

Southern Inshore Fisheries and Conservation Authority

Pia Bateman – Chief Executive Officer



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30th May 2023

Dear Member,

MEETING OF THE AUTHORITY

A meeting of the Authority will be held at the St Alphege Building (in the King Alfred Quarter), Art Centre, Winchester University, Winchester, SO22 4NR at 14:00, to discuss the business on the under mentioned Agenda. For information on how to get to the venue please visit [The University of Winchester](https://www.winchester.ac.uk), a campus map is also available here [Campus-Map.pdf \(winchester.ac.uk\)](#).

Members of the public can request to attend the meeting through emailing enquiries@southern-ifca.gov.uk.

Yours sincerely,

Sarah Birchenough,
Deputy Chief Officer.

AGENDA

1. Election of Chairman and Vice Chairman for 2023-2024

To appoint a Chairman and Vice Chairman of the Authority.

2. Appointment of Sub Committee Membership for 2022-2023

To appoint Council Members to the Audit & Governance Sub-Committee and the Executive Sub-Committee

3. Apologies

To receive apologies for absence.

4. Declaration of Interest

All Members who believe they have a pecuniary or non-pecuniary interest in any matter to be considered at the meeting must declare their interest and consider whether to leave the meeting whilst the matter is discussed.

5. Minutes

To confirm the Minutes of the meeting held on 16th March 2022 (Marked A).

a. **Recommendations 269 & 278:** To receive a verbal update from the CEO.

b. **Recommendations 281 - 283:** To receive a verbal update from DCO Birchenough.

6. Chairman's Announcements

To receive any updates from the Chairman

7. Sub-Committees

To receive the Minutes of the following Sub-Committees and to consider the adoption of the recommendations contained therein:

a) **Executive Committee** held on 14th March 2023 (Marked B).

b) **Technical Advisory Committee** held on the 2nd February 2023 (Marked C).

8. Progress Reports

To consider the following:

- a. **Chief Executive Officer updates.** To receive a verbal report from the CEO.
- b. **Budget Control Statement.** To consider a report from the CEO (Marked D).
- c. **Marine Asset Procurement.** To consider an update from DCO Dell, (Marked E)
- d. **MSC Recertification of Poole Clam and Cockle Fishery.** To consider a report from DCO Birchenough (Marked F)

ITEMS FOR DECISION

9. Draft Statement of Accounts for Year Ended 31st March 2023.

To consider an update from the Executive Sub Committee/Accountant on the submission of the above named document for external audit (Marked G)

10. Bottom Towed Fishing Gear Byelaw

To consider the making of the above named Byelaw, following receipt of written notice of the intention to make the byelaw on the 18th May 2023. Report from DCO Birchenough (Marked H)

ITEMS FOR INFORMATION ONLY

11. Poole Harbour Oil Spill Incident

To receive the report from DCO Dell (Marked I)

12. Compliance and Enforcement Report

To receive the report from DCO Dell, to include a brief verbal update on iVMS (Marked J)

13. Research and Policy Team: Behind the Scenes

To receive a report from DCO Birchenough (Marked K)

14. Sector Group Meetings

To receive the minutes from recent meetings of The Fisherman's Council (Marked L), The Recreational Angling Sector Working Group (Marked M) and the Dorset, Hampshire and Isle of Wight Marine Conservation Group (Marked N).

15. Proposed Meeting Dates 2024

To consider a report from the CEO (Marked O)

16. Date of Next Meeting

To confirm the date of the next Authority meeting on the 21st September 2023 at the Lighthouse in Poole. Prior to the meeting (2pm), a boat trip has been arranged for Members in Poole Harbour between 10:00 and 12:00. More details will follow nearer the time.

Note: Item 17 below will involve the consideration of information which is exempt by virtue of Schedule 12A of the Local Government Act 1972 and therefore the public may be excluded during consideration of this item.

17. Poole Harbour Several Order – Request to Amend Business Plan

To consider a confidential report from IFCO Griffiths (Confidential, Marked P)

Southern Inshore Fisheries and Conservation Authority

Full Authority Meeting – 16th March 2023

A meeting of the Full Authority was held at 2pm on 16th March 2023 at the Portsmouth Guildhall, Portsmouth.

Marked A

Present

Cllr Mark Roberts	Dorset Council (Chairman)
Dr Antony Jensen	MMO Appointee (TAC Chairman)
Mr Richard Stride	MMO Appointee (TAC Vice Chairman)
Mr Neil Hornby	MMO Appointee
Dr Simon Cripps	MMO Appointee
Mr James McClelland	Natural England
Cllr Rob Hughes	Dorset County Council
Cllr Paul Fuller	Isle of Wight Council
Cllr Matthew Winnington	Portsmouth City Council
Ms Louise MacCallum	MMO Appointee
Ms Pia Bateman	Chief Executive Officer (CEO)
Mr Sam Dell	Deputy Chief Officer (DCO)
Dr Sarah Birchenough	Deputy Chief Officer (DCO)
Ms Liz Walker	Administration and Finance Manager

Co-opted Member Ms Elisabeth Bussey-Jones also attended the meeting.

The following Members attended virtually: Mr Gary Wordsworth (MMO Appointee), Mr Ted Legg (MMO Appointee), Mr Gordon Chittenden (MMO) and Cllr Debbie Curnow-Ford (Hampshire County Council).

Apologies

261. Apologies for absence were received from Ms Rachel Irish (MMO), Mr Colin Francis (MMO Appointee), Mr Steve Matthews (Co-opted Member)

Declarations of Interest

262. The following pecuniary interests were declared: Mr G Wordsworth (16).

Minutes

263. That Members considered the Minutes of the meeting held on the 6th December 2022.

Resolved

264. The Members confirmed the Minutes as being correct and signed as an accurate record.

Chairman's Announcements

265. The Chairman stated that Members had enjoyed a Christmas meal after the last Authority Meeting and that the highlight had been a presentation for the retiring accountant Mr Mike Ratsey, who had expressed his appreciation at being asked to attend the meal and his thanks to everyone at Southern IFCA for the gifts he received.

The Chairman provided an updated that he and the CEO had attended an AIFCA Meeting, as they did each quarter, and also a meeting of the Lyme Bay Conservancy Consultation Committee with the two DCOs also in attendance. This group was originally supported by the Blue Marine Foundation who funded a project officer position. Whilst this funding has now ceased, the Committee will continue and provides an excellent forum for the exchange of views between the fishing industry, regulators, SNCBs and NGOs. In addition to the Committee, a Community Interest Company (CIC) has also recently been

formed, with 48 members, and the project officer from the Committee has now been appointed as the new CEO for the CIC.

Sub Committees

266. Members received the minutes of the Executive Sub-Committee held on 6th December 2022 and the Technical Advisory Sub-Committee held on the 3rd November 2022.

Resolved

267. That Members received and agreed the minutes of the Sub-Committees.

PROGRESS REPORTS

Chief Executive Officer Updates

268. The CEO updated Members on staffing matters. Liz Walker joined in the role of Finance and Administration Manager in January 2023 bringing a wealth of experience, particularly in financial management. The CEO commented that improvements in efficiencies were already being seen in the Business Services team. The CEO also welcomed Gemma Roberts, joining the Southern IFCA in the role of Accountant. Gemma started in February 2023 and is preparing the annual statement of accounts which will be presented to the Executive Sub-Committee and the Authority at forthcoming meetings. A new Project Office, Celie Mullen, has joined the Research and Policy Team with the role focused on Fisheries Management Plans (FMPs). This role has been funded by Defra funding with £50,000 of the £150,000 promised to IFCA supporting this particular role to support the delivery of Defra workstreams. The CEO updated Members that IFCO Adam Parry had been successful in securing an internal promotion to the role of Senior IFCO, with his working focusing around marine operations he will be central in delivering and championing new ways of working and new operational procedures and practices to support the arrival of the new cabin RHIB. The CEO informed Members that IFCO Chloe Smith, who has been working remotely with Southern IFCA from Australia for the past 6 months has now left Southern IFCA to take up a position as an Australian Fisheries Officer. The CEO expressed her thanks to Chloe for all her hard work at the IFCA and that it had been brilliant to have her as part of the team for the last few years and wished her all the best in her new role, this sentiment was echoed by the Membership.

The CEO updated Members on Defra funding streams, informing them that work had been ongoing on a business plan for Defra to try and secure £250,000 to fund, in part, the purchase of the cabin RHIB. The bid related to one aspect of the wider capital investment bid for IFCA, where the AIFCA had collectively requested funding for IFCA to support ongoing delivery of statutory functions. The original profile for this funding bid was developed by AIFCA in early 2022, at which point Southern IFCA did not satisfy the funding requirements. However, in autumn 2022, following a lead from DCO Dell with Defra, a delay in the funding meant that the cabin RHIB would be eligible and, as a result, Southern IFCA were one of two IFCA able to utilise the opportunity for that funding during the current financial year. The re-structured funding profile was submitted in January 2023. The CEO explained that the aim had been to raise this with Members when the funding was in place and had been released by Defra and also in line with an update to the Southern IFCA reserve policy which would have an integrated capital replacement program. These two documents will be timetabled for future Executive Sub-Committee and Authority meetings. Southern IFCA were informed yesterday evening that the bid has been accepted and the funds will be received by the end of March. The CEO commented that this has been a brilliant team effort with thanks to the AIFCA for their support and reiterated that credit is due to DCO Dell for recognising and pursuing the funding opportunity.

The CEO also covered other aspects of Defra funding, namely the £150,000 promised to the IFCA for project support. Following the receipt of the initial £50,000 for the Project Officer FMP role, confirmation has been received that the remaining £100,000 would be received by 31st March 2023. The remaining funding is to support delivery of work on Marine Protected Areas (MPAs) and marine consents.

The CEO provided information relating to the General Membership. She stated that Dr Simon Cripps had extended his tenure to 2026 and reflected that the Authority is grateful to retain his expertise and experience. A national MMO recruitment campaign, which took place in January-February 2023, is now in the interview stages. The original advert was extended due to initial limited uptake. Feedback on this process from the MMO is expected in due course with the IFCA currently having a vacancy for another recreational sea angling sector member. Dr Cripps asked whether the MMO define the sector for a

General Member vacancy or whether suggestions for a sector to be represented i.e., related to maritime security and compliance/enforcement, could be put forward. The CEO explained that the Southern IFCA is responsible for balancing its General Membership and that this can be reviewed, in conjunction with the MMO Governance Team.

The CEO covered the Conduct and Operations Report for IFCAs, stating that this report on the conduct and operations of the IFCAs is laid before parliament every four years. The current report, covering the last four years, is currently with Defra who are working to obtain ministerial clearance for the consultation to open. The consultation and targeted surveys will be launched simultaneously and are anticipated to be open for 6 weeks. The resulting report will be laid before parliament and then published.

The CEO informed Members of the Environmental Improvement Plan. Published by the Government in January 2023, the Plan builds on the 25-year Environment Plan and is a key framework which links to the Environment Act and the Fisheries Act 2020. The plan sets out targets the aim to halt and reverse declines in nature in the UK and follows the Government commitment in 2022 to leave the environment in a better state. The Plan relates to work on MPAs, setting out interim and overall targets for MPA feature favourable condition of 48% by 2028 and 70% by 2042. This is directly related to Southern IFCA's MPA work and links to the Defra funding in this area. The Plan also looks at coastal and marine spatial prioritisation, with the program of work looking at marine plans, also linked to the Defra funding. The Plan discusses FMPs and restoration initiatives, linking to the Objectives in the Fisheries Act. Bycatch, vessel monitoring and the MMO Catch App are also covered with the Compliance and Enforcement Team working closely with the MMO, as the lead authority, in these areas. The Plan also covers marine heritage and the cultural value of UK fisheries, looking at the importance of relationships between fishers and communities. As an arm's length body to Defra Southern IFCA have a clearly defined role in the delivery of this plan.

The CEO also provided an update on FMPs, outlining that with the PO now in place routine updates on the FMP process will be provided to the TAC as a recurring agenda item. The PO has been attending engagement events in person and online in relation to the Channel Non-Quota Demersal Stocks and shellfish FMPs. Attendance by stakeholders at these events has varied. The majority of Tranche 1 (T1) FMPs submitted drafts to Defra in January 2023 and following a request from Defra via the AIFCA, IFCAs were given the opportunity to comment on these early drafts. Public consultation on T1 FMPs is expected to begin soon with the Crab & Lobster and King Scallop FMPs expected to be the first consultations with planned publication in autumn 2023. The Bass FMP is running to a slightly later timeframe with consultation anticipated in the summer and publication by the end of 2023. The Channel Non-Quota Demersal Stocks FMP is anticipated to be consulted on in May and to date there is limited information on the Southern North Sea and Eastern Channel Mixed Flatfish FMP. The CEO asked Members that, subject to their agreement and the agreement of the TAC Chairman, whether Members could consider holding a special meeting of the Technical Advisory Sub-Committee for Members to consider and discuss the Formal Consultations on T1 FMPs and thus inform a Southern IFCA response to each Formal Consultation, should the consultations fall outside of the regular meeting cycle. Members agreed that the CEO could action this.

Mr Neil Hornby asked if there were any updated on Highly Protected Marine Areas (HPMAs). The CEO commented that there are currently no HPMAs in the Southern IFCA district, and while there is potential for future sites to be considered there was no information on this at present. The CEO informed Members that any relevant updates on HPMAs would be brought to the Authority. Ms Louise MacCallum questioned the number of HPMAs currently being considered. Information was provided that there were five HPMAs initially considered but that Defra had removed two of these.

Recommendation

269. That the CEO be authorised to convene a TAC Working Group for Members to consider and discuss the Formal Consultations on T1 FMPs and thus inform a Southern IFCA response to each Formal Consultation, should the consultations fall outside of the regular TAC meeting cycle.

Resolved

270. That Members noted the verbal update.

Budget Control Statement

271. The CEO provided an overview of the draft Budget Control Statement to 31st January 2023 which show an excess in income of £209k, which is £67k better than expected at this stage of the financial year. The Chairman discussed that the main reason for this positive variance was due to a reduction in staff salary and pension contributions. The Chairman described the negative variance under Capital Equipment, which reflects FPV Endeavour entering service sooner than anticipated, with the figure related to depreciation of the asset. The Chairman described an anticipated deficit for the year due to not increasing the levy but indicated that the anticipated deficit is likely to be less than predicted. The Chairman also described that given the anticipated delivery date of the new cabin RHIB is later than originally anticipated, the attributed depreciation value may be less than is stated in the budget. The Chairman expressed that he found the new layout of the Budget Control Statement easy to understand and thanked the CEO for development in this area which was echoed by Members.

Resolved

272. That Members noted the report.

Marine Asset Procurement

273. DCO Dell provided Members with an update on the Southern IFCA MAR and its continued progression. The update related specifically to the build approval for the Cabin RHIB. The tender has been awarded to Ribcraft Ltd., who have supplied two of the current SIFCA patrol RHIBs. Dorset Council procurement services were used to ensure compliance with the Public Contracts Regulations 2015, payment for this service was £330. DCO Dell informed Members that he and IFCO Parry had attended a number of build meetings with Ribcraft to finalise the specification for the vessel. DCO Dell described the CAD drawing provided to Members and the features of the new vessel.

On 3rd March a special meeting of the Executive Sub-Committee was held to ensure ongoing compliance with financial regulations when progressing to the boat build stage. Members approved the final cost of the boat build, authorised payment of the build deposit and approved the terms and conditions of the contract of sale. Due diligence was carried out in relation to Ribcraft Ltd. prior to entering into the contract. The Chairman described that this process had included splitting the payment into more stages than initially proposed with payments dependent on the delivery of carefully described build stages with associated inspection and approval. Build is due to commence on 15th May 2023 and anticipated delivery is October 2023.

Ms L MacCallum asked DCO Dell about the environmental considerations of the boat build. DCO Dell informed Members that the vessel will be using the only commercial outboard engines currently available in the UK that filter for microplastics.

Resolved

274. That Members noted the update.

Guest Speaker – The role of the Association of IFCAs: recent progress and future work

275. Mr Robert Clark, Chief Officer of the AIFCA gave a presentation to Members on the role of the Association of IFCAs (AIFCA) focusing on recent progress and future work. The Chairman outlined that each of the IFCAs provides a subscription to support the AIFCA, in the current financial year the Southern IFCA contributed 13k to support the AIFCA's operational delivery in addition to 4.6k to support a national training model. For the forthcoming financial year, the subscription has been increased by 4.5% to £13,585.

Mr Clark outlined the role of the AIFCA to support IFCAs through promoting and facilitating local decision making. Mr Clark informed Members about the priorities of the AIFCA, operating arrangements and governance, how the AIFCA represents the IFCAs, outcome of the Spending Review (SR21 Program), products and processes associated with the AIFCA and a forward look at upcoming workstreams.

The Chairman asked Mr Clark what guarantee he could provide that the remaining Defra funding for the Southern IFCA, of which £50,000 has been received and £100,000 is outstanding, would be received. Mr Clark responded that the funding had been budgeted for in the coming financial year and profiled for the IFCAs but that the budget for the subsequent year, which may fall under a new Government, is not

yet committed and agreed therefore there is an indicative budget only for subsequent years. Mr Clark stated that the IFCA needed to demonstrate that the additional funding had conferred additional value so that a case can be made to Defra for funding in future years.

Dr S Cripps asked for clarity on the governance of the AIFCA. Mr Clark outlined that as Committees of local Government, IFCA cannot be directed by Defra, Defra set policy and IFCA, as independent bodies, identify priorities and comply with legal obligations. The AIFCA advocated that it should not be funded by Defra so as to remain responsible to the IFCA in its work.

Cllr Hughes asked about the National Training Model and how the Southern IFCA payment has been used in the 2022/23 financial year. Mr Clark informed Members that the post had previously been managed by Kent and Essex IFCA but has now moved to the AIFCA and previous grant money has finished. He outlined that training had been delivered in different forms, virtual and in person, during the year with funds paying for trainers and accommodation for in person courses. Mr Clark indicated that currently there is not a National Lead Training Officer post.

Mr R Stride raised that IFCA are being asked more to deliver national objectives which he felt effects the ability of the IFCA to react to local management needs. Mr Clark discussed changes in the marine system since the introduction of IFCA and that IFCA now need to be more integrated into the national picture whilst maintaining our own local priorities.

Mr Clark also discussed top down and bottom-up approaches to management in response to comments from Members. The level of engagement across all the IFCA was also raised and opportunities for increased engagement between elected Members of different IFCA. Mr Clark agreed that cross-IFCA engagement for Members should be encouraged recognising different approaches but the opportunity to learn from best practice.

Cllr Hughes queried how a potential change of Government following the next General Election may affect IFCA. Mr Clark informed Members that the IFCA model was developed with cross-party support and that the work of the IFCA had been able to be communicated quickly and easily with changes in Ministers.

Resolved

276. That Members received the presentation.

ITEMS FOR DECISION

Annual Strategy 2023-2024

277. The CEO outlined that under the Marine and Coastal Access Act the Southern IFCA are required to submit to Defra, on an annual basis, an Annual Plan to set out the main objectives and priorities for the year ahead. The CEO presented the Annual Plan for 2023-2024 providing Members with an overview of the contents of the Plan and explained that the Southern IFCA Core Principles had been introduced for the coming year to demonstrate Southern IFCA's commitment to ensuring that contextual components of the Plan can be embedded into the delivery of Southern IFCA's work at all stages and that there can be a collective delivery of the Government vision.

The CEO outlined Horizon Goals for each team which have been translated into clear outcomes and focused delivery priorities in each of the team plans. The Annual Plan and team plans for the Compliance & Enforcement team and the Research & Policy team will be sent to Defra. Evidencing the delivery of the eight Fisheries Objectives has also been incorporated into the Plan, illustrating links to the Fisheries Act 2020. The CEO also outlined that the Plan shows how work will also be aligned with the Government's Environmental Improvement Plan, linked to the Environment Act 2021 and the Environmental Targets MPA Regulations 2023. The Plan also identifies where Southern IFCA's commitment to the Government's Net Zero strategy features in forthcoming work. The CEO outlined that a golden thread runs through the Annual Plan and team plans using infographics to provide a link that runs through all workstreams.

The CEO outlined that the Plan enabled Southern IFCA to have a strategic direction which will enable greater transparency with the local community, stakeholders and delivery partners through anticipation of shared goals and objectives and will also encourage joint working with partners. The Plan will also

provide a strategic overview for the Southern IFCA team so they can understand where their day to day roles fit in with the wider picture. The CEO informed Members that there is a need to be proactive through a considered overview of plans for the future but it is recognised that there will also be a need to be reactive to any emerging work.

