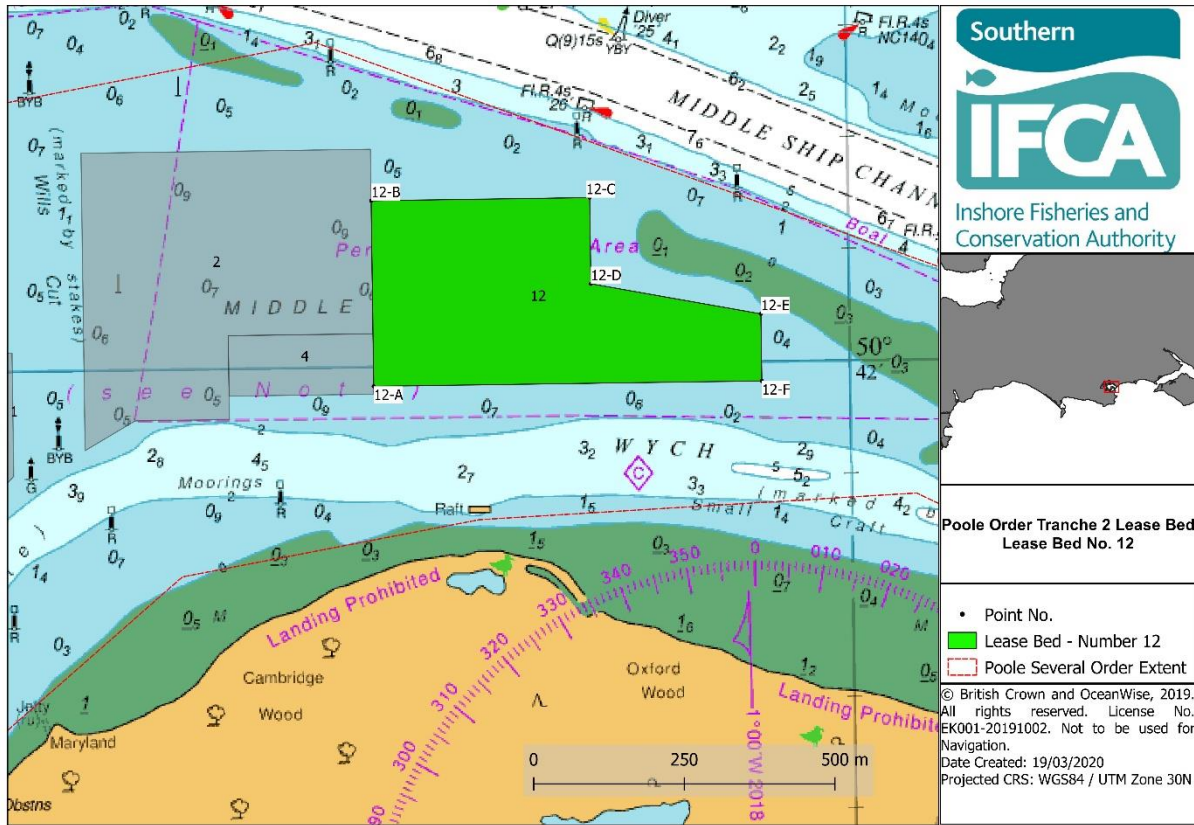


Lease Bed 10 – external coordinates		
Point No.	Longitude	Latitude
10-A	002° 00.048' W	50° 41.334' N
10-B	001° 59.984' W	50° 41.479' N
10-C	001° 59.634' W	50° 41.297' N
10-D	001° 59.672' W	50° 41.206' N
10-E	001° 59.788' W	50° 41.153' N



**Lease Bed 11 – external coordinates**

Point No.	Longitude	Latitude
11-A	001° 57.655' W	50° 40.802' N
11-B	001° 57.481' W	50° 40.946' N
11-C	001° 57.247' W	50° 40.840' N
11-D	001° 57.435' W	50° 40.699' N



**Lease Bed 12 – external coordinates**

Point No.	Longitude	Latitude
12-A	001° 58.672' W	50° 41.982' N
12-B	001° 58.672' W	50° 42.148' N
12-C	001° 58.363' W	50° 42.148' N
12-D	001° 58.363' W	50° 42.071' N
12-E	001° 58.125' W	50° 42.042' N
12-F	001° 58.125' W	50° 41.982' N