The CEO provided an update on the Southern IFCA 5-year legislative forecast (2019-2024). There is an intention at this time next year, along with the Annual Plan for the coming year (2024-2025) to consider a longer-term plan which will consider all three areas of the business.

The Chairman thanked the CEO for a clear and easily accessible Annual Plan which was echoed by Members.

Dr S Cripps queried the origin of the IFCA High Level Objectives which were discussed by Members. An explanation was provided that the IFCA High Level Objectives and associated Success Criteria were developed by Defra at the time the IFCAs were set up.

The recommendation was agreed by a unanimous vote in favour.

Recommendation

278. That the CEO explore the potential for an update to the High Level Objectives, with the suggestion that an environmental and fisheries restoration objective could be added to the HLOs in line with provisions in the MaCAA.

Resolved

279. (a) That Members consider the draft Annual Strategic Plan for the forthcoming year April 2023-March 2024.

279. (b) That Members approve the Annual Strategic Plan for dissemination to the Secretary of State and publication on the Southern IFCA's website prior to 31st March 2023.

Research and Policy Team Plan 2023-2024

280. DCO Birchenough presented the Research and Policy Team Plan for 2023-2024 to Members. The aim of the RPT Plan is to build on the Southern IFCA's Annual Plan, translating the Horizon Goals from that Annual Plan into clear, outcome focused Delivery Priorities with transparency in delivery timelines. The Horizon Goals and associated Delivery Priorities developed through the RPT Plan demonstrate where Southern IFCA consider their work for the forthcoming year aligns with IFCA Success Criteria, Fisheries Objectives, the Environment Improvement Plan 2023, Defra's delivery of the Fisheries Act 2020 and the UK Net Zero Strategy.

DCO Birchenough outlined that the aim of the RPT was to facilitate the delivery of the Authority's legislative duties and in doing so, seek to improve the sustainability of marine fisheries and the environment whilst supporting local communities that are reliant on these resources. DCO Birchenough outlined the five functions of the RPT and that the schematic from the Annual Plan had been used to show the relationship between the Annual Plan and the RPT Plan.

DCO Birchenough provided detail on each of the Horizon Goals; MPA Management Review, MCRS Review, Supporting Defra's Delivery of Fisheries Act Objectives as well as the RPT programs for monitoring inshore fisheries and for projects and emerging work. DCO Birchenough explained that under the MPA Management Review Horizon Goal, there was a need to identify priority workstreams; the bottom towed fishing gear review, the shore gathering review and the black bream review, and to adopt a phased approach to the delivery of these first two reviews in order to meet the Government target under the Environmental Improvement Plan 2023 of having management measures in place for all MPAs by 2024. DCO Birchenough provided detail on this phased approach as outlined in the RPT Plan and indicated that the intention is to commence Phase 2 after the completion of Phase 1 for each relevant workstream.

Ms L MacCallum asked a question around timelines for Phase 2 of the bottom towed fishing gear review and expressed concern that timelines for the consideration of a byelaw following development by the IFCA may result in sensitive habitats outside MPAs being unprotected. DCO Birchenough confirmed that Phase 1 of the bottom towed fishing gear byelaw was in line with proposed timelines and on that

basis was confident that Phase 2 could commence as intended in the RPT Plan. DCO Birchenough outlined that at the commencement of Phase 2, discussions would be held with Members to help frame the review under this Phase which would enable timelines for Phase 2 to be developed. The CEO stated that if the reviews were not phased then the likelihood is that management would not be in place for MPAs or the wider environment until after 2024. Taking a district wide approach under previous reviews with multiple consultations in site specific areas has shown that this process can take an extended period of time, a process which will be streamlined by taking the phased approach.

Mr R Stride asked for clarity on the use of the term Essential Fish Habitat (EFH) and whether its use in the RPT Plan could be linked to the relevant work streams i.e., Net Fishing Byelaw for context. Dr A Jensen raised a point on behalf of co-opted Member Steve Matthews in relation to EFH, Mr Matthews raised that the term EFH should be discussed by the Members in terms of how it is used and potential impacts on the inshore fishing industry. DCO Birchenough confirmed that the use of the term EFH in the context of juvenile fish surveys in the RPT Plan was linked to the Southern IFCA Net Fishing Byelaw and took an action to make this link in the RPT Plan. DCO Birchenough outlined that the term EFH used in relation to the Angling for Sustainability Project, it is taken from text provide directly provided by the project lead and took an action to provide a contextual footnote to this effect. DCO Birchenough also explained that the term EFH is used more widely, outside of Southern IFCA, for example in marine planning. It was outlined that any future use of the term EFH by Southern IFCA would be considered by the Membership in relation to specific workstreams.

Dr A Jensen raised a point on behalf of co-opted Member Steve Matthews regarding expansion of the Southern IFCA Solent Oyster Survey and whether pests/predators could be monitored in future surveys. DCO Birchenough explained that the Southern IFCA Solent Oyster Survey would be carried out every other year going forward with the next survey in 2024. The survey in 2024 will have clear drivers which relate to the management of the Solent Dredge Permit Fishery and at the time of planning the 2024 survey, the extent of that survey work will be explored in line with those drivers and in consideration of other data sources that may be available. Ms L MacCallum outlined that Blue Marine, as part of their current and ongoing oyster restoration work, undertake monitoring at their restoration sites for all biodiversity twice a year which included making a record of species which are potential oyster predators and that this data could be shared with the Authority.

The recommendation was agreed through a vote, 9 Members voted for, with Ms L MacCallum abstaining.

Recommendation

281. That DCO Birchenough include a footnote for the use of EFH under juvenile fish surveys in the RPT Plan to align with the use of the term in the Net Fishing Byelaw.

282. That DCO Birchenough include a footnote for the use of EFH in relation to the Angling for Sustainability Project to indicate the text has been provided by the project lead.

283. DCO Birchenough will respond directly to Mr Steve Matthews on the points raised.

Resolved

284. That Members approve the Research and Policy Team Plan for April 2023 to March 2024.

Compliance and Enforcement Team Strategy 2023-24

285. DCO Dell presented the Members with the Compliance and Enforcement Team Strategy 2023-24. DCO Dell outlined key sections relating to implementation of the new Cabin RHIB patrol vessel, which will be integral in improving Southern IFCA's operational delivery and will facilitate new ways of working to aid in the implementation of new district byelaws. DCO Dell also outlined that there is an intention to reduce the number of Authority vehicles to reduce vehicle emissions in line with Southern IFCA's commitment to the Government's UK Net Zero policy.

DCO Dell informed Members how the C&E Team would be working to deliver against IFCA Success Criteria by implementing a fair, effective and proportionate enforcement regime. DCO Dell stated that there is an emphasis on the importance of community and stakeholder engagement and the link there

to maximising voluntary compliance. DCO Dell also outlined partnership working aims, with delivery aligned to what is described in the Joint Fisheries Statement in relation to compliance and enforcement.

Dr S Cripps queried whether harbour authorities could be listed as a partner organisation in the Plan. DCO Dell commented that the partnership working with harbour authorities tends to centre around matters relating to harbour security but that they could be included in the list of partner organisations.

Dr S Cripps also raised a point around the value of remote surveillance and that this type of technology is not used in the UK to as great a degree as in other countries. DCO Dell commented that Southern IFCA had been involved in a previous project run by Ocean Mind using remote surveillance but that the wider use of this technology needed to be led by the UK Government but that Southern IFCA would be open to using this type of technology in the future should developments be made in this area at a national level.

Mr R Stride asked about the benefit from partnership working with the MCA. DCO Dell responded that the MaCAA created a statutory obligation for the IFCA to work with other government departments. DCO Dell commented that he understood the different relationships other government departments had with the fishing industry and that any sensitivities in this area were considered in operational planning. DCO Dell outlined that officer safety benefits had been realised through working with the MCA in relation to potentially unsafe fishing vessels and that partnership working in relation to shore gathering had helped to uncover offences for those partner agencies.

Mr R Stride asked whether monitoring and reporting could be implemented for codes of practice for which there is currently no reporting on success for example the code of practice for cuttlefish fishing. DCO Dell outlined that any non-compliance with codes of practice is reported through the intelligence system.

The recommendation was agreed by a unanimous vote in favour.

Resolved

286. That Members approve the Compliance & Enforcement Team Strategy for April 2023 to March 2024.

Compliance and Enforcement Framework

287. DCO Dell outlined updates to the Compliance and Enforcement Framework. The Framework established how the Southern IFCA will achieve a fair, effective and proportionate enforcement regime. DCO Dell informed Members that the fines related to a byelaw offence had increased from a maximum of £50,000 to unlimited with the MaCAA amended by the Legal Aid Sentencing and Punishment of offenders Act 2012.

DCO Dell explained that the intention in updating the Framework had been to provide future proofing and has been developed with full consideration of the Defra guidance to IFCA's on the establishment of a common enforcement framework.

The recommendation was agreed by a unanimous vote in favour.

Resolved

288. That Members agree the updated Compliance and Enforcement Framework.

ITEMS FOR INFORMATION ONLY

Compliance and Enforcement Report

289. DCO Dell reported to Members on the compliance and enforcement activities for the quarter, describing the statistical nature of the first part of the report referring to numbers of inspections, patrols, intelligence reports and offences detected before drawing members attention to section 4 of the report where he described the summary of key enforcement operations and activities for the last quarter.

Behind the Scenes with the Fisheries Management and Policy Team

290. DCO Birchenough provided Members with an update on some of the work that the Fisheries Management and Policy Team have been delivering behind the scenes through a series of reports.

Sector Group Meetings

291. DCO Birchenough provided Members with the minutes of sector meetings to include the Recreational Angling Sector Group (RSAG) and the Dorset, Hampshire and Isle of Wight Marine Conservation Group.

Date of Next Meeting

292. The next Authority Meeting will be held on the 8th June 2023 at 2pm at Winchester University.

Exclusion of the Public

293. In accordance with the Local Government Act (1972), Members of the public accessing the meeting left the meeting on the grounds that the following item of business involves the likely disclosure of exempt information as defined in Para 7 part 1 of the Schedule 12(A) of the Local Government Act (1972). There was one member of the public present in person at the meeting. In addition, Mr Wordsworth left the meeting due to a pecuniary prejudicial interest in the agenda item.

Poole Harbour Several Order – Request to Amend Business Plan

294. DCO Dell asked Members to consider a confidential report giving details of a proposed change to the Business Plan for Lease Beds 6, 7, 8 & 10, which the Southern IFCA manage under The Poole Harbour Fishery Order 2015. The proposed changes have been reviewed and the proposed changes to the Business Plan are in line with the current Appropriate Assessment for the issuing of leases under The Order. All Members gave mutual consent.

Resolved

295. That Members approve the proposed changes to the Business Plan 2020-25 for lease beds 6, 7, 8 & 10.

Meeting concluded at 17:15.

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EXECUTIVE SUB-COMMITTEE

A meeting of the Executive Sub-Committee (ESC) was held at **14:00 on 14th March 2023** via video conferencing.

Present

Cllr Mark Roberts	Dorset Council (Chairman)
Cllr Alexis McEvoy	Hampshire County Council (Vice Chairman)
Mr Richard Stride	MMO Appointee
Cllr Rob Hughes	Dorset Council
Cllr Paul Fuller	Isle of Wight Council
Ms Pia Bateman	Chief Executive Officer (CEO)

Deputy Chief Officer (DCO) Mr Sam Dell, DCO Ms Sarah Birchenough and Finance and Administration Manager (FAM) Ms Liz Walkers were also present.

287. Apologies

Apologies were received from Cllr Debbie Curnow-Ford (Hampshire County Council) and Dr Antony Jensen (MMO Appointee).

288. Declarations of Interest

There were no pecuniary or non-pecuniary interests declared.

289. Minutes

The minutes from the previous meeting held on 6th December 2022 and the Special Meeting held on the 3rd March 2023 were considered by Members.

Resolved

290. The minutes from the previous meetings were agreed by Members.

291. Chairman's Announcements

The Chairman provided a brief overview of his involvement with the pending procurement of the Cabin RHIB, discussing the outcomes of the Special Meeting of the ESC on the 3rd March 2022. The Chairman congratulated the Members of the ESC and Officers in progressing the procurement to its final stages, noting the importance of the extensive work which had been undertaken by the CEO, DCO Dell and IFCO Parry, to ensure the due diligence had been followed prior to contractual agreements being finalised. The Chairman welcomed DCO Dell's pending update on the Marine Asset Procurement in a subsequent agenda item.

Progress Reports

292. Chief Executive Officer Updates

The CEO provided an update on staffing, welcoming Liz Walker to the post of Finance and Administration Manger, Gemma Roberts to the post of Accountant, and Celie Mullen to the Research and Policy Team. In addition, the CEO congratulated Adam Parry on his recent promotion to Senior IFCO, Marine Operations.

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The CEO discussed a Business Case that Southern had recently submitted to DEFRA with the hope to secure 250k of funding to support the purchase of the Southern IFCA Cabin RHIB. The CEO explained that the Business Case was directly related to, and forms one aspect of the wider 'Capital Investment Bid for the IFCA's', with Southern, as one of the ten IFCAs, who have collectively (via the AIFCA) requested funding to support the ongoing delivery of their statutory functions. The AIFCA profiled this funding in early 2022, at this stage Southern IFCA didn't satisfy the requirements of the funding. Following work undertaken by DCO Dell in Autumn 2022, as a result of the delay in DEFRA funding allocation, Southern became one of two IFCAs who were now eligible and able to make use of the funding opportunity in the current financial year.

The CEO confirmed that DEFRA were in the process of releasing the remaining 100k of funding to Southern IFCA to help resource Southern IFCA to assist DEFRA with delivery of their functions under the Fisheries Act 2020.

The CEO updated Members on the welcomed extension of Dr S Cripps tenure as a General Member to 2026, as well as providing a brief update on the MMO National Recruitment Campaign, where Southern IFCA are seeking an additional Recreational Sea Angling representative to fill a vacant position on the Authority.

Resolved

293. That Member's noted the verbal update.

294. Marine Asset Procurement

Following on from the Chairman's Announcement, DCO Dell informed Members that the boat build is due to commence on the 15th May 2023, as agreed in the Terms and Conditions, with anticipated delivery of the vessel in October 2023.

Resolved

295. That Member's noted the verbal update.

296. Budget Control Statement

The FAM provided an overview of the Budget Control Statement to 31st January 2023 which showed an excess in income of £209k, which is £67k better than expected at this stage of the financial year. The FAM explained that the main reason for this positive variance was due to a reduction in staff salary and pension contributions, reflecting in-year staff changes. The FAM also described the negative variance seen under Capital Equipment, reflecting Fisheries Protection Vessel Endeavour entering service sooner than anticipated, with the figure related to depreciation of the asset.

The FAM highlighted a new negative variance captured under the 'Fisheries Protection Vessel Endeavour Maintenance' header, explaining that this was a result of historic mis-coding across the three Fisheries Protection Vessel (FPV) maintenance budget headers. The FAM noted that there had been an underspend across the other two FPV maintenance budgets, concluding that the negative variance depicted was therefore not of concern to the overall health of the finances.

Resolved

297. That Member's noted the update.

298. Accident, Incident and Near Miss Report

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DCO Dell informed the Members that there had been one accident in the previous reporting period.

Resolved

299. That Member's noted the update.

300. Risk Management Report (Marked Confidential)

The CEO discussed the strategic risks to the Authority via a six monthly update to the Risk Management Register. This item and associated discussions have been marked as confidential in accordance with the core principles of good governance.

Resolved

301. That Member's noted the update.

302. Date of Next Meeting

Members considered the date of the next Executive Sub-Committee, timetabled for the 6th June 2023.

Resolved

303. The date of the next virtual meeting of the Executive Sub-Committee is confirmed as the 6th June 2023.

The meeting closed at 16:30.

SOUTHERN INSHORE FISHERIES AND CONSERVATION AUTHORITY TECHNICAL ADVISORY COMMITTEE – 2nd FEBRUARY 2023

Minutes of the Technical Advisory Committee held in the meeting room at the Southern IFCA office in Poole at **14:00 on 2nd February 2023**

Present

Dr Antony Jensen	(Chairman, MMO Appointee)
Mr Richard Stride	(Vice Chairman, MMO Appointee)
Ms Louise MacCallum	(MMO Appointee)
Mr Gavin Black	(Natural England)
Mr Phil Rudd	(Environment Agency)
Mr Neil Hornby	(MMO Appointee)
Mr Colin Francis	(MMO Appointee)
Ms Rachel Irish	(MMO Appointee)
 Ms Pia Bateman	 Chief Executive Officer (CEO)

Deputy Chief Officer (DCO) Ms Sarah Birchenough, Finance and Administration Manager (FAM) Ms Liz Walker, and IFCO Ms Emily Condie were also present. Mr Gordon Chittenden (Senior Marine Officer, MMO) and Co-opted Members Mr Steve Matthews and Ms Elisabeth Bussey-Jones were also in attendance.

Mr Gary Wordsworth (MMO Appointee), Mr Ted Legg (MMO Appointee) and Mr Lewis Tattersall (Seafish) attended the meeting virtually.

Dr A Jensen opened the meeting by welcoming Ms L Walker, Mr C Francis and Mr G Chittenden to the meeting and invited all attendees to introduce themselves.

Apologies

164. Apologies for absence were received from Dr Simon Cripps (MMO Appointee).

Declarations of interest

165. The following pecuniary interests were declared: Mr G Wordsworth (5). The following non-pecuniary interests were declared: Mr P Rudd (6 and 10), Mr N Hornby (9), Ms L MacCallum (6).

Minutes

166. Members considered the Minutes of the meeting held on 3rd November 2022 and these were confirmed and signed. It was confirmed that Recommendation 159 was completed.

Guest Speaker: Seafish Fisheries Management Plan

167. Members received a virtual presentation from Mr L Tattersall of Seafish, on the Crab, Lobster and Whelk Fisheries Management Plans (FMPs) for England. A copy of the presentation will be circulated to Members.

Dr A Jensen thanked Mr L Tattersall for an interesting and informative presentation and invited any questions.

Dr A Jensen commented on the patchwork of different FMPs across the home nations. Mr L Tattersall confirmed that Seafish were discussing this FMP with the different administrations to align them where possible.

Ms L MacCallum queried the level of confidence that this FMP will be signed off by August 2023. Mr L Tattersall confirmed that, ultimately, this will rest with Defra. Seafish will complete their work

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with the stakeholders and are working closely with the Fisheries Team in Defra. Currently, all teams are working to this deadline.

PROGRESS REPORTS

168. Chief Executive Officer Updates

The CEO announced that following receipt of £50k of the Defra funding, (intended for each IFCA to support Defra with its delivery of the Fisheries Act), a Project Officer has been recruited specifically for FMPs. The CEO confirmed that the remaining £100k of this funding is outstanding but, once received, additional Project Officer roles will be considered for recruitment.

The CEO updated Members that the MMO's current General Member recruitment campaign has been extended until the end of February. The CEO explained that following the successful appointment of Mr C Francis, it is hoped this campaign will provide the opportunity to fill the other RSA vacant position, as well as retain successful candidates on a merit list to ensure balance on the Board can be maintained.

The CEO provided an update on the IFCA Conduct and Operations Report 2018-2022. The CEO explained that Defra has yet to send the submission to the Secretary of State to agree the public consultation and content of the Expert Surveys, to include Members consultations. Taking into account of the aim for these surveys to be live by end of February, with a 6-8 week consultation period, the CEO suggested the final report could be delayed until late July/early August.

Whilst an update on the current position will feature under agenda item 4b, the CEO felt it was important Members are aware that the Net Fishing Byelaw continues to attract attention. The CEO explained that as well as DCO Birchenough working hard to respond to an extensive Freedom of Information (FOI) request on the subject, the CEO has recently been invited by The Fishing News to provide comment. The CEO committed to send a copy of the article to the full Membership for reference in due course.

The CEO discussed the ongoing formal consultations at the MMO; a call for evidence on a proposal to introduce a seasonal closure in ICES area 7d and Lyme Bay area of 7e to the king scallop dredge fishery closing on 19 March; and a formal consultation on the Marine Protected Areas Bottom Towed Fishing Gear Byelaw 2023, which prohibits the use of bottom towed fishing gear within specified areas of 13 offshore MPAs in order to conserve rock and reef habitats, closing on 28 March.

The CEO explained that in parallel with the latter, the MMO has launched a call for evidence on the impacts of remaining fishing gear interactions (anchored nets and lines and traps) on seabed features in offshore MPAs in England. The MMO are seeking views and further evidence regarding three gear-groups has been developed in specific documents to establish the evidence base relating to the impacts of different fishing gears on benthic designated features of MPAs.

Dr A Jensen commented that scientific information from University of Southampton is available for the Solent scallops, which would be of use to the consultation.

The CEO updated Members that the Crustacean Mortality Report regarding the unusual crustacean mortality in North-East England in 2021 and 2020, is now available online. The CEO explained that the independent expert panel had ruled out chemical poisoning and algae as the cause but suggested a new disease.

The CEO announced that the long-awaited Environmental Improvement Plan (EIP) has been published, which builds on the 25-Year Environment Plan and key legislative frameworks, including the Environment Act 2021 and the Fisheries Act 2020. The CEO explained that the EIP aims to create a "comprehensive delivery plan" to halt and reverse the decline in nature in the UK following the Government's commitment in December 2022 to leave the environment in a better

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state for future generations. The CEO went on to discuss some of the headlines of the EIP itself where of direct relevance to the work of the Southern IFCA, wider IFCA's and the AIFCA.

Resolved

169. That Members note the updates.

170. Deputy Chief Executive Officer Updates

DCO Birchenough updated Members that three rounds of quality assurance have been completed following submission of the Net Fishing Byelaw to the MMO in March 2022, as well as one round following the submission of the Pot Fishing Byelaw in October 2023. DCO Birchenough confirmed that no fundamental issues with the Byelaws or associated Impact Assessments have been identified to date and that, pending the MMO passing them to the Secretary of State, officers are doing as much as possible to prepare for their implementation.

DCO Birchenough discussed work in progress on the actions recommended by the Technical Advisory Committee in November 2022, and agreed at the meeting of the Authority in December 2022, to progress the Shore Gathering (SG) Review to Stage 2 of the Byelaw Making Process.

Following the informal consultation in 2022, DCO Birchenough explained that the proposed closed areas under the review of bottom towed fishing gear management are being reviewed by officers and a working group will be established late February/early March to make recommendations. DCO Birchenough confirmed that the aim is to complete the byelaw making process by Autumn 2023.

DCO Birchenough discussed the need to consider how the delivery of the various local and national workstreams align, which may require the development of priority actions to facilitate the allocation of resources. DCO Birchenough explained that the proposals will be outlined in the annual strategy for the Fisheries Management and Policy Team for the Authority to consider at their next meeting in March.

Resolved

171. That Members note the update.

ITEMS FOR DECISION

172. Poole Harbour Dredge Permit Byelaw Appropriate Assessment

DCO Birchenough provided Members with an overview of the report. Ms Elisabeth Bussey-Jones asked for clarification on the Natural England's concern outlined in paragraph 1.8 of the report. Mr G Black clarified that the concern relates to there being no new evidence available on long-term impacts on the sediment environment from pump-scoop dredging since a PhD study in 2017. The CEO confirmed that, in accordance with Defra advice, the HRA has been drafted on the best available evidence provided by Natural England (in this instance), and that it is Southern IFCA's role to manage the PHDP Fishery based on the best available evidence available.

The recommendations put forward were agreed by all Members.

Resolved

173. a) That, based on the evidence provided in the Habitats Regulations Assessment, Members agree the issuing of 45 permits for the 2023-24 dredge season under the Poole Harbour Dredge Permit Byelaw.

b) That Members authorise Officers to make any amendments to the HRA as required following feedback from Natural England.

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174. HRA – Studland to Portland SAC - Wrasse Fishery

DCO Birchenough provided Members with an overview of the report written by Project Officer Smith. Following a number of questions around process from members, DCO Birchenough explained the course of action outlined in the Monitoring and Control Plan, which requires a review of the HRA once a trigger point has been breached.

The HRA was reviewed as per this process and concluded no adverse effect on the Studland to Portland SAC from the wrasse fishery based on best available evidence. DCO Birchenough discussed the existing voluntary code of conduct in this fishery, which includes voluntary adherence to a MCRS, catch reporting via catch returns and receipt of data from buyers. Additionally, the Compliance and Enforcement team report excellent levels of compliance with the voluntary code, providing a good demonstration of where fishers are invested in the health of the fishery.

From this outcome, it was proposed that the wrasse fishery continue to be monitored in accordance with the Monitoring and Control Plan for the forthcoming season. DCO Birchenough discussed the commitment under the Monitoring and Control Plan to maintain annual reviews of this fishery and highlighted that a national Wrasse FMP would soon be developed, which would help to inform future reviews, as well as provide robust evidence of stock status. It was also recognised that, during the coming year there may be further evidence available to help support management decisions for this fishery in the form of a PhD study due for completion and that the IFCA would keep up to date with any developments in the best available evidence base and how this feeds into the FMP process.

Ms L MacCallum and Mr R Stride discussed the merits of a wrasse stock assessment to aid understanding of the impact of this fishery on wrasse stocks.

Mr R Stride highlighted that fishers had stopped fishing when they had been advised that the trigger point had been breached.

Dr A Jensen suggested that Southern IFCA meet with the buyers and fishers to express disappointment about the situation prior to the 2023 fishing season and to encourage their commitment to the voluntary code, ensuring that the catch limit is not exceeded during the next season. Dr A Jensen added that the experiences of management of this fishery within the Southern IFCA District should feature in the wrasse FMP process. Both Dr A Jensen and Ms L MacCallum offered to represent the Technical Advisory Committee at a meeting.

The recommendations put forward were agreed by all Members, with the exception of Ms L MacCallum who abstained from the vote.

Recommendation

175. That Dr A Jensen and Ms L MacCallum represent the Technical Advisory Committee at a meeting with wrasse buyers and fishers, prior to the 2023/2024 season.

Resolved

176. a) That Members consider the updated Studland to Portland SAC Wrasse Fishery Habitats Regulations Assessment (HRA), which concludes no adverse effect.

b) That the wrasse fishery continues to be managed in accordance with the Studland to Portland Special Area of Conservation (SAC) – Monitoring & Control Plan for the forthcoming 2023 season.

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ITEMS FOR INFORMATION

177. Coastal Futures

Mr N Hornby provided a background on the conference, adding that the audience generally comprises representation from across sectors of conservation, government agencies and some developers, but very few from the fishing industry.

Mr N Hornby discussed that the sessions were England-focussed and included climate, blue carbon, Fisheries Management Plans and Marine Protected Areas (MPAs). Mr N Hornby added that IFCAAs were well discussed with representation by the Association of IFCAAs.

Mr N Hornby concluded that the overall message was that the ambition is good, but that delivery is lacking, adding that the complex and competing demands were recognised with a general feeling of optimism.

Mr N Hornby confirmed that the conference was recorded and can be found online.

Resolved

178. That Members note the update.

179. Fisheries Industry Science Partnership Projects

DCO Birchenough provided Members with an overview of the report. The Angling for Sustainability Project has been successful in receiving FISP funding and is active from 1st January 2023 for a period of two years. There are two other FISP bids which the Southern IFCA is involved with, the project leads are awaiting an indication of whether those bids have been successful at this time.

Members raised a concern regarding the Angling for Sustainability Project that data collected on the location and movements of black bream could result in fishing becoming more targeted, impacting the stocks. DCO Birchenough explained that a similar concern had been raised by the RSA sector in relation to this project and that a representative from the project lead, Plymouth University, would be invited to a future meeting of the Southern IFCA Recreational Angling Sector Group to discuss the project and answer any concerns regarding the data.

Resolved

180. That Members note the report.

181. Live Wrasse Fishing Monitoring and Control Report 2022

DCO Birchenough introduced the agenda item clarifying that it was separate to agenda item 6, in that the data was collected on an annual basis and is intended to provide an overview of trends.

IFCO Condie provided Members with an overview of the report. Mr N Hornby asked if enough is understood about the life cycle of wrasse and what could be early indicators of detriment to the population. DCO Birchenough commented this is a lagging indicator and not in the scope of this report.

Mr G Black commented that Natural England has good relationships with universities and asked if the gaps in information identified by the TAC could be submitted as topic suggestions for MSC programmes. The CEO confirmed that Southern IFCA normally submit three to four projects per year to local universities, with recent years seeing a limited uptake of submissions.

Mr C Francis asked if the wrasse fishery was complying with minimum and maximum sizes. DCO Birchenough confirmed this was the case. Mr C Francis added that catch of wrasse over 5lbs was very limited.

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Resolved

177. That Members note the report

Date and time of Next Meeting

178. That the meeting of the TAC will be on the 4 May 2023 at Southern IFCA Offices, Unit 3, Holes Bay Park.

There being no further business the meeting closed at 16:28.

Chairman:

Date: 4th May 2023

Southern Inshore Fisheries and Conservation Authority

OFFICER'S REPORT

BUDGET CONTROL STATEMENT

Report by CEO and Chartered Accountant

A. Purpose of the Report

To provide Members with a summary of the Authority's accounts for the financial year 1 April 2022 to 31st March 2023.

The Budget Control Statement (BCS) will provide context to the subsequent Agenda Item titled: 'Draft Statement Of Accounts for Financial Year Ended 31st March 2023'.

This report will be considered by the Audit and Governance Sub-Committee at 10am on the 6th June 2023, the Executive Sub-Committee at 2pm on the 6th June 2023 and the Authority on the 8th June 2023.

B. Recommendation

That the report be received.

C. Annex

Annex 1: Summary Budget Control Statement and Detailed Budget Control Statement

1. Budget Control Statement – Summary of Main Headers

1.1 The Summary Budget Control Statement to 31st March 2023 is shown at Annex 1. This confirms a **£121k excess of income** against budget for the financial year.

Expenditure:

1.2 The positive variance captured under the Administration Header (c.£63k) is due to a reduction in staff salary and pension contributions following in year staff movements, departures and recruitment (c.45k). Upfront costs of MSC recertification are also included c.16k.

1.3. The positive variance captured under the Marine Assets Header (c.9k) is due to lower than anticipated vessel maintenance costs, due to FPV Endeavour entering service following procurement sooner than anticipated (c. Nov 2021, when budget setting for following financial year had already been completed).

1.4 The positive variance captured under the Vehicles & Travel Header (c.11k) is due to a reverse of a prior years accrual of c.8k for MMO Appointee Expenses.

1.5 The negative variance under the Capital Equipment Header (c.£5k) is due to

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FPV Endeavour entering service earlier than anticipated and thus the depreciation not being accounted for when budget setting in November 2021.

Income:

- 1.6 An increase in income of c.43k reflects unforeseen income associated with:
- FPV Chartering by the MMO for work in Studland Bay (c.11k).
 - An increase in PHD permit fees, which is ringfenced to pay for the Poole Harbour Fishery MSC Recertification
 - c.16k reflects a release of income held on the balance sheet relating to a now completed ETP Project.
 - c.6k of bank interest was received.
- 1.7 The notes accompanying the Detailed BSC in Annex 2 provide an overview of all positive and negative variance equal to or greater than £1k.

2. Positive Carry-Forward Budget

- 2.1 The following are ringfenced amounts of the unexpended balance at the end of the prior fiscal year, which are proposed to be carried forward for a specific function. This is to ensure that resources are being used in a timely and effective manner to aid the delivery of function.
- 2.2 In accordance with Standing Orders (10), points b) and c) are subject to approval by the Executive Sub Committee:
- a) c.16k (from the ETP Project) is ringfenced for transfer to the Research Reserve. This amount has to first be accounted for in the General Reserve in accordance with correct and recognised financial practice.
 - b) c.10k (from MMO Chartering) is ringfenced to be held within the General Reserve for additional unforeseen training requirements for Officers.
 - c) c. 20k is ringfenced to be held within the General Reserve for necessary office improvements (taken in part from underspends in 5040 [PPE], 5076 [Covid], 5100 [Training] and 5010 [Misc.], noting that following the office relocation to Holes Bay in late 2019 and subsequently the impact of the pandemic, the office infrastructure has not been considered. This includes upgrade consideration for:
 - officer workstations (desks, chairs & required cabling provisions to facilitate new layout in Officer Room)
 - kitchen utilities and staffroom facility
 - TAC meeting room furniture and screen
 - Creation of a DCO Office and a Business Services Office (using existing layout – but a change in function).
- 2.3 For reference, the budget forecast for 2023-2024 (ratified by the Authority in December 2022) anticipated a loss of £49.6k. The Carry-Forward will support attainment of a balanced budget at year-end.

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3. Payment of Amounts Exceeding £5,000

- 3.1 Paragraph (11) of Southern IFCA's Financial Regulations 2022 require that all ex. VAT payments over £5,000 (with the exception of salaries, PAYE, pension contributions and regular payments outside of the Financial Manager's control are to be reported to the Authority via a BCS.
- 3.2 All payments equal to or greater than the above mentioned figure made between 1st April 2022 and 30th January 2023 were captured in previous BCS as presented to the Authority on a quarterly basis.
- 3.3 Since the 1st February 2023, the following payments equal to or greater than the above mentioned figure are as follows:

Amount	What	Who
£8,760.48	MSC Reassessment of the Poole Harbour Clam & Cockle Fishery	Control Union (UK) Limited
£139,269.96	Deposit for Cabin RHIB	Ribcraft Ltd

SUMMARY RESULTS		Year-end		YTD Notes for positive & negative variances ≥£1k	
		1st Apr22 - 31st Mar23 (12mths)			
		Actual	Budget		Variances
SUMMARY RESULTS: EXPENDITURE SUMMARY					
Administration	783,159	720,236	783,159	63,034 ↑	The majority of this relates to salaries and pension costs which are £45K down on budget and upfront cost of MSC Re-certification. (Increase in costs due to inflationary pressures previously unknown at time of budget have been offset by a decrease in Prosecution and legal costs (£21K) against Budget.
Marine Assets	41,039	32,101	41,039	8,938 ↑	Vessel maintenance costs £7K lower than budget estimate. Drone running costs £1400 under budget. Both best estimates.
Vehicles & Travel	26,778	15,203	26,778	11,575 ↑	MMO expenses approximately £9K lower than budget due to release of £7.6K relating to prior year accrual.
Capital Equipment	41,301	46,439	41,301	(5,138) ↓	Decreases in depreciation against Budget have been offset by an increase in PV depreciation against Budget following purchase of FPV Endeavour earlier than budgeted.
TOTAL EXPENDITURE	892,277	813,979	892,277	78,409 ↑	
TOTAL INCOME	892,383	935,848	892,383	(43,465) ↑	£11K MMO Partnership income in relation to the chartering of SIFCA vessels not budgeted for as is difficult to predict. Nearly £6K of bank interest received compared to Budget of £0. £6K increase in permits (£3.4K increase of which will be used to pay for MSC Recertification & increased uptake of SDPB due to SCE fishery). 16K attributed to ETP project which is a release of income held on balance sheet relating to now closed project.
INCOME OVER EXPENDITURE	106	121,869	106	(121,869) ↑	YTD there is an excess income of £121K against Budget.

DETAILED RESULTS		Apr22-Mar23		Year-end			YTD Notes for positive & negative variances ≥£1k
		12 mths Budget		1st Apr22 - 31st Mar23 (12mths)			
		Actual	Budget	Variances			
ADMINISTRATION:							
5010 - 5020 Salaries, labour costs & pension scheme	611,386	566,081	611,386	45,305	↑	Reflects savings associated with staff vacancies and staff changes: currently carrying vacancy for Senior IFCO since Oct 22, in-year vacancy for DCO (6 mo) now filled, 1x FT Snr IFCO reduced to PT hrs (budgeted for FT), 7 staff left posts [2 promoted, 3 leavers] with 5 new starters. SCPs reflect these changes.	
5040-100 Protective and other clothing	6,249	4,203	6,249	2,046	↑	Underspend reflects incorrect attribution of spend to cost code 5052 & 5110	
5052-100 Office general	4,800	11,161	4,800	(6,361)	↓	Cost codes were separated spring 2022 to track energy rises. Costs to date not attributed accurately in breakdowns. Taken in combination the excess is due to [1]Southern Electric rising costs, with recognition that the	
5053-100 Office IT	7,800	13,425	7,800	(5,625)	↓	budget was set at c.50% lower than actuals in Dec 2021. [c.£6,400 more accurate] as well as unprecedented costs of living crisis (as discussed by CEO in Budget Status Update in June 2022), [2] Office 365 migration not	
5054-100 Office energy	2,400	7,152	2,400	(4,752)	↓	accounted for in budget	
5060-100 Communications	8,383	7,239	8,383	1,144	↑	Inflation	
5070-100 General Insurance	16,924	19,068	16,924	(2,144)	↓	Budget didn't take into account annual rise in premiums.	
5075-100 Holes Bay - Rates	16,224	16,597	16,224	(373)	↓		
5076-100 Covid 19 Expenses	2,040	0	2,040	2,040	↑	Budget took prior year + inflation as an estimate but not required in 2022-23.	
5080-100 Subscriptions	1,900	3,553	1,900	(1,653)	↓	Budget set too low (more accurate c.£4800 - as discussed by CEO in Budget Status Update in June 2022).	
5090-100 Prosecution costs	20,000	4,242	20,000	15,758	↑	Reflects number of prosecutions the FPT has taken YTD. Best estimate at time of budget.	
5095-100 Legal and professional costs	5,000	(341)	5,000	5,341	↑	Py had £1500 which was an accrual. This reversed in current year against a spend of £1,160 leaving a negative spend.	
5100-100 Training	17,500	13,731	17,500	3,769	↑	National AIFCA training model not delivered in full	
5105-100 Authority meetings	1,983	1,905	1,983	78	↑		
5110-100 Misc. expenditure	3,989	2,906	3,989	1,083	↑	See line 5040	
5111-100 Educational material		551	0	(551)	↓		
5130-100 Audit & accountancy costs	3,672	2,799	3,672	873	↑		
5140-100 Adverts - audit/byelaws	3,000	0	3,000	3,000	↑	2x byelaws anticipated for SoS ratification in-year. These remain with DEFRA . Will see this cost in next year.	
5150-100 Adverts - recruitment	1,000	1,109	1,000	(109)	↓		
5160-100 AIFCA	13,000	13,000	13,000	0	-		
5200-100 Evidence and Research Budget	11,953	8,002	11,953	3,951	↑	All surveys planned completed, with exception of Solent Bivalve - delayed from March to April due to weather (c.£1,600), outstanding WHK survey costs yet to be accounted for (c£1,000). Additional provision for equipment renewal not required in year.	
5214-100 ETP project		1,750	0	(1,750)	↓	Outstanding cost to partner organisation from previous budget yr. following project closure in March 2022.	
5215-100 PO FMP (contra 4874)		4,048	0	(4,048)	↓	Costs associated with the recruitment of PO to fulfill requirements of DEFRA Resource grant. This is the costs and salary of one staff member from February. The matched income has been posted to NL4872 in income so overall effect on P&L is nil.	
5216-100 Oil Spill Response (contra 4875)		580	0	(580)	↓		
5230-100 Poole Harbour MSC Annual Audit	20,000	14,560	20,000	5,440	↑	MSC annual audit fees plus cost of MSC Recertification over 5 years (c.4k yr 1/5), 4 remaining years worth of expense moved to the Balance Sheet as a debtor.	
5233-100 Operational equipment	3,000	2,030	3,000	1,081	↑	All best estimates at time of budget.	
5680-100 Bank charges	956	885	956	71	↑		
EXPENDITURE	783,159	720,236	783,159	63,034	↑		
MARINE ASSETS:							
6000-100 PV fuel	11,000	9,129	11,000	1,871	↑	All best estimates at time of budget.	
6015-100 PV Endeavour maintenance	8,829	9,457	8,829	(628)	↓	c.3K pending to cost code following late receipt of invoices	
6045-100 Stella Barbara maintenance	6,130	2,860	6,130	3,270	↑	All best estimates at time of budget.	
6055-100 PV Protector maintenance	7,430	3,419	7,430	4,011	↑	All best estimates at time of budget.	
6066-100 Drone running costs	2,000	633	2,000	1,367	↑	All best estimates at time of budget.	
6068-100 Drone insurance	2,000	1,996	2,000	4	↑		
6070-100 Marine insurance	3,650	4,607	3,650	(957)	↓		
EXPENDITURE	41,039	32,101	41,039	8,938	↑		
VEHICLES & TRAVEL							
7010-100 CEO Expenses	2,075	3,005	2,075	(930)	↓		
7015-100 DCO Expenses	1,013	60	1,013	953	↑		
7016-100 DCO Expenses	102	0	102	102	↑		
7017-100 Vehicle Fuel	6,494	6,766	6,494	(272)	↓		
7120-100 Officers Expenses	84	2,193	84	(2,109)	↓	Inaccuracy when setting budget	

DETAILED RESULTS	Apr22-Mar23	Year-end			YTD Notes for positive & negative variances ≥£1k
	12 mths Budget	1st Apr22 - 31st Mar23 (12mths)			
		Actual	Budget	Variances	
ADMINISTRATION:					
7130-100 Chairman's fund	1,000	563	1,000	437	↑
7140-100 MMO appointee expenses	3,933	(4,883)	3,933	8,816	↑
7144-100 Members expenses	0	156	0	(156)	↓
7150-100 Other Vehicle Costs	306	167	306	139	↑
7160-100 Vehicle maintenance	4,000	4,108	4,000	(108)	↓
7170-100 Vehicle road tax	1,528	1,274	1,528	254	↑
7180-100 Insurance - vehicles	6,243	1,794	6,243	4,449	↑
EXPENDITURE	26,778	15,203	26,778	11,575	↑
					Prior year accrual of £7,672 reversed in current year against costs of £2,789 (including a £1K accrual for outstanding claims) leaving a credit to P&L of £4883.
					Actual costs in 2022 - 23 were approx £3,500 but release of p/y accrual (£1750) decreased this to £1800. In 2021 - 22 actual cost spent on insurance was £4370 plus the £1750 accrual. Actual spend YOY is comparable.
CAPITAL EQUIPMENT:					
8010-100 Small items of equip (<£500)	3,060	(111)	3,060	3,171	↑
9120-100 Depn - premises	4,988	4,988	4,988	0	↑
9140-100 Depn - equipment	6,808	5,460	6,808	1,348	↑
9160-100 Depn - PV's	13,878	26,715	13,878	(12,837)	↓
9180-100 Depn - vehicles	12,567	9,387	12,567	3,180	↑
EXPENDITURE	41,301	46,439	41,301	(5,138)	↓
					Budget is an estimate based on prior year.
					Budget based on 2021 figures however depreciation is not a set amount due to being on a reducing balance basis.
					FPV Endeavour procured earlier than anticipated (not captured in 2022-23 budget setting)
					Budget based on 2021 figures however depreciation is not a set amount due to being on a reducing balance basis.
INCOME					
4190-100 Bank interest receivable	158	5,612	158	(5,454)	↑
4210-100 Levy - Hants	328,489	328,489	328,489	0	-
4220-100 Levy - IOW	116,678	116,678	116,678	0	-
4230-100 Levy - Dorset	201,537	201,537	201,537	0	-
4250-100 Levy - BCP	90,607	90,607	90,607	0	-
4260-100 Levy - Southampton	34,963	34,963	34,963	0	-
4270-100 Levy - Portsmouth	40,817	40,817	40,817	0	-
4600-100 Court costs awarded	2,045	6,794	2,045	(4,749)	↑
4810-100 Insurance refund		1,810	0	(1,810)	↑
4845-100 Poole dredge permits	27,000	30,475	27,000	(3,475)	↑
4846-100 Solent shellfish permits	4,300	6,930	4,300	(2,630)	↑
4847-100 Net fishing permits	2,890	0	2,890	2,890	↓
4848-100 Pot fishing permits	4,650	0	4,650	4,650	↓
4850-100 Rents - Poole leases	30,914	31,923	30,914	(1,009)	↑
4862-100 Meetings	0	1,575	0	(1,575)	↑
4872-100 ETP project (contra NLS214)		15,918	0	(15,918)	↑
4874-100 PO FMP (contra 5215)		4,048	0	(4,048)	↑
4875-100 Oil Spill Response (contra 5216)		1,067	0	(1,067)	↑
4887-100 Fuel rebate	2,000	0	2,000	2,000	↓
4890-100 Misc. income (including DEFRA refunds)	2,500	71	2,500	2,429	↓
4895-100 Poole Council Shellfish Sample	2,835	2,100	2,835	735	↓
4898-100 MMO partnership	0	11,005	0	(11,005)	↑
5170-100 Surplus/(deficit) on equip sale	0	3,162	0	(3,162)	↑
5670-100 Bank interest		267	0	(267)	↑
TOTAL INCOME	892,383	935,848	892,383	(43,465)	↑
					Interest payments received
					Budget best estimate. Actual includes one large award in January for £4K.
					Drone camera insurance claim
					£75 x 45 permits, of which £3,375 p/a to go towards upfront payments for MSC Recertification (to be recovered over 5 years)
					Greater uptake in permits following emergence of SCE fishery falling under SDPB permitting scheme.
					Byelaw subject to MMO Quality Assurance prior to consideration of DEFRA signoff
					Byelaw subject to MMO Quality Assurance prior to consideration of DEFRA signoff
					Inflation increase not taken into account during 2022-2023 budget setting
					NIMEG conference hosting
					Release of deferred income in 2132 ETP Project creditor. This project is now completed. SEE 'Clearing out Research Reserve (ETP Project)' for more info.
					Release of DEFRA resource grant to match the costs related to one PO.
					Costs of sampling from Poole Harbour Oil Spill in last week of March.
					No longer applicable - removed from 2023-24 budget
					Similar income for current year is included in NL4898 MMO Partnership.
					MMO Chartering our vessels. Difficult to predict.
					Circle insurance payout on MIU.

Southern Inshore Fisheries and Conservation Authority

OFFICER'S REPORT

MARKED E

MARINE ASSET REVIEW UPDATE BOAT BUILD

Report by DCO Sam Dell

A. Purpose of the Report

To provide an update to Members on the Southern IFCA Marine Asset Review ('MAR') and its continued progression.

B. Recommendations

a. That the report is noted by members of the Authority .

1. Background

- 1.1 At the Executive Sub-Committee in June 2022 Members agreed to progress phase two of the Southern IFCA Marine Asset Review which included the procurement of a cabin RHIB (Rigid Hulled Inflatable Boat).
- 1.2 A PVWG (Patrol Vessel Working Group) met on the 22nd August 2022 and agreed a specification for the cabin RHIB.
- 1.3 In September 2022, Members of the Executive Sub-Committee noted the progress report submitted by DCO Dell which contained the specification for the cabin RHIB.
- 1.4 DCO Dell and Cllr Mark Roberts secured the use of Dorset Council Procurement Services to progress procurement of the cabin RHIB, due to the anticipated expenditure Southern IFCA had to comply with the Public Contracts Regulations 2015, on the 12th October 2022 the procurement documentation was finalised and the tender was released on the 17th October 2022.
- 1.5 In December 2022, DCO Dell reported progress to Authority, providing a procurement timetable, the report was noted.
- 1.6 On the 15th December 2022 the Tender was awarded to Ribcraft Limited.
- 1.7 The final cost (£330) for Dorset Council Procurement Services has been invoiced and paid.
- 1.8 On the 19th December 2022, DCO Dell and IFCO Parry attended Ribcraft Limited for an initial build meeting to review the specification. During the meeting and at subsequent meetings with the boat builders, equipment has been removed and added based on Ribcraft recommendations, advice from existing users and the Authority's needs.
- 1.9 On the 3rd March a Special Meeting of the Executive Sub- Committee was held to ensure ongoing compliance with the Southern IFCA Financial Regulations when progressing the Marine Asset Review (MAR) to build stage. Members approved the final cost of the boat build (£290,145.77 excl. VAT), Authorised payment of the build deposit and following staged payments, Members also approved ratification of the Terms and Conditions with full consideration of the due diligence checks undertaken by Southern IFCA and delegated authority to the CEO sign on behalf of the Authority.
- 1.10 Since the Contract of Sale has been signed by the CEO DCO Dell and IFCO Parry have attended a further two build meetings with Ribcraft Limited to confirm technical detail prior to build commencing.
- 1.11 The build has commenced as of the 15th May 2023 as agreed in the Terms and Conditions, with anticipated delivery of the vessel in October 2023.

**Southern Inshore Fisheries and Conservation Authority
OFFICER'S REPORT**

MARKED F

MSC RECERTIFICATION OF POOLE HARBOUR CLAM AND COCKLE FISHERY

Report by the Deputy Chief Officer Sarah Birchenough

A. Purpose of the Report

To provide an update to Members on the recertification of the Poole Harbour Clam and Cockle Fishery under the MSC Standard.

B. Recommendations

- a. That Members note the report.

C. Annex

Annex 1 – MSC Press Release *“Poole Harbour clams and cockles: sustaining nature while fishing for the future”*

1. Background

- 1.1 The Poole Harbour Clam and Cockle fishery achieved a world first when it was certified in 2018 under the Marine Stewardship Council (MSC) and skippers in the fishery were simultaneously certified under the Seafish Responsible Fishing Scheme.
- 1.2 The MSC certification was valid for five years to 2023 and each year the fishery was audited to ensure that the high standards of the MSC certification continued to be met. In September 2022, the fishery started the process of underdoing re-certification ahead of the opening of the fishery for the 2023-2024 dredge season on 25th May 2023. The fishery underwent its 4th annual surveillance audit at the same time as the re-certification audit.
- 1.3 The successful re-certification of the fishery for another five years (2023-2028) was announced on 25th May to coincide with the opening of the fishery for the 2023-2024 dredge season.
- 1.4 The successful MSC recertification of the Poole Clam and Cockle Fishery reflects the continued positive collaboration between the Poole and District Fishermen’s Association and the Southern IFCA as well as wider partners including Dorset Wildlife Trust. The fishers hard work to ensure that their fishery continues to operate sustainably is reflected in the continued certification and demonstrates best practice in effective management of fishing activity within a Marine Protected Area.
- 1.5 MSC published an article to celebrate the re-certification of the fishery (Annex 1, or available virtually at [Poole Harbour | Marine Stewardship Council \(msc.org\)](https://www.msc.org)), as well as celebrating the fishery in a press release ([Poole clam and cockle fishery all set for another sustainable season | Marine Stewardship Council \(msc.org\)](#)) and across their Twitter feed ([Congratulations to the Poole Harbour Clam & Cockle Fishery and @SouthernIFCA](#)) and Linked In profile ([Marine Stewardship Council \(MSC\) on LinkedIn: Poole Harbour](#)).

Poole Harbour clams and cockles: Sustaining nature while fishing for the future

**Abigail Spink explores how Dorset fishermen work in harmony
with the environment while fishing.**

“Every day I wake up in the morning and I look forward to the job, even still, believe it or not [laughs]. I wouldn’t do anything else” says Mike Bailey, a [Poole Harbour clam and cockle](#) fisherman of 30 years.

Clam and cockle fishing in the bustling town of Poole, on England’s golden south coast, has been a key local industry in Dorset for over 40 years. Starting as a small artisanal fishery for the common cockle (*Cerastoderma edule*) and expanding with the introduction of the Manila clam (*Ruditapes philippinarum*) in the 1980s, the MSC certified Poole Harbour fishery is a hub of activity every year between the months of May and December, when the shellfish in the bay are in their prime.

“It runs in the family. I’ve got two other brothers who do the same as me, and my father was a commercial fisherman before that” says Mike.

For the locals in Poole, which houses the largest natural harbour in Europe, the abundant waters of this small stretch of coast are vital to maintaining generational ocean livelihoods, fuelled by a love of the sea and the sense of freedom a day on the water brings.

“It’s very rewarding. It’s hard to put your finger on it really – it’s a feeling, and a way of life. And it’s not always easy. But I love being out there with nature. It’s just me and my machines catching the bounty of the sea” says lifelong fisherman Tommy Russell.

“I’m 70 next birthday, and I love it as much as when I was 17”, he laughs.



A turbulent past

Gaining MSC certification in 2018 under [Southern Inshore Fisheries and Conservation Authority \(IFCA\)](#) management, the Poole Harbour clam and cockle fishery is well known among local fishermen for having a reliable and plentiful stock of shellfish, which is carefully managed by everyone involved in the fishery.

“I think it’s some of the best stock in the world actually – it just replenishes itself, so long as you fish sustainably. You’ve got to leave enough of the stock behind as you can, it mustn’t be plundered”, says Tommy.

Measures are in place to ensure strong stock regeneration year on year, like the issuing of permits and regulations around not taking juvenile shellfish, but it hasn’t always been this way. The fishery was plagued by bouts of poaching for many years, which was to the detriment of the species, local environment and the fishing community in Poole.

“They were keeping all the small [clams and cockles] – the undersize. That was probably the biggest problem in Poole – obviously the poachers actually being out there in the first place – but the taking of the small ones was really affecting the fishery.” Mike says, recalling the days when there were up to 40 illegal boats in the harbour. Removing the smaller shellfish from the seabed prevents them from being able to grow and reproduce, which reduces their overall numbers and impacts the health of the stock.

“Whatever you’re catching, it needs to breed. The minimum size has got to be above the breeding size.” Tommy explains.

““I think it’s some of the best stock in the world actually – it just replenishes itself, so long as you fish sustainably.””

Tommy Russell

Journey to sustainability success

Thanks to new management, a programme of improvements was rolled out, and the fishery built positive relationships with multiple stakeholders, like the [Poole and District Fishermen's Association](#) and [Dorset Wildlife Trust](#), which resulted in MSC certification in 2018.

This new approach, of committing to MSC certification and addressing management of the fishery, stamped out illegal activity and secured a future for the clam and cockle fishermen of Poole to continue the valued tradition of harvesting shellfish. Dr Sarah Birchenough, deputy chief and inshore conservation officer at Southern IFCA, says the results speak for themselves: “The current management under the permit by-law has taken care of a lot of those issues. We went down by 95% in terms of illegal activity since 2015 and it’s really maintained at that low level.”

Infrastructural developments have allowed the stock of clam and cockles to flourish, too. Sarah explains that the fishing gear used by the fishermen has been specially adapted to enable juvenile shellfish to remain on the seabed when a catch is hauled in, where they can grow and multiply.

On a tour of the harbour, she points out the changes that have been made to the fishermen’s dredges, a rake-like tool that’s towed across sandy beds on the sea floor to bring up the shellfish that are hiding under the surface.

“The spacing between those bars has to be at least 18mm. It’s all designed to minimize undersize [shellfish] being brought up. It gets secondarily sorted on the riddle table and we give the fishermen gauges to measure the size of the individuals. The minimum landing size for the Manila clam is 35mm. They [the undersize] go straight back into the water, they’re quite resilient clams and cockles because they’ve got quite tough shells, they re-bury themselves quite easily” she explains.

Stock assessments, the process of collecting, analysing, and reporting on the state of a stock of fish and estimating how many can be caught without threatening the species, are carried out regularly in Poole Harbour. Sarah explains that they help to identify areas where there are a lot of undersize shellfish, and, therefore, where more inspections and patrols need to be carried out.

“The stock data is really helpful for identifying what is going on in each area of the harbour” she says.



Fishing for the future

For the clam and cockle fishermen of Poole, protecting and nurturing the shellfish in its shallow, sandy bays is fundamental to the continuation of an important part of Dorset’s local economy and two iconic British coastal species.

“It just makes no sense to keep taking from something that doesn’t have the ability to replenish itself” says fisherman John Ballet, 56, who has been cockle fishing since he was a child, and also farms shellfish in Poole.

“Obviously, for the fishermen, it’s our living. We’ve got more interest in sustainability than anyone because it affects us the most. The fishery we work in, it’s very sustainable. I can go out and catch X amount in one place one year and go out the next year and it’ll be the same, if not better”, Mike says.

For Tommy, who speaks fondly about his years on the water and affinity with “the sparkling sea” surrounding Poole, as well as the familiar seabirds that soar

above his boat, sustainable fishing is about looking ahead and putting the environment first.

“There needs to be a future for what comes behind you. You can’t plunder nature. It’s been done so many times with humans and it’s been proven so many times that if you let them breed, the stock will replenish itself. When I’m out there, it’s just me with nature. I never fight it.”

““Obviously, for the fishermen, it’s our living. We’ve got more interest in sustainability than anyone because it affects us the most””

Mike Bailey

Putting the ocean first

The natural harbour in Poole is renowned for its unspoilt, wildlife-abundant landscape, made up of marshland, mudflats, reedbeds, shallow bays, and expanses of tranquil open water.

Combined, they form an important habitat for protected birds and marine species, making the harbour a Site of Special Scientific Interest (SSSI).

The fishery operates in a way that is compatible with the conservation objectives of Poole Harbour, which also contains a Marine Protected Area (MPA). Lots of work has been undertaken with fishermen over the past year to help them recognise Endangered, Threatened and Protected species (ETP) in the harbour and understand how to minimise their interactions with them. The fishery was awarded a grant from the MSC’s Ocean Stewardship Fund (OSF) to help with this.

Measures include cordoning off areas with known sensitive habitats to fishing activity for protection, like saltmarsh and seagrass, which are key for supporting marine biodiversity, and temporal restrictions that prevent fishing during the roosting and feeding seasons of wild bird populations.

“There’s another area [of seagrass] being put forward now. They’re just increasing the area around it to make sure it remains protected. We’re able to work on the cockle beds without disturbing the seagrass. We’ve got coordinates, you know latitude and longitude, of the areas where it is, so we steer well clear of it” explains John.

Seahorses and seals can also be found in the harbour, and action is being taken to minimise disturbance from fishing activity.

“Through the ETP project, some of the gear on the vessels is changing to make them quieter and safer. Lots of the boats have the dredges connected internally rather than having a sperate pump and things which all helps to reduce noise – little innovations are happening” says Sarah

““Through the ETP project, some of the gear on the vessels is changing to make them quieter and safer. Lots of the boats have the dredges connected internally rather than having a sperate pump.””

Dr Sarah Birchenough

A remarkable species

A day at sea during the clamming season for Tommy, John and Mike means leaving the dock early at 6am and fishing non-stop for six to eight hours.

“You definitely need patience and determination. If you get a bad day, you just have to shake it off and get ready for the next good one”, says Mike.

In the harbour, the act of fishing and harvesting the shellfish helps with sustaining the health of the species itself, by controlling its population size.

“I can honestly say (after fishing 35 plus years) fishing for these peculiar species, that the highest sustainable yield is only possible due to us harvesting the species. If left unfished, due to the species producing massive amounts of spawn to ensure survival, it also creates a mass die off, due to lack of food”, Mike reports.

Poole Harbour fishermen are part of an important regenerative cycle, helping to preserve clams and cockles, as well as the wider ocean environment. For Tommy, years of harvesting shellfish has led to a fascination at their resilience.

“They’re remarkable creatures. They live a lot of their life very deep in the mud where you can’t touch them! They just dig down a foot or more. Fishing sustainably means they’re always going to be there.”



Southern Inshore Fisheries and Conservation Authority

OFFICER'S REPORT

DRAFT STATEMENT OF ACCOUNTS FOR THE FINANCIAL YEAR ENDED 31ST MARCH 2023

Report by the CEO and Chartered Accountant Gemma Roberts

A. Purpose of the Report

To consider and approve the draft Statement of Accounts for 1st April 2022 to 31st March 2023.

B. Recommendation

That Members authorise the submission of the draft Statement of Accounts to the external auditors for the financial year ended 31st March 2023.

C. Annex

- i. **Annex 1: Statement of Accounts for year ended 31st March 2023**

1. Background

- 1.1 With effect from 1st April 2015 Southern IFCA were are no longer required to have their accounts audited. However, in order to ensure that the Authority's financial business is conducted in accordance with proper recognised standards, and that public money is safeguarded and properly accounted for, the Authority has appointed Francis Clark LLP, registered auditors, to carry out a "limited scope assurance report", which is a formal procedure recognised by the Institute of Chartered Accountants.

1. Summary of Statement of Accounts

- 1.1 The draft Statement of Accounts (SoA) sets out the overall financial position of The Authority for the year 1st April 2022 to 31st March 2023.
- 1.2 During the year to 31st March 2023, the Consolidated Revenue Account recorded a net surplus on General Reserve of c.121k. Please note that the previous Agenda Item entitled 'Budget Control Statement' provides a breakdown of the above mentioned net surplus.

SOUTHERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Unit 3, Holes Bay Park, Sterte Avenue West, Poole, BH15 2AA

STATEMENT OF ACCOUNTS

1st April 2022 to 31st March 2023

SOUTHERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

1 FOREWORD TO THE ACCOUNTS

Provided by Chief Executive Officer Pia Bateman and Chartered Accountant Gemma Roberts

This Statement of Accounts sets out the overall financial position of the Southern Inshore Fisheries and Conservation Authority for the year 1st April 2022 to 31st March 2023.

The core financial statements are:

- **The Statement of Accounting Policies** which details the principles on which the Statement of Accounts has been prepared.
- **The Consolidated Revenue Account** which covers the income and expenditure for the year to 31st March 2023.
- **The Consolidated Balance Sheet** which sets out the financial position of the Authority as at 31st March 2023.
- **The Statement of Total Movements in Reserves** which brings together all the recognised gains and losses of the Authority during the period 1st April 2022 to 31st March 2023.
- **The Consolidated Cash Flow Statement** which summarises the inflows and outflows of cash arising from transactions with third parties for revenue and capital purposes.

During the year to 31st March 2023 the Consolidated Revenue Account shows that the Southern Inshore Fisheries and Conservation Authority recorded a net surplus of £121,869 (2021-2022 deficit of £23,619), this was taken to the General Reserve. £16,000 of this surplus was then transferred to the Research Reserve (2021-22: £0).

Levies upon the six constituent councils of Dorset, Hampshire, Isle of Wight, BCP, Portsmouth and Southampton raised £813,091 (2021-2022: £789,409) (see Section 5 & Note 5.1.8). At the year-end net assets were valued at £1,656,458 (2021-2022: £1,548,089) (see Section 6).

SOUTHERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

2 STATEMENTS ON INTERNAL CONTROL AND RESPONSIBILITIES PLUS CERTIFICATE BY THE TREASURER

2.1 Statement on Internal Control

2.1.1 Scope of Responsibility

Southern Inshore Fisheries and Conservation Authority ('The Authority') takes responsibility for ensuring that its business is conducted in accordance with the law and proper standards and that public money is safeguarded and properly accounted for, used economically, efficiently, and effectively. The Authority also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

In discharging this overall responsibility, The Authority takes responsibility for ensuring that there is a sound system of internal control which facilitates the effective exercise of The Authority's functions, and which includes arrangements for the management of risk.

2.1.2 The Purpose of the System of Internal Control

The system of internal control is designed to manage risk to a reasonable level rather than to eliminate all risk of failure to achieve policies, aims and objectives; it can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of The Authority's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively, and economically.

The system of internal control has been in place at the Southern Inshore Fisheries and Conservation Authority for the year to 31st March 2023 and up to the date of approval of the annual report and accounts.

2.1.3 The Internal Control Environment

The key elements of the internal control environment, includes:

- the facilitation of policy and decision-making.
- ensuring compliance with established policies, procedures, laws, and regulations including how risk management is embedded in the activity of The Authority, how leadership is given to the risk management process, and how staff are trained or equipped to manage risk in a way appropriate to their authority and duties.
- ensuring the economical, effective, and efficient use of resources, and for securing continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency, and effectiveness.
- the financial management of The Authority.
- the overview of the Executive Sub Committee, in accordance with their functions, as specified under The Authority's Standing Orders.

SOUTHERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

2.1.4 Review of Effectiveness

The Authority takes responsibility for conducting, at least annually, a review of the effectiveness of the system of internal control. The review of the effectiveness of the system of internal control is informed by the work of the internal auditors and the executive managers within The Authority who have responsibility for the development and maintenance of the internal control environment, and also by comments made by the external auditors and other review agencies and inspectorates.

2.1.5 Significant Internal Control Issues

The most significant Internal Control Issue is the small number of staff to whom tasks can be allocated. There is little or no flexibility in the case of leave or sickness which means that mundane and routine tasks have to be constantly planned in advance.

2.1.6 Financial Internal Audit

Financial internal audit was carried out by the outgoing Accountant M B Ratsey MA ACA for April 2022 to March 2023 prior to retirement. Areas examined include:

- Variance of budget against actual
- Prompt banking of receipts
- Authorisation of expenditure
- Salaries, pensions, and PAYE
- Control over fixed assets
- VAT
- MMO appointees' expenses
- Bank reconciliations

The review of the effectiveness of the system of internal control is informed by:

- the work of officers of the Authority,
- the work of the internal auditor as described above, and
- the external auditors in their limited scope assurance report

Pia Bateman
Chief Executive Officer

Gemma Roberts
Chartered Accountant

Date:

Date

SOUTHERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

2.2 Statement on Responsibilities

2.2.1 The Authority's Responsibilities

The Authority:

- Makes arrangements for the proper administration of its financial affairs and to ensure that one of its officers has the responsibility for the administration of those affairs. In this Authority that officer is the Treasurer.
- Manages its affairs to secure economic, efficient, and effective use of resources and safeguard its assets.

2.2.2 The Treasurer's Responsibilities

The Treasurer takes responsibility for the preparation of the Authority's Statement of Accounts which, in terms of the CIPFA/LASAAC Code of Practice on Local Authority Accounting in Great Britain ("the Code of Practice"), is required to present fairly the financial position of the Authority at the accounting date and its income and expenditure for the year to 31st March 2023.

In preparing these accounts, the Treasurer has:

- selected suitable accounting policies and then applied them consistently.
- made judgements and estimates that were reasonable and prudent.
- complied with the Code of Practice; kept proper accounting records which were up to date.
- taken reasonable steps for the prevention and detection of fraud and other irregularities.

2.3 Treasurer's Certificate

I hereby certify that the Statement of Accounts for the year to 31st March 2023 has been prepared in accordance with the Accounts and Audit Regulations 1996.

I further certify that the Statement of Accounts presents fairly the financial position of Southern Inshore Fisheries and Conservation Authority at 31st March 2023 and its income and expenditure for the year to 31st March 2023.

Signed:

Date:
Pia Bateman
Treasurer to the Authority

SOUTHERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

3 AUDITORS' REPORT TO THE SOUTHERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

With effect from 1st April 2015 Inshore Fisheries and Conservation Authorities are no longer required to have their accounts audited. In order to give a degree of comfort regarding this Statement of Accounts, The Authority has appointed Francis Clark LLP, registered auditors, to carry out a "limited scope assurance report" ('the Report'), a formal procedure recognised by the Institute of Chartered Accountants. This Report will be available from 30th September 2023 and copies may be requested.

4 STATEMENT OF ACCOUNTING POLICIES

4.1 Accounting Principles

The general principles applied in compiling these accounts are those recommended by the Chartered Institute of Public Finance and Accountancy (CIPFA). The accounts have been prepared in accordance with their Code of Practice on Local Authority Accounting and with the guidance notes issued by CIPFA on the application of accounting standards (SSAPs).

4.2 Accruals and Historic Cost Convention

The accounts have been prepared under the accruals concept where income and expenditure are brought into account as they are earned and incurred and not as money received or paid and under the historic cost convention adjusted to include the revaluation of assets.

4.3 Basis of Debtors and Creditors

Revenue creditors are recorded on an Income and Expenditure basis, with estimated creditors being introduced into the accounts to cover goods and services received but not paid for by the year to 31st March 2023.

Revenue debtors are accrued to reflect the latest estimates of amounts due. There are no losses or anticipated losses, from non-collectible debts.

4.4 Stocks and Work in Progress

There are no stocks or work in progress included in the accounts.

4.5 Depreciation Policy

Depreciation is charged on all fixed assets. Premises are written down on a straight-line basis at 1% per annum. All other assets are depreciated on the reducing balance method at a rate of 25% per annum.

SOUTHERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

4.6 Basis for Charges for Capital

Up to 31st March 2019 the Consolidated Revenue Account was charged to reflect the use of capital assets. The charges were in accordance with the minimum charge required under the accounting regulations and comprised depreciation and an interest charge. The interest charged was 3% and it was offset by a corresponding amount which was credited to an Asset Management Revenue Account. Since this simply charged one part of the consolidated revenue account and credited another part there was no effect on the surplus (or deficit) for the year. With effect from the year to 31st March 2020 this interest adjustment was discontinued.

4.7 European Commission Grant Aid

There are no outstanding payments in respect of support for fisheries training of employees of the Authority.

4.8 Pension Fund

The Authority is a scheduled body within the Pension Fund administered by Hampshire County Council. The Authority's staff are eligible to participate in this scheme and all have elected to do so. Costs shown represent contributions paid by the Authority into this scheme. Contributions to the fund are determined on a triennial basis by the Actuary. During the year to 31st March 2023 employee contribution of their salary was as follows:

Earnings	Contribution
Up to £15,000	5.5%
£15,001-£23,600	5.8%
£23,601-£38,300	6.5%
£38,301-£48,500	6.8%
£48,501-£67,900	8.5%
£67,901-£96,200	9.9%

The Authority contributed 14.5% of employee's earnings (Previous year: 14.5% of employee's earnings). Employer's contribution during the year to 31st March 2023 was £72,579 (2021-2022: £85,755).

4.9 Interest and Investments

All interest is from bank accounts. The Authority holds no investments.

4.10 Cost of Services

Recharges for work required under the Poole Harbour Fishery Order 2015 are made to The Authority's General Reserve from the Poole Harbour Reserve. In the year to 31st March 2023 there was a recharge of £17,021 (2021-2022: £14,398).

4.11 Finance Leases and other Financing Arrangements

The Authority had no finance leases, operating leases or hire purchase agreements in operation during the year to 31st March 2023.

SOUTHERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

4.12 Reserves and Provisions

The Authority holds a **Marine Asset Renewal Reserve**, the purpose of which is to provide funds for unforeseen repairs and in the longer term to contribute towards the replacement of Marine Assets.

The **Marine Act Reserve** held funds for expenditure likely to be required in delivery of duties under the Marine and Coastal Access Act, 2009. ('the Act'), to be used at the Chief Executive Officer's discretion to match expenditure in pursuit of achieving the objectives of the Act.

The **Research Reserve** is funded from surpluses on third party contracts to fund ongoing research.

In 2021, a formal policy on the reserves held by the Authority was established. This stated that reserves would be held for three main purposes:

- To establish and maintain an adequate balance of working capital to help cushion the impact of uneven cash flows.
- To create a contingency to protect against the impact of unexpected events or emergencies.
- To build up funds to meet known or predicted requirements.

Following the approval of the annual accounts by The Authority's external auditors an annual presentation will be made to The Authority's Audit and Governance Committee to justify the existing reserves and their adequacy or otherwise for the following 10 years.

The Executive Sub Committee will review the Reserves Policy every three years. The next review will be undertaken in the financial year 2023-2024.

4.13 Contingent Liabilities

The Authority has no contingent liabilities.

4.14 Related Party Transactions

In accordance with The Accounting Code of Practice the following Related Party Transactions are disclosed for the year to 31 March 2023.

	<u>Receipts</u>	<u>Payments</u>
Levy (receipts), Pension (payments)	£813,091	£72,579
Levies received in advance (This amount has been included in creditors)	(£620,633)	

4.15 Disclosure of Fees

The fees expected to be charged by Francis Clark for The Report are approximately £3,300 for the year to 31 March 2023.

SOUTHERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

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CONSOLIDATED REVENUE ACCOUNT FOR THE YEAR ENDED
31 MARCH 2023

	Notes	2022-2023 £	2021-2022 £
<i>Expenditure</i>			
Employees	5.1.1	566,081	666,078
Premises - General Office	5.1.2	31,738	26,320
Transport Related Costs	5.1.3	15,203	25,944
Supplies and Services	5.1.4	61,740	69,348
Marine Asset Costs:			
<i>PV Endeavour</i>		9,457	7,691
<i>PV Stella Barbara</i>		2,860	7,781
<i>PV Protector</i>		3,419	3,617
<i>Drone costs</i>		2,629	461
<i>PV Fuel</i>		9,129	7,946
<i>Insurance</i>		4,607	5,747
Depreciation	5.1.5	46,550	43,239
Establishment expenses	5.1.6	60,566	61,805
Total Gross Expenditure		<u>813,979</u>	<u>925,977</u>
<i>Income</i>			
Interest		5,879	137
Other Income		113,716	104,027
Profit on sale of fixed assets	5.1.7	3,162	8,785
		<u>122,757</u>	<u>112,949</u>
Total Net Operating Expenditure, to be met from Levies upon Constituent Authorities		<u><u>691,222</u></u>	<u><u>813,028</u></u>
Hampshire County Council		328,489	318,921
Isle of Wight Council		116,678	113,280
Dorset Council		201,537	195,667
BCP Council		90,607	87,968
Southampton City Council		34,963	33,945
Portsmouth City Council		40,817	39,628
Total Financing	5.1.8	<u>813,091</u>	<u>789,409</u>
Net General Fund Surplus / (Deficit)		121,869	(23,619)

SOUTHERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

5.1 Notes to the Consolidated Revenue Account

5.1.1 Employees

At year end (31 March 2023) the Authority employed 13 full time and 2 part time staff (2021-2022: 12 full time, 3 part time), at agreed pay bands linked to Local Government Pay Scales. The Authority is required to report specifically on two issues:

1. Employees with remuneration in excess of £50,000. One employee received emoluments at this level in the year to 31 March 2023 (2021- 2022: Two).
2. The cost of providing pension contributions for employees: In the year to 31 March 2023 this was £72,579 (2021-2022: £85,755)

5.1.2 Premises – General Office

Premises - general office expenses are principally rates, utility bills and other costs incurred in providing the offices at 3 Holes Bay, Poole.

5.1.3 Transport Related Costs

Transport related costs cover mainly the travel and subsistence allowances of the Authority's operational staff.

5.1.4 Supplies and Services

Supplies and services relate principally to protective clothing, legal costs, training, rent, audit, project and miscellaneous costs together with bank interest.

5.1.5 Depreciation

The total is derived as follows:

Premises	Marine Assets	Vehicles	Equipment	Total
£4,988	£26,715	£9,387	£5,460	£46,550

5.1.6 Establishment Expenses

Establishment expenses relate to subscriptions to National associations, printing, advertising, stationery, telephones and communications licences, postages, interest payments and insurance other than those relating to the marine assets.

Under this heading the Authority is required to report specifically under Section 4(5) of the Local Government Act 1986 regarding the amount it spent on publicity. In the year to 31st March 2023 £0 was charged to public notices to advertise the audit and byelaws (2021-2022: £4,900). A total of £1,109 (2021-2022: £690) was spent on recruitment advertising.

SOUTHERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

5.1.7 Other Income

Other income relates principally to income from Defra, in order to support Defra's work in achieving its objectives under the Fisheries Act 2020, the Poole Harbour Shellfish Dredge Permit Byelaw (administrative cost recovery only), The Solent Dredge Permit Byelaw (administrative cost recovery only), rent from leases under the Poole Harbour Fishery Order 2015 (administrative cost recovery only), grants received, third party project fees, chartering of marine assets, training provided to other authorities and costs awarded from court cases (cost recovery only).

5.1.8 Local Authority Contributions

	2022-23	2021-22
Dorset Council	24.79%	24.79%
Hampshire County Council	40.40%	40.40%
Isle of Wight Council	14.35%	14.35%
BCP Council	11.14%	11.14%
Southampton City Council	4.30%	4.30%
Portsmouth City Council	5.02%	5.02%
TOTAL	100.00%	100.00%

5.1.9 MMO appointee expenses

MMO appointee general expenses provided in the year to 31 March 2023 were -£4,883, a credit to the Revenue Account (2021-2022: £5,664). Details as follows:

	Outstanding at 1 Apr 22	Paid in year	Outstanding at 31 Mar 23	Total per a/cs
T Legg	(3,000)	-	-	(3,000)
L MacCallum	-	161	-	160
R Stride	(1,200)	1,370	-	170
G Wordsworth	(1,820)	-	-	(1,820)
N Hornby	(52)	199	-	147
Provision for o/s claims	(1,600)	60	(1,000)	(540)
	<u>(7,672)</u>	<u>1,790</u>	<u>(1,000)</u>	<u>(4,883)</u>

SOUTHERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

6

CONSOLIDATED BALANCE SHEET AS AT 31 MARCH 2023

	Notes	2022-2023 £	2021-2022 £
Fixed Assets			
Office and Equipment	6.1.1	496,692	504,952
Marine Assets	6.1.1	94,984	96,262
Vehicles	6.1.1	27,981	37,667
Assets under construction	6.1.1	149,150	-
		<u>768,807</u>	<u>638,881</u>
Current Assets			
Debtors	6.1.2	375,444	8,347
Cash at Bank and In Hand	6.1.3	1,608,167	1,569,090
		<u>1,983,611</u>	<u>1,577,437</u>
Total Assets		<u>2,752,418</u>	<u>2,216,318</u>
Current Liabilities			
Creditors	6.1.4	1,082,460	668,229
Current Assets Less Liabilities		901,151	909,208
Total Assets Less Liabilities		<u><u>1,669,958</u></u>	<u><u>1,548,089</u></u>
Represented by			
Capital Finance Account	7	768,807	638,881
Marine Assets Renewal Reserve	7	275,287	405,213
Marine Act Reserve	7	-	-
Research Reserve	7	16,000	-
General Reserve	7	609,864	503,995
Total Financing		<u><u>1,669,958</u></u>	<u><u>1,548,089</u></u>

SOUTHERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

6.1 Notes to the Balance Sheet

6.1.1 Movement of Fixed Assets

	Premises	Marine Assets	Vehicles	Equipment	Assets Under Construction	Total
Book value 1 Apr 2022	483,413	96,261	37,667	21,539	-	638,880
Additions	-	25,438	-	2,188	149,150	176,776
Disposals	-	-	(2,200)	-	-	(2,200)
Depreciation	(4,988)	(26,715)	(9,387)	(5,460)	-	(46,550)
Adjustment on disposal	-	-	1,901	-	-	1,901
Book value 31 March 2023	478,425	94,984	27,981	18,267	149,150	768,807

6.1.2 Debtors

	2022 – 2023 £	2021 - 2022 £
Prepayments	16,689	-
VAT Control Account	8,755	8,347
Accrued income	350,000	-
	375,444	8,347

Accrued income represent amounts due from Dorset County Council in respect of two DEFRA grants for the year to 31 March 2023.

6.1.3 Cash at Bank and In Hand

The amount held at the bank, in petty cash and in stamps.

6.1.4 Creditors

	2022 – 2023 £	2021 - 2022 £
Deferred income	620,633	620,633
Deferred income – Grants	395,952	-
Other creditors	18,000	22,283
Accruals	47,875	25,313
	1,082,460	668,229

SOUTHERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

7. STATEMENT OF TOTAL MOVEMENTS IN RESERVES

	Capital Finance Reserve	Marine Assets Renewal Reserve	Research Reserve	General reserve	Total
	£	£	£	£	£
B/F 1 April 2022	638,881	405,213	-	503,995	1,548,089
Surplus for the year	-	-	-	121,869	121,869
Transfer to/(from) General Reserve	-	-	16,000	(16,000)	-
Fixed asset movement:					
Additions	176,776	(176,776)	-	-	-
Disposals	(2,200)	2,200	-	-	-
Rounding	(1)	1	-	-	-
Revaluations	-	-	-	-	-
Depreciation	(46,550)	46,550	-	-	-
Adjustment on disposal	1,901	(1,901)	-	-	-
C/F 31 March 2023	768,807	275,287	16,000	609,864	1,669,958

SOUTHERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

8. CONSOLIDATED CASH FLOW STATEMENT FOR THE YEAR ENDED 31 MARCH 2023

	Notes	2022-2023 £	2021-2022 £
Expenditure			
Cash paid to and on behalf of employees		(546,358)	(668,137)
Other operating costs		<u>(215,372)</u>	<u>(239,536)</u>
		(761,730)	(907,673)
Income			
Local Authority Precept/Levy (includes early payment for following year)		813,091	1,091,121
Grant income		50,000	-
Insurance Claim		1,810	-
Cash received for goods and services		<u>94,461</u>	<u>74,658</u>
Net Cash In/(Out)flow from Revenue Activities	8.1	197,632	258,106
Servicing of Finance			
Interest Received		5,879	137
Capital Activities			
Expenditure			
Purchase of fixed assets (including AUC)		(167,895)	(55,390)
Rounding		-	1
Income			
Proceeds from sale of fixed assets (Patrol vessel/van)		<u>3,461</u>	<u>6,536</u>
Net in/(de)crease in cash	8.1	39,077	209,390
		2022-2023	2021-2022
		£	£
8.1 Reconciliation			
General Fund Surplus/(Deficit)		121,869	(23,620)
Interest Received		(5,879)	(137)
Revaluations of fixed assets		-	(11,002)
Disposal of fixed assets		2,200	73,248
Adjustment on disposal		(1,901)	(65,252)
Net proceeds from sales of fixed assets		(3,461)	(6,536)
Depreciation		46,550	43,239
Sundry Debtors		(367,097)	(5,444)
Sundry Creditors		405,351	280,332
Movement on other Reserves		<u>-</u>	<u>(26,722)</u>
Cash movement		197,632	258,106
Reconciliation			
Balance brought forward 1 April		1,569,090	1,359,700
Balance carried forward 31 March		<u>1,608,167</u>	<u>1,569,090</u>
		39,077	209,390

SOUTHERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

9. POOLE HARBOUR FISHERY ORDER 2015

The Authority manage aquaculture activity within a defined area of Poole Harbour under [The Poole Harbour Fishery Order 2015](#) (1346/2015). In accordance with Section 6(1) of this Order, The Authority is required to account for the relevant income and expenditure associated with its duties under this Order. The rents received include the costs associated with the reallocation of lease beds in 2020 (Tranche 2) for the period 2020-2025, as well as annual costs associated with the management under this Order. The initial costs associated with the reallocation of lease beds were incurred in 2020 when the previous Tranche 1 (2015-2020) expired, and are being written off over a 5 year period.

The balance for the Poole Order is held within the Authority's General Reserve. In the year to 31st March 2023, £17,021 (2021-2022: £14,398) of this balance was used to account for work delivered in accordance with required duties under this Order £20,000 was ringfenced to cover the initial costs associated with the MSC Re-certification fees, which will be credited back to the reserve over a five year period.

Expenditure	2022-2023	2021-2022
	£	£
2.5% Of Total Employee Costs	14,152	16,652
Legal costs	750	750
Transfer to General Reserve	20,000	-
TOTAL	34,902	17,402
 Income		
Rents	31,923	31,800
Net Income/(Expenditure)	(2,979)	14,398
 Balances		
B/F 1 April	121,770	107,372
Net Income for the year	(2,979)	14,398
C/F 31 March	118,791	121,770

BOTTOM TOWED FISHING GEAR BYELAW 2023 AND SUPPORTING DOCUMENTATION

Report by Deputy Chief Officer Birchenough

A. Purpose of the Report

For Members to consider making the proposed Bottom Towed Fishing Gear (BTFG) Byelaw 2023 ('the Byelaw').

Upon the recommendation of the Technical Advisory Sub-Committee (TAC), Members were provided with written notice at least 14 days prior to this date of the intention to make the Byelaw.

B. Recommendations

1. That the Authority proceeds to make the Bottom Towed Fishing Gear Byelaw 2023
2. That the Byelaw is advertised in accordance with IFCA Byelaw Guidance from Defra¹
3. That the TAC will consider outcomes of the formal consultation, prior to review by the Executive Sub-Committee, who, under delegated powers, are required to report with recommendations to the Authority following the making of statutory interventions, prior to MMO quality assurance and an application to the Secretary of State to confirm the byelaw

C. Annexes

- Annex 1: Proposed BTFG Byelaw 2023
- Annex 2: Proposed BTFG Byelaw 2023 Management Intentions Document
- Annex 3: Proposed BTFG Byelaw 2023 Impact Assessment
- Annexes 4-28: MCZ and HRA assessments to accompany BTFG Byelaw 2023 package (*provided electronically to Members as part of the written notice of the intention to make the Byelaw, available electronically to members of the public on request*).

1.0 Background

Southern IFCA is responsible for the management of fishing activities in the coastal waters of Dorset, Hampshire and the Isle of Wight. These waters contain highly biodiverse and ecologically rich habitats, providing a range of ecosystem services. The value of these habitats and species is recognised through a range of Marine Protected Area (MPA) designations, collectively contributing to the UK's MPA Network ('the National Site Network').

The National Site Network is a network of protected sites which are designated for rare and threatened species and rare natural habitat types. These sites include Special Areas of Conservation (SACs) and Special Protection Areas (SPAs), designated under

¹ <http://www.association-ifca.org.uk/Upload/About/ifca-byelaw-guidance.pdf>

the EC Habitats Directive 1992² and the EC Birds Directive 2009³, respectively. The National Site Network also includes MCZs designated under the MaCAA.

1.2 Southern IFCA legal duties

The Southern IFCA has duties under section 154 of the **Marine and Coastal Access Act 2009**⁴ ('the MaCAA') to ensure that **conservation objectives of any MCZ are furthered**. In performing this duty, nothing in section 153(2) of MaCAA is to affect delivery of this duty.

Section 125 of the MaCAA also requires that public bodies (which includes the IFCA) exercises its functions in a manner to best further (or, if not possible, least hinder) the conservation objectives for MCZs.

Southern IFCA has duties under the **Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019**⁵ the ("Conservation Regulations"). The Conservation Regulations transpose the land and marine aspects of the Habitats Directive and Wild Birds Directive into domestic law and outlines how the National Site Network will be managed.

Under Regulation 6 of the Conservation Regulations Southern IFCA, as a named competent authority, must ensure that **fishing activity within or adjacent to an SAC or SPA does not damage, disturb or lead to a deterioration of a species or feature which receives protection** under the relevant designation, so as to ensure compliance with the Habitats Directive and Birds Directive.

1.3 Evolution of BTFG Review

BTFGs, or mobile demersal gears such as otter trawls or shellfish dredges, have been used by fishers for generations in the coastal waters of Dorset, Hampshire and the Isle of Wight. In certain areas these techniques have the potential to adversely affect sensitive habitats and species.

The Southern IFCA began a review of management of BTFG in 2020, where it was initially framed as the 'T3 MCZs and MPA Spatial Management Review'

The 'T3 MCZs and MPA Spatial Management Review' incorporated consideration of management requirements for newly designated T3 MCZs, additional features added to existing MCZs and a review of existing spatial management in line with updated best-available evidence on feature condition, location and extent. Undertaking this work in relation to BTFG was identified as a priority.

MCZ Assessments (Table 1) were undertaken for Tranche 3 sites and at the meeting of the TAC on 6th February 2020, the Authority recommended that these assessments be sent to NE for formal comment. Formal comment from NE was received in May 2020. The findings of these assessments indicated that bottom towed fishing gear activities were not compatible with the Conservation Objectives for certain features of these sites and that additional management, most likely in the form of spatial closure, was required.

² [EUR-Lex - 31992L0043 - EN - EUR-Lex \(europa.eu\)](#)

³ [EUR-Lex - 32009L0147 - EN - EUR-Lex \(europa.eu\)](#)

⁴ [Marine and Coastal Access Act 2009 \(legislation.gov.uk\)](#)

⁵ [The Conservation of Habitats and Species \(Amendment\) \(EU Exit\) Regulations 2019 \(legislation.gov.uk\)](#)

Additional MCZ Assessments and two Habitats Regulations Assessments (Table 1), assessing the potential impact of bottom towed fishing gear on reef habitat and seagrass habitat in response to updated evidence, were considered by the Authority at a meeting of the TAC on 7th May 2020 and it was agreed to also submit these assessments for formal comment to NE. Formal comment from NE was received in August 2020. The Authority also agreed, based on the findings of the assessments, that a Working Group would be convened as part of a BTFG Review to review the assessment outcomes.

At the TAC meeting on 26th August 2021, following consideration of the evidence to support the review, Members agreed to proceed the BTFG Review to Stage 2 of the Byelaw Making Process, to draft measures, operating under defined drivers which were 1) Updates to the Marine Protected Area Network, 2) Review of Existing Spatial Management, 3) Protection of Sensitive Habitats Outside MPAs.

An initial set of proposed management measures was drafted based on these three drivers. An informal consultation with the stakeholder community was held on these measures between 17th June and 1st August 2022. Members considered the outcomes of this consultation at a meeting of the TAC on 25th August 2022 and a meeting of the Authority on 29th September 2022 through a Summary of Responses document and agreed to progress the review to Stage 3, the drafting of a new byelaw to replace the existing BTFG Byelaw 2016.

In 2023, The Environmental Improvement Plan 2023 was introduced by Government as the first revision of the 25 Year Environment Plan. The Environment Plan identified the Government's intention to support progress towards the UN's Sustainable Development Goals under the Global Biodiversity Framework which includes protection of 30% of the global ocean by 2030. At a domestic level, the Government aim to achieve this by enhancing protection for MPAs. Under the Goal of Thriving Plants and Wildlife in the Environment Improvement Plan 2023, there is a target for 70% of designated features in MPAs to be in favourable condition by 2042 with the remainder in recovering condition and a new interim target of 48% of this to be achieved by 31st January 2028. The delivery of this is to be supported through strengthened protections in MPAs by 2024. Appropriate regulators, including IFCA, are required by Defra to ensure that management measures are in place for all MPAs by 2024 in order for this interim target to be achieved.

In order to meet the Government target, Southern IFCA identified a need to prioritise workstreams and adopt a phased approach to the delivery of the bottom towed fishing gear review. This is based on the resource requirements for meeting the Government target and aims to allow for the consideration of wider district wide sensitive habitat management following an initial consideration of feature-based management within MPAs.

Applying this phased approach, the BTFG Review was split into Phase 1 and Phase 2, as considered by Members through a series of Working Groups in early 2023 and agreed by the Authority at their meeting on 16th March 2023 through adoption of the Southern IFCA Research and Policy Team Plan for April 2023 to March 2024.

2.0 Updates since 4th May TAC

- 2.1** Following a meeting of the TAC on 4th May 2023, the following updates (as highlighted in grey) have been made to the Management Intentions Document:

a) Additional clarification on the definition of Phase 1 and Phase 2, as outlined in Section 2.2 of the Management Intentions Document and in Figures 1 and 2 of this paper:

Phase 1: to consider feature based management interventions for MPAs: sites designated under the National Site Network (Special Areas of Conservation [SACs], Special Protection Areas [SPAs] and Marine Conservation Zones [MCZs])

- In line with the IFCA's Core Functions under both the MaCAA and the Conservation Regulations, Phase 1 will consider management of bottom towed fishing gear for features which exist within any MCZ, and which exist within or adjacent to any SAC/SPA.
- For the purpose of Phase 1, 'adjacent' means a feature (to include any buffer) which extends across the boundary of the designated site, to ensure that the integrity of that part of the feature which exists within the boundary of the site is not affected by activity occurring over that same feature where it extends outside the boundary of the site.
- For MCZs, S154 of the MaCAA states that an IFCA's performance in meeting the duty to further Conservation Objectives should not be affected by anything listed in the general IFCA duties under S153 of the MaCAA, which include social or economic considerations. Likewise, for SACs and SPAs, the overarching legislation does not provide for the consideration of social or economic factors/impacts when making management decisions which are required to ensure that the duty of no adverse effect is met.
- The Authority has developed a set of principles for Phase 1 in order to guide and maintain consistency in decision making which will ensure that any subsequent management is applied equally and with full transparency across the Southern IFCA District, where applicable.
- Existing 2016 bottom towed fishing gear closures which do not meet Principles 1 & 2 (see S2.2) will remain in place under Phase 1.

Phase 2: to consider district wide management interventions for sensitive habitats.

- Following the completion of Phase 1 it is the intention of the Authority to commence Phase 2 of the review. Phase 2 would consider features which exist adjacent to an MCZ boundary (i.e., any part of a feature which extends across the boundary of an MCZ) as well as any sensitive habitats and species (yet to be defined, pending the scope of Phase 2) across the district, both inside and outside National Site Network Sites and MCZs. This would also include consideration of features and sensitive habitats/species within Sites of Special Scientific Interest (SSSIs) which are not also designated under overlapping MPAs, where IFCA duties under the Wildlife and Countryside Act (1981) require the Authority to take 'reasonable steps, consistent with the proper exercise of the authority's functions' to further conservation objectives for features within these sites.
- Phase 2 will also consider those areas which are currently closed under the Bottom Towed Fishing Gear Byelaw 2016 which, according to the principles developed for Phase 1, will remain closed under Phase 1 of the review. In order to determine if any spatial changes are needed for these areas, socio-economic and environmental assessments will be carried

out to create an evidence base to ensure all potential impacts of any potential change are considered.

- Under this phase, social and economic factors can be considered alongside the protected of the marine environment, operating under the IFCA duties outlined under S153 of the MaCAA. In order to deliver Southern IFCA's core duties under the MaCAA, extensive consultation across the district's communities will be required to capture site specific information regarding the social and economic benefits of fishing, coupled with the need to protect the marine environment.
- Phase 2 will also allow for the consideration of outcomes of currently ongoing restoration projects for specified habitats and consideration of how the IFCA can align with the Government's Vision of protecting 30% of land and sea by 2030 ("30x30")

b) Refining of the Phase 1 Principles:

1. Proposed closed areas are considered for designated features within MCZs,
2. Proposed closed areas are considered for designated features within and adjacent to SACs and SPAs,
3. Proposed closed areas for feature-based protections under Principles 1 & 2 incorporate buffers in accordance with national JNCC/NE buffer guidance,
4. The best available evidence used to inform feature-based protection is the Natural England database provided to Southern IFCA in 2020,
5. With the exception of seagrass, the extent and distribution of feature-based management in the Solent Maritime SAC and district wide SPAs will be informed by outcomes of the relevant Habitats Regulations Assessment (HRA)

c) The addition of a new Phase 1 Principle:

6. Existing 2016 BTFG closures which do not meet Principles 1 & 2 will remain in place under Phase 1. These areas will be subject to socio-economic and environmental assessments in Phase 2, forming an evidence base to allow for the consideration of any changes to the spatial extent of these areas to ensure that all potential impacts are considered

3.0 The BTFG Byelaw Package

The following section provides an overview of the Bottom Towed Fishing Gear Byelaw 2023 and Supporting Documentation, for Member's ease.

3.1 The Bottom Towed Fishing Gear Byelaw 2023 (Annex 1)

The following provisions will be introduced under the Bottom Towed Fishing Gear Byelaw 2023. All co-ordinates provided are subject to a final round of GIS quality assurance.

- a. The introduction of Prohibited Areas; areas where a person must not use bottom towed fishing gear.
- b. The introduction of a provision that a person must not use a vessel carrying

- bottom towed fishing gear while transiting through a prohibited area unless all parts of that gear are inboard and above the sea
- c. The ability for the Authority to issue a dispensation authorising an act which would otherwise constitute an offence against the byelaw for the purpose of educational, scientific, stocking or breeding purposes
 - d. The ability for the Authority (or a sub-committee thereof authorised by the Authority to do so) to review the suitability of the byelaw in accordance with any changes in available evidence, to include any statutory advice provided by Natural England or other such bodies, organisations or persons as the Authority deem fit.
 - e. The revocation of the Bottom Towed Fishing Gear Byelaw 2016.

3.1.1 Prohibited Areas

Figures 3 and 4 show the maps provided as part of both the Bottom Towed Fishing Gear Byelaw 2023 and the Bottom Towed Fishing Gear Byelaw 2016 for comparison. Site specific maps can be found in Annex 2 of the Management Intentions document.

- Chichester and Langstone Harbours
- Portsmouth Harbour
- Southampton Water
- Lymington, Keyhaven and Beaulieu
- Yarmouth
- Yarmouth to Cowes
- The Medina, Cowes and Osbourne Bay
- Ryde to South Wight
- South Wight
- Poole Bay
- Poole Harbour
- Studland Bay
- Purbeck Coast
- Portland and Stennis Ledges
- Chesil Beach and The Fleet
- Lyme Bay

The resulting prohibited areas represent a combination of extensions to previous closures (under the 2016 Byelaw) and the inclusion of new prohibited areas. The total area proposed to be closed to BTFG under Phase 1 of the 2023 Byelaw is **743.12km² representing 27.2%** of the Southern IFCA District. This is compared to a total area closed under the 2016 Byelaw of 696.3km² representing 25.5% of the District. **The difference between the 2016 and 2023 byelaws is an increase in the total area closed of 46.8km² or 1.7% of the district.**

3.2 The BTFG Byelaw 2023 Management Intentions Document (Annex 2)

This paper seeks to provide context and transparency of the process which has informed management intervention, as well as providing clarity of intention regarding the ongoing management of bottom towed fishing gear in the district. The document also provides site specific maps illustrating prohibited areas under the BTFG Byelaw 2023 along with the location of designated features and supporting habitats, the buffers applied to those features and the boundaries of MPAs in the district. The maps also show the location of prohibited areas under the BTFG Byelaw 2016 for reference against those in the BTFG Byelaw 2023.

3.3 The BTFG Byelaw 2023 Impact Assessment (Annex 3)

The BTFG Byelaw 2023 IA sets out the anticipated costs and benefits of the proposed byelaw and will be consulted on as part of the byelaw's formal consultation process. Costs and benefits have been monetised where possible.

The IA finds that the most significant costs will be incurred as direct costs to the fishing industry as a result of reduced access or loss of access to fishing grounds. The Authority will incur costs associated with additional compliance and enforcement activities.

Benefits may include improved sustainability of the marine environment through the protection of sensitive designated features within MPAs that would otherwise be vulnerable to potentially damaging fishing techniques, a potential increase in the delivery of ecosystem services, a potential increase in the sustainability of the fisheries leading to a socio-economic benefit for fishermen and associated businesses, a potential increase in opportunities for other fishing gear types and potential reputational benefits to bottom towed fishing gear users and the fishing industry

4.0 Next Steps

Should the Authority resolve to make the byelaw, the Authority will give notice of its intention to apply for confirmation of the byelaw by advertising it for 2 consecutive weeks. Following this, a 28-day formal consultation period will begin, during which stakeholders will have the opportunity to respond to the Authority. The Authority will then respond and, where appropriate, liaise with objectors with a view to resolving the objection prior to submitting the final byelaw to the MMO for confirmation by the Secretary of State. The MMO will make final quality assurance checks and assess the evidence prior to recommending the byelaw for confirmation by the Secretary of State. Any byelaw will only come into force following confirmation by the Secretary of State.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

List of Background Papers

IFCA Byelaw Guidance - www.association-ifca.org.uk/Upload/About/ifca-byelaw-guidance.pdf

Southern IFCA 'Bottom Towed Fishing Gear Byelaw 2016' - <https://secure.toolkitfiles.co.uk/clients/25364/sitedata/Redesign/Byelaws/Bottom-Towed-Fishing-Gear.pdf>

PHASE 1

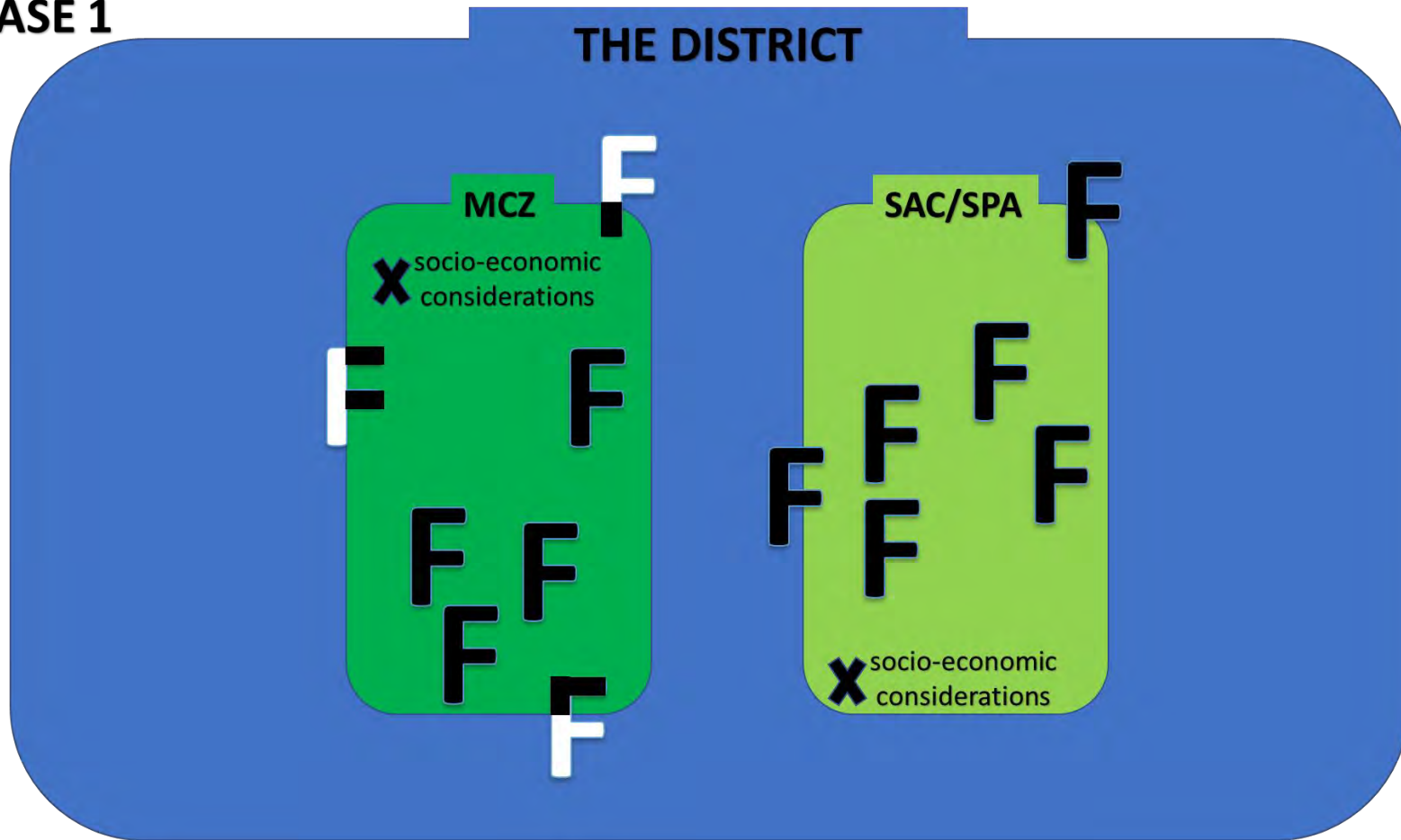


Figure 1: Feature-based management in the Southern IFCA District under Phase 1 of the Bottom Towed Fishing Gear Review. **F** = designated features, black letters indicate where a feature will be protected under Phase 1, white indicates where features will be considered for protection under Phase 2. For MCZs the duty of the IFCA is to further the conservation objectives for features where they occur within the boundary of the site, for SACs/SPAs the duty of the IFCA is to ensure that fishing activity occurring within or adjacent to an SAC or SPA does not damage, disturb or lead to a deterioration of a feature which receives protection under the relevant designation.

PHASE 2

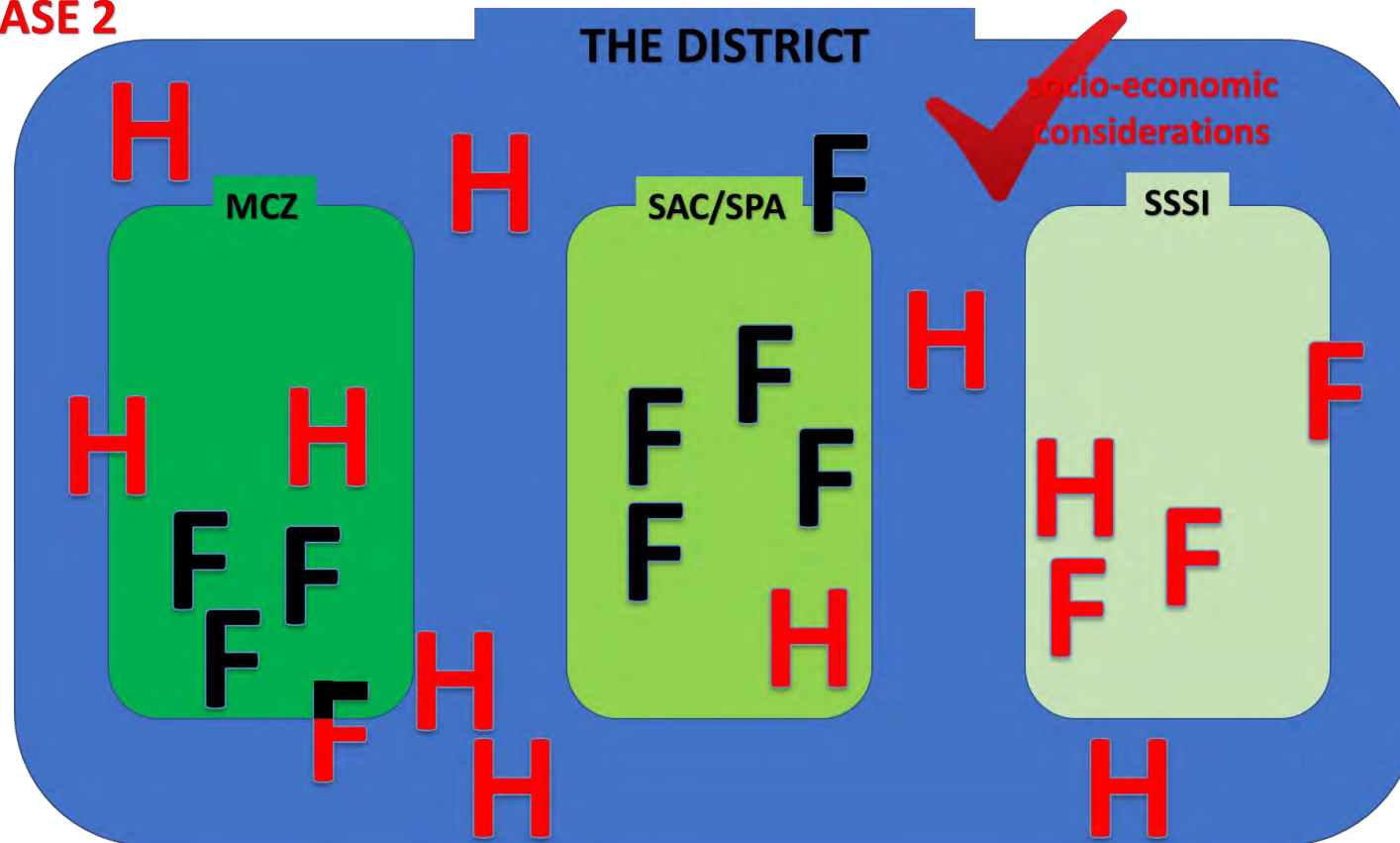


Figure 2: Management under Phase 2 of the Bottom Towed Fishing Gear Review. F = designated features, H = sensitive habitats and species which are not designated for an MPA, black letters indicate where a feature will be protected under Phase 1, red letters indicate where management will be explored through Phase 2, incorporating consideration of features which exist adjacent to MCZ boundaries (i.e., any part of a feature which extends across the boundary of an MCZ) as well as the location of sensitive habitats and species (yet to be defined, pending the scope of Phase 2) across the district, both inside and outside National Site Network Sites and MCZs. This would also include consideration of features and sensitive habitats/species within Sites of Special Scientific Interest (SSSIs) which are not also designated under overlapping MPAs.

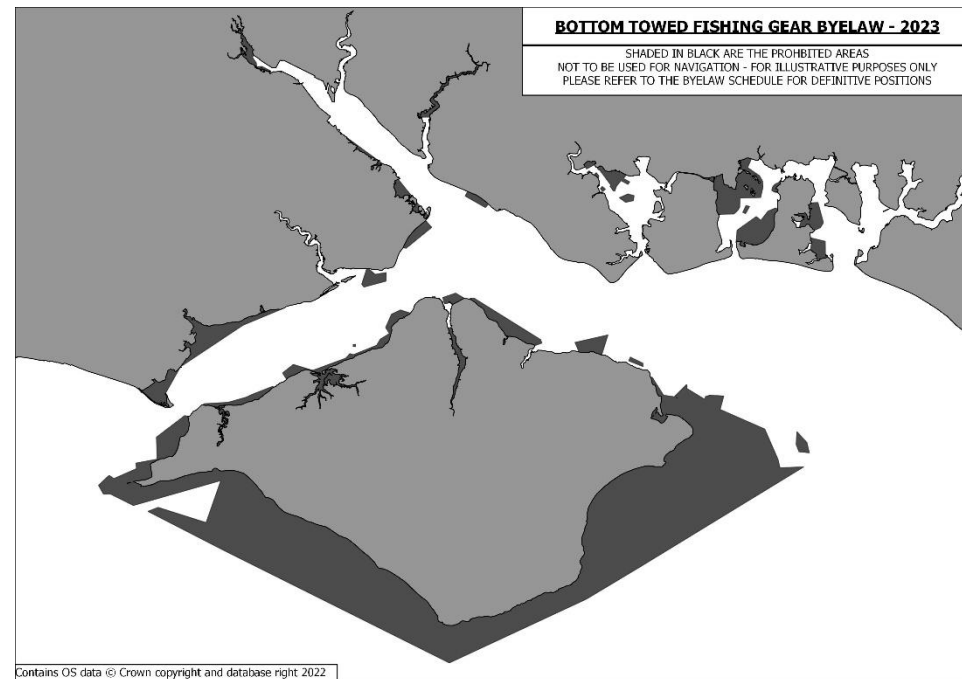
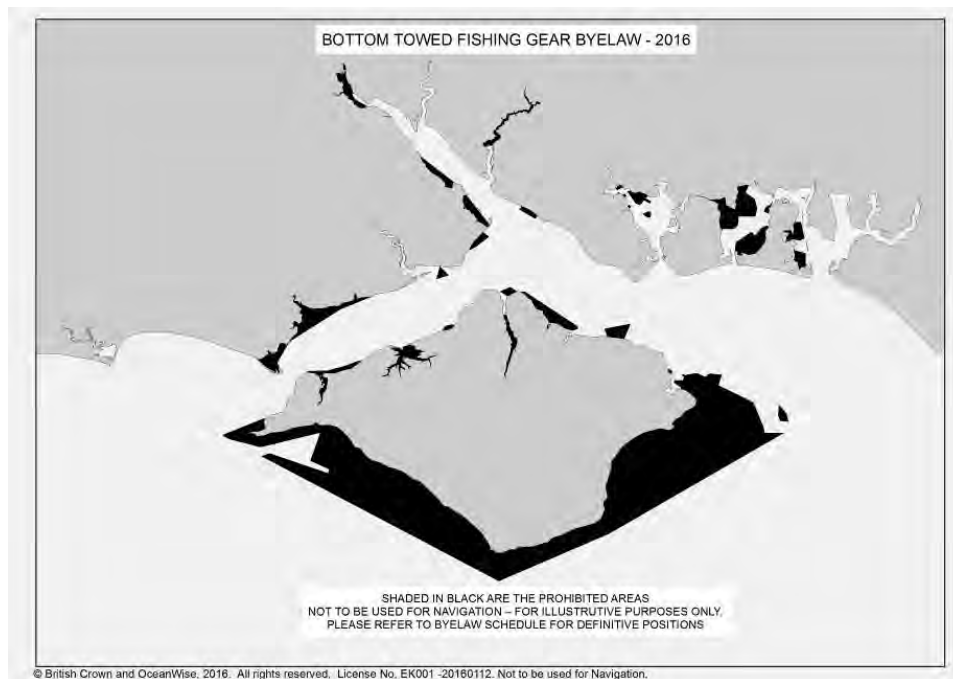


Figure 3: Maps of the eastern end of the Southern IFCA District from the Bottom Towed Fishing Gear Byelaw 2016 (left) and the Bottom Towed Fishing Gear Byelaw 2023 (right).

Southern Inshore Fisheries and Conservation Authority

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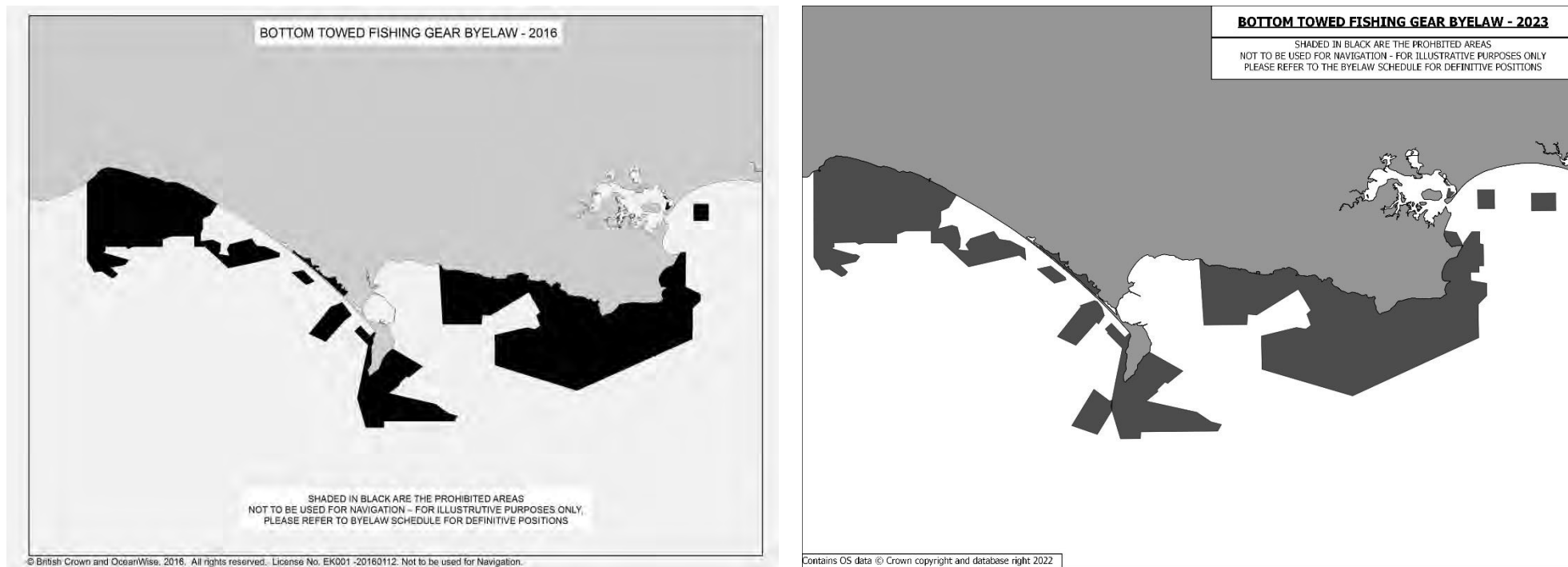


Figure 4: Maps of the western end of the Southern IFCA District from the Bottom Towed Fishing Gear Byelaw 2016 (left) and the Bottom Towed Fishing Gear Byelaw 2023 (right)

Southern Inshore Fisheries and Conservation Authority

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Table 1: Assessments undertaken by Southern IFCA which have informed the Bottom Towed Fishing Gear Review

MPA Type	Site	Assessment	Authority Sign Off	NE Formal Advice
Site Specific Assessments				
MCZ	Bembridge	Bembridge MCZ – Part B Fisheries Assessment – BTFG (001)	TAC Feb 2020	May 2020
		Bembridge MCZ – Part B Fisheries Assessment – BTFG (002)	TAC Feb 2020	May 2020
	Yarmouth to Cowes	Yarmouth to Cowes MCZ – Part B Fisheries Assessment – BTFG	TAC Feb 2020	May 2020
	The Needles	The Needles MCZ – Part B Fisheries Assessment – BTFG (003)	TAC May 2020 <i>(Chair delegated to approve final version)</i>	Oct 2020
		The Needles MCZ – Part B Fisheries Assessment – BTFG (004)	TAC May 2020 <i>(Chair delegated to approve final version)</i>	Oct 2020
	Southbourne Rough	Southbourne Rough MCZ – Part B Fisheries Assessment – BTFG	TAC Feb 2020	May 2020
	Poole Rocks	Poole Rocks MCZ – Part B Fisheries Assessment – BTFG	TAC Sept 2016	Dec 2016
	Studland Bay	Studland MCZ – Part B Fisheries Assessment – BTFG	TAC Feb 2020	May 2020
	Purbeck Coast	Purbeck Coast MCZ – Part B Fisheries Assessment – BTFG	TAC Feb 2020	May 2020
	South of Portland	South of Portland MCZ – Part B Fisheries Assessment – BTFG	TAC Feb 2020	Oct 2020
	Chesil Beach and Stennis Ledges	Chesil Beach and Stennis Ledges MCZ – Part B Fisheries Assessment – BTFG	TAC Sept 2016	Dec 2016
		Chesil Beach and Stennis Ledges MCZ – Part B Fisheries Assessment – BTFG	TAC May 2020	Oct 2020
	SAC	Solent Maritime	HRA - Solent Maritime SAC – Clam Dredging	TAC Sept 2016
HRA - Solent Maritime SAC – Beam trawl (whitefish) & Light otter trawl			TAC Sept 2016	May 2016
HRA - Solent Maritime SAC – Light otter trawl (sandeels)			TAC Sept 2016	May 2016

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		HRA - Solent Maritime SAC – Oyster Dredging	TAC Sept 2016	Oct 2016
SPA	Chichester and Langstone Harbour	Chichester and Langstone Harbours SPA – Clam dredging	TAC Sept 2016	Sept 2016
		Chichester and Langstone Harbours SPA – Oyster dredging	TAC Sept 2016	Oct 2016
		Chichester and Langstone Harbours SPA – Light otter trawl (sandeels)	TAC Sept 2016	May 2016
	Portsmouth Harbour	Portsmouth Harbour SPA – Clam dredging	TAC Sept 2016	Sept 2016
		Portsmouth Harbour SPA – Oyster dredging	TAC Sept 2016	Oct 2016
	Solent and Southampton Water	Solent and Southampton Water SPA – Clam dredging	TAC Sept 2016	Sept 2016
		Solent and Southampton Water SPA – Oyster dredging	TAC Sept 2016	Oct 2016
	District Wide			
MCZ/SAC/SPA	All District	HRA – Bottom Towed Fishing Gear Byelaw Review 2020 - Seagrass	TAC May 2020	Oct 2020
MCZ/SAC/SPA	All District	HRA – Bottom Towed Fishing Gear Byelaw Review 2020 - Reefs	TAC May 2020	Oct 2020

SOUTHERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

MARINE AND COASTAL ACCESS ACT 2009

BOTTOM TOWED FISHING GEAR BYELAW 2023

The Southern Inshore Fisheries and Conservation Authority, in exercise of the powers conferred by sections 155(1) of the Marine and Coastal Access Act 2009, hereby makes the following byelaw for that District.

INTERPRETATION

- (1) In this byelaw:
- a) All positions given by means of coordinate are defined on World Geodetic system 1984 Datum (WGS84);
 - b) "the Authority" means the Southern Inshore Fisheries and Conservation Authority as defined in Articles 2 and 4 of the Southern Inshore Fisheries and Conservation Order 2010 (SI 2010 No 2198);
 - c) "bottom towed fishing gear" means any fishing gear which is capable of being pulled or pushed along the seabed;
 - d) "the District" means the Southern Inshore Fisheries and Conservation District as defined in Articles 2 and 3 of the Southern Inshore Fisheries and Conservation Order 2010;
 - e) "prohibited area" means an area defined in the Schedule.

PROHIBITION

- (2) A person must not, subject to paragraph (4), use bottom towed fishing gear within a prohibited area.
- (3) A person must not, subject to paragraph (4), use a vessel carrying bottom towed fishing gear while transiting through a prohibited area unless all parts of that gear are inboard and above the sea.

DISPENSATIONS

- (4) Paragraphs (2) and (3) do not apply to any person committing an act which would otherwise constitute an offence against this byelaw if that act was carried out in accordance with a written dispensation issued by the Authority authorising that act for the purpose of educational, scientific, stocking or breeding purposes
- (5) A dispensation issued under paragraph (4) will only be valid if:
 - a. The act being undertaken is in accordance with the purpose for which the dispensation was issued;
 - b. The dispensation is carried on board and produced for inspection when requested by an Inshore Fisheries and Conservation Officer of the Authority or any other person authorised by the Authority to make such a request.

REVIEW

- (6) The Authority (or a sub-committee thereof authorised by the Authority to do so) will review the suitability of the byelaw in accordance with any changes in available evidence, to include any statutory advice provided by Natural England or other such bodies, organisations or persons as the Authority deem fit.

REVOCATIONS

- (7) The byelaw with the title 'Bottom Towed Fishing Gear Byelaw 2016' made by the Authority, in exercise of its powers under sections 155 and 156 of the Marine and Coastal Access Act 2009, confirmed on 17th November 2017, and in force immediately before the making of this byelaw is revoked

I hereby certify that the above byelaw was made by Southern Inshore Fisheries and Conservation Authority at their meeting on 8th June 2023 (TBC).

.....
Pia Bateman
Chief Executive Officer
Southern Inshore Fisheries and Conservation Authority

The Secretary of State for Environment, Food and Rural Affairs in exercise of the power conferred by section 155(3) of the Marine and Coastal Access Act 2009, confirms the Bottom Towed Fishing Gear Byelaw 2023 made by the Southern IFCA on 8th June 2023 (TBC).

.....
A Senior Civil Servant for, and on behalf of, the Secretary of State for Environment, Food and Rural Affairs

Date:

SCHEDULE

DEFINITION OF "PROHIBITED AREAS"

<u>Point Number</u>	<u>Latitude</u>	<u>Longitude</u>	
Chichester and Langstone Harbours – Areas 1-6			
Area 1			
1	50 ° 49.030 minutes N , 000 °	57.295 minutes W	to
2	50 ° 49.035 minutes N , 000 °	56.921 minutes W	to
3	50 ° 48.320 minutes N , 000 °	56.647 minutes W	to
4	50 ° 48.149 minutes N , 000 °	56.821 minutes W	to
5	50 ° 48.054 minutes N , 000 °	57.177 minutes W	From point 5 along the coast at the level of mean high water spring tide to
6	50 ° 48.175 minutes N , 000 °	58.000 minutes W	to
7	50 ° 48.410 minutes N , 000 °	57.880 minutes W	From point 7 along the coast at the level of mean high water spring tide to
8	50 ° 48.602 minutes N , 000 °	58.085 minutes W	to
9	50 ° 48.641 minutes N , 000 °	58.084 minutes W	From point 9 along the coast at the level of mean high water spring tide to point 1.
Area 2			
10	50 ° 47.803 minutes N , 000 °	57.392 minutes W	to
11	50 ° 47.664 minutes N , 000 °	56.579 minutes W	to
12	50 ° 47.200 minutes N , 000 °	56.590 minutes W	From point 12 along the coast at the level of mean high water spring tide to
13	50 ° 46.991 minutes N , 000 °	57.058 minutes W	to
14	50 ° 47.062 minutes N , 000 °	57.076 minutes W	From point 14 along the coast at the level of mean high water spring tide to
15	50 ° 47.376 minutes N , 000 °	57.410 minutes W	to
16	50 ° 47.654 minutes N , 000 °	57.331 minutes W	From point 16 along the coast at the level of mean high water spring tide to point 10.
Area 3			
17	50 ° 49.515 minutes N , 000 °	59.104 minutes W	to
18	50 ° 49.437 minutes N , 000 °	59.165 minutes W	to
19	50 ° 49.440 minutes N , 000 °	59.314 minutes W	to
20	50 ° 49.495 minutes N , 000 °	59.456 minutes W	to
21	50 ° 49.609 minutes N , 000 °	59.418 minutes W	to
22	50 ° 49.663 minutes N , 000 °	59.367 minutes W	to
23	50 ° 49.731 minutes N , 000 °	59.246 minutes W	to
24	50 ° 49.842 minutes N , 000 °	58.961 minutes W	to

25	50 ° 49.703 minutes N , 000 ° 59.004 minutes W	From point 25 along the coast at the level of mean high water spring tide to point 17.
Area 4		
26	50 ° 47.775 minutes N , 001 ° 1.516 minutes W	to
27	50 ° 48.140 minutes N , 001 ° 1.446 minutes W	to
28	50 ° 48.600 minutes N , 001 ° 0.363 minutes W	to
29	50 ° 48.465 minutes N , 001 ° 0.117 minutes W	to
30	50 ° 48.781 minutes N , 000 ° 59.704 minutes W	to
31	50 ° 48.887 minutes N , 000 ° 59.273 minutes W	to
32	50 ° 48.824 minutes N , 000 ° 59.154 minutes W	From point 32 along the coast at the level of mean high water spring tide to point 26.
Area 5		
33	50 ° 48.998 minutes N , 001 ° 0.917 minutes W	to
34	50 ° 48.961 minutes N , 001 ° 0.710 minutes W	to
35	50 ° 48.711 minutes N , 001 ° 0.953 minutes W	to
36	50 ° 48.760 minutes N , 001 ° 1.107 minutes W	From point 36 to point 33.
Area 6		
37	50 ° 50.635 minutes N , 001 ° 0.544 minutes W	to
38	50 ° 50.331 minutes N , 001 ° 0.766 minutes W	to
39	50 ° 50.031 minutes N , 001 ° 0.121 minutes W	to
40	50 ° 49.842 minutes N , 000 ° 59.961 minutes W	to
41	50 ° 49.633 minutes N , 000 ° 59.942 minutes W	to
42	50 ° 49.264 minutes N , 001 ° 0.090 minutes W	to
43	50 ° 49.264 minutes N , 001 ° 1.237 minutes W	to
44	50 ° 48.937 minutes N , 001 ° 1.267 minutes W	to
45	50 ° 48.840 minutes N , 001 ° 1.369 minutes W	to
46	50 ° 48.711 minutes N , 001 ° 1.599 minutes W	to
47	50 ° 48.711 minutes N , 001 ° 2.375 minutes W	From point 47 along the coast at the level of mean high water spring tide to point 48
48	50 ° 50.006 minutes N , 001 ° 3.280 minutes W	to
49	50 ° 50.027 minutes N , 001 ° 3.257 minutes W	From point 49 along the coast at the level of mean high water spring tide to point 37.
Portsmouth Harbour – Areas 7-12		
Area 7		
50	50 ° 49.514 minutes N , 001 ° 7.450 minutes W	to
51	50 ° 49.448 minutes N , 001 ° 7.103 minutes W	to
52	50 ° 49.271 minutes N , 001 ° 7.148 minutes W	to

53	50 ° 49.219 minutes N , 001 ° 7.585 minutes W to
54	50 ° 49.387 minutes N , 001 ° 7.930 minutes W From point 54 along the coast at the level of mean high water spring tide to point 50.
Area 8	
55	50 ° 50.180 minutes N , 001 ° 7.501 minutes W to
56	50 ° 50.059 minutes N , 001 ° 7.667 minutes W to
57	50 ° 49.937 minutes N , 001 ° 7.326 minutes W to
58	50 ° 49.846 minutes N , 001 ° 7.426 minutes W to
59	50 ° 49.986 minutes N , 001 ° 7.809 minutes W to
60	50 ° 49.782 minutes N , 001 ° 8.074 minutes W to
61	50 ° 49.630 minutes N , 001 ° 8.160 minutes W to
62	50 ° 49.632 minutes N , 001 ° 8.251 minutes W to
63	50 ° 49.791 minutes N , 001 ° 8.419 minutes W to
64	50 ° 49.853 minutes N , 001 ° 8.396 minutes W to
65	50 ° 50.370 minutes N , 001 ° 8.972 minutes W to
66	50 ° 50.406 minutes N , 001 ° 9.079 minutes W to
67	50 ° 50.471 minutes N , 001 ° 9.102 minutes W From point 67 along the coast at the level of mean high water spring tide to point 55.
Area 9	
68	50 ° 49.798 minutes N , 001 ° 8.864 minutes W to
69	50 ° 49.700 minutes N , 001 ° 8.682 minutes W to
70	50 ° 49.616 minutes N , 001 ° 8.829 minutes W to
71	50 ° 49.722 minutes N , 001 ° 8.965 minutes W From point 71 to point 68.
Area 10	
72	50 ° 50.211 minutes N , 001 ° 9.300 minutes W to
73	50 ° 50.289 minutes N , 001 ° 9.169 minutes W to
74	50 ° 50.177 minutes N , 001 ° 9.030 minutes W to
75	50 ° 50.103 minutes N , 001 ° 9.049 minutes W to
76	50 ° 50.093 minutes N , 001 ° 9.079 minutes W From point 76 along the coast at the level of mean high water spring tide to point 72.
Area 11	
77	50 ° 50.567 minutes N , 001 ° 9.265 minutes W to
78	50 ° 50.425 minutes N , 001 ° 9.700 minutes W to
79	50 ° 50.499 minutes N , 001 ° 9.779 minutes W From point 79 along the coast at the level of mean high water spring tide to point 77.
Area 12	
80	50 ° 50.256 minutes N , 001 ° 9.627 minutes W to

81	50 ° 50.300 minutes N , 001 ° 9.685 minutes W to
82	50 ° 50.356 minutes N , 001 ° 9.580 minutes W to
83	50 ° 50.345 minutes N , 001 ° 9.529 minutes W From point 83 along the base of the jetty until the southerly end of the jetty, then along the coast at the level of mean high water spring tide to point 80.

Southampton Water – Areas 13-18

Area 13

84	50 ° 49.275 minutes N , 001 ° 15.186 minutes W to
85	50 ° 49.156 minutes N , 001 ° 15.368 minutes W to
86	50 ° 49.576 minutes N , 001 ° 16.473 minutes W to
87	50 ° 49.739 minutes N , 001 ° 16.334 minutes W From point 87 along the coast at the level of mean high water spring tide to point 84.

Area 14

The Part of the District that lies below mean high water springs and north of a line drawn from:

88	50 ° 52.381 minutes N , 001 ° 18.341 minutes W to
89	50 ° 52.385 minutes N , 001 ° 18.783 minutes W

Area 15

The Part of the District that lies below mean high water springs and north of a line drawn from:

90	50 ° 54.097 minutes N , 001 ° 27.122 minutes W to
91	50 ° 54.133 minutes N , 001 ° 27.119 minutes W to
92	50 ° 54.290 minutes N , 001 ° 27.587 minutes W to
93	50 ° 54.287 minutes N , 001 ° 27.875 minutes W to
94	50 ° 54.424 minutes N , 001 ° 27.900 minutes W to
95	50 ° 54.614 minutes N , 001 ° 28.103 minutes W to
96	50 ° 54.687 minutes N , 001 ° 28.027 minutes W

Area 16

97	50 ° 48.910 minutes N , 001 ° 18.557 minutes W to
98	50 ° 50.213 minutes N , 001 ° 20.155 minutes W From point 98 along the coast at the level of mean high water spring tide to point 97.

Area 17

99	50 ° 50.762 minutes N , 001 ° 20.979 minutes W to
100	50 ° 51.901 minutes N , 001 ° 23.316 minutes W From point 100 along the coast at the level of mean high water spring tide to point 99.

Area 18

101	50 ° 48.749 minutes N , 001 ° 18.690 minutes W to
102	50 ° 48.506 minutes N , 001 ° 18.359 minutes W to
103	50 ° 47.792 minutes N , 001 ° 19.800 minutes W to

104 50 ° 47.807 minutes N , 001 ° 19.970 minutes W From point 104 along the coast at the level of mean high water spring tide to point 101.

Lymington, Keyhaven and Beaulieu – Areas 19-21

Area 19

105 50 ° 47.107 minutes N , 001 ° 21.922 minutes W to
106 50 ° 46.897 minutes N , 001 ° 21.560 minutes W to
107 50 ° 46.953 minutes N , 001 ° 20.936 minutes W to
108 50 ° 46.650 minutes N , 001 ° 20.963 minutes W to
109 50 ° 46.458 minutes N , 001 ° 22.196 minutes W to
110 50 ° 46.563 minutes N , 001 ° 22.317 minutes W to
111 50 ° 47.119 minutes N , 001 ° 22.011 minutes W From point 111 to point 105.

Area 20

112 50 ° 45.756 minutes N , 001 ° 26.754 minutes W to
113 50 ° 45.189 minutes N , 001 ° 28.936 minutes W to
114 50 ° 43.792 minutes N , 001 ° 32.437 minutes W From point 114 along the coast at the level of mean high water spring tide to point 112.

Area 21

115 50 ° 43.786 minutes N , 001 ° 32.446 minutes W to
116 50 ° 42.860 minutes N , 001 ° 33.300 minutes W From point 115 along the coast at the level of mean high water spring tide to point 116.

Yarmouth – Area 22

Area 22

117 50 ° 42.419 minutes N , 001 ° 31.204 minutes W to
118 50 ° 42.478 minutes N , 001 ° 31.199 minutes W to
119 50 ° 42.512 minutes N , 001 ° 29.845 minutes W to
120 50 ° 42.677 minutes N , 001 ° 28.848 minutes W to
121 50 ° 42.776 minutes N , 001 ° 28.496 minutes W to
122 50 ° 43.041 minutes N , 001 27.362 minutes W to
123 50 ° 43.011 minutes N , 001 27.295 minutes W From point 123 along the coast at the level of mean high water spring tide to point 117 including the waters within the River Yar below mean high water springs.

Yarmouth to Cowes – Areas 23-24

Area 23

124 50 ° 43.288 minutes N , 001 ° 26.599 minutes W to
125 50 ° 43.503 minutes N , 001 ° 26.805 minutes W to
126 50 ° 43.796 minutes N , 001 ° 26.198 minutes W to
127 50 ° 43.572 minutes N , 001 ° 25.127 minutes W to

128	50 °	43.973	minutes	N	,	001 °	23.302	minutes	W	to
129	50 °	44.133	minutes	N	,	001 °	23.059	minutes	W	to
130	50 °	44.095	minutes	N	,	001 °	22.852	minutes	W	to
131	50 °	44.406	minutes	N	,	001 °	21.559	minutes	W	to
132	50 °	44.614	minutes	N	,	001 °	21.362	minutes	W	to
133	50 °	44.806	minutes	N	,	001 °	20.847	minutes	W	to
134	50 °	45.022	minutes	N	,	001 °	21.043	minutes	W	to
135	50 °	45.482	minutes	N	,	001 °	20.707	minutes	W	to
136	50 °	45.629	minutes	N	,	001 °	20.205	minutes	W	to
137	50 °	45.507	minutes	N	,	001 °	19.642	minutes	W	From point 137 along the coast at the level of mean high water spring tide to point 124 including the waters within Newtown Harbour below mean high water springs.

Area 24

138	50 °	44.453	minutes	N	,	001 °	22.726	minutes	W	to
139	50 °	44.372	minutes	N	,	001 °	22.729	minutes	W	to
140	50 °	44.374	minutes	N	,	001 °	22.863	minutes	W	to
141	50 °	44.455	minutes	N	,	001 °	22.860	minutes	W	From point 141 along the coast at the level of mean high water spring tide to point 138.

The Medina, Cowes and Osbourne Bay – Areas 25-28

Area 25

142	50 °	46.027	minutes	N	,	001 °	18.427	minutes	W	to
143	50 °	46.071	minutes	N	,	001 °	18.422	minutes	W	to
144	50 °	46.070	minutes	N	,	001 °	18.255	minutes	W	to
145	50 °	46.023	minutes	N	,	001 °	18.253	minutes	W	From point 145 along the coast at the level of mean high water spring tide to point 142.

Area 26

The Part of the District that lies below mean high water springs and south of a line drawn from:

146	50 °	44.962	minutes	N	,	001 °	17.588	minutes	W	to
147	50 °	44.962	minutes	N	,	001 °	17.419	minutes	W	

Area 27

148	50 °	45.767	minutes	N	,	001 °	17.319	minutes	W	to
149	50 °	45.846	minutes	N	,	001 °	17.444	minutes	W	to
150	50 °	45.803	minutes	N	,	001 °	17.749	minutes	W	to
151	50 °	46.029	minutes	N	,	001 °	17.847	minutes	W	to
152	50 °	46.155	minutes	N	,	001 °	17.043	minutes	W	to
153	50 °	45.976	minutes	N	,	001 °	16.618	minutes	W	From point 153 along the coast at the level of mean high water spring tide to point 148.

Area 28												
154	50	°	45.947	minutes	N	,	001	°	16.346	minutes	W	to
155	50	°	45.985	minutes	N	,	001	°	16.314	minutes	W	to
156	50	°	45.976	minutes	N	,	001	°	16.089	minutes	W	to
157	50	°	44.473	minutes	N	,	001	°	12.484	minutes	W	to
158	50	°	44.346	minutes	N	,	001	°	12.409	minutes	W	to
159	50	°	44.261	minutes	N	,	001	°	12.813	minutes	W	From point 159 along the coast at the level of mean high water spring tide to point 154 including those waters within Kings Quay.

Ryde to South Wight – Areas 29-31

Area 29												
160	50	°	44.000	minutes	N	,	001	°	10.372	minutes	W	to
161	50	°	44.343	minutes	N	,	001	°	10.582	minutes	W	to
162	50	°	44.578	minutes	N	,	001	°	8.742	minutes	W	to
163	50	°	43.891	minutes	N	,	001	°	9.112	minutes	W	From point 163 along the coast at the level of mean high water spring tide to point 160.

Area 30												
164	50	°	43.778	minutes	N	,	001	°	7.541	minutes	W	to
165	50	°	43.553	minutes	N	,	001	°	6.856	minutes	W	to
166	50	°	43.430	minutes	N	,	001	°	6.845	minutes	W	to
167	50	°	43.648	minutes	N	,	001	°	7.636	minutes	W	From point 167 to point 164.

Area 31												
168	50	°	41.008	minutes	N	,	000	°	58.440	minutes	W	to
169	50	°	40.615	minutes	N	,	000	°	57.901	minutes	W	to
170	50	°	40.248	minutes	N	,	000	°	57.780	minutes	W	to
171	50	°	40.293	minutes	N	,	000	°	58.351	minutes	W	to
172	50	°	40.555	minutes	N	,	000	°	58.501	minutes	W	From point 172 to point 168.

South Wight – Area 32

Area 32												
173	50	°	43.039	minutes	N	,	1	°	6.443	minutes	W	to
174	50	°	43.052	minutes	N	,	1	°	6.359	minutes	W	to
175	50	°	42.409	minutes	N	,	1	°	5.752	minutes	W	to
176	50	°	42.345	minutes	N	,	1	°	5.163	minutes	W	to
177	50	°	42.751	minutes	N	,	1	°	4.492	minutes	W	to
178	50	°	42.750	minutes	N	,	1	°	4.446	minutes	W	to

179	50	°	42.620	minutes	N	,	1	°	4.447	minutes	W	to
180	50	°	42.244	minutes	N	,	1	°	3.526	minutes	W	to
181	50	°	42.255	minutes	N	,	1	°	3.459	minutes	W	to
182	50	°	42.320	minutes	N	,	1	°	3.453	minutes	W	to
183	50	°	42.368	minutes	N	,	1	°	3.203	minutes	W	to
184	50	°	42.327	minutes	N	,	1	°	2.422	minutes	W	to
185	50	°	41.856	minutes	N	,	1	°	2.645	minutes	W	to
186	50	°	41.126	minutes	N	,	1	°	0.206	minutes	W	to
187	50	°	40.052	minutes	N	,	0	°	59.524	minutes	W	to
188	50	°	39.752	minutes	N	,	0	°	59.424	minutes	W	to
189	50	°	39.759	minutes	N	,	0	°	58.110	minutes	W	to
190	50	°	35.443	minutes	N	,	1	°	9.921	minutes	W	to
191	50	°	33.183	minutes	N	,	1	°	17.943	minutes	W	to
192	50	°	38.734	minutes	N	,	1	°	34.406	minutes	W	to
193	50	°	38.867	minutes	N	,	1	°	33.829	minutes	W	to
194	50	°	38.300	minutes	N	,	1	°	31.200	minutes	W	to
195	50	°	39.764	minutes	N	,	1	°	30.342	minutes	W	to
196	50	°	38.949	minutes	N	,	1	°	35.194	minutes	W	to
197	50	°	39.368	minutes	N	,	1	°	36.454	minutes	W	to
198	50	°	39.370	minutes	N	,	1	°	36.840	minutes	W	to
199	50	°	39.685	minutes	N	,	1	°	37.105	minutes	W	to
200	50	°	40.026	minutes	N	,	1	°	36.504	minutes	W	to
201	50	°	39.910	minutes	N	,	1	°	36.242	minutes	W	to
202	50	°	40.243	minutes	N	,	1	°	34.990	minutes	W	to
203	50	°	40.438	minutes	N	,	1	°	35.012	minutes	W	to
204	50	°	40.562	minutes	N	,	1	°	33.841	minutes	W	to
205	50	°	41.335	minutes	N	,	1	°	33.851	minutes	W	to
206	50	°	42.075	minutes	N	,	1	°	32.266	minutes	W	to
207	50	°	42.049	minutes	N	,	1	°	32.074	minutes	W	From point 207 along the coast at the level of mean high water spring tide to point 173.

Poole Bay – Areas 33-34

Area 33

208	50	°	41.486	minutes	N	,	001	°	46.576	minutes	W	to
209	50	°	40.461	minutes	N	,	001	°	46.581	minutes	W	to
210	50	°	40.465	minutes	N	,	001	°	48.873	minutes	W	to

211 50 ° 41.490 minutes N , 001 ° 48.869 minutes W From point 211 to point 208.

Area 34

212 50 ° 41.729 minutes N , 001 ° 52.368 minutes W to

213 50 ° 40.632 minutes N , 001 ° 52.363 minutes W to

214 50 ° 40.637 minutes N , 001 ° 53.947 minutes W to

215 50 ° 41.738 minutes N , 001 ° 53.961 minutes W From point 215 to point 212.

Poole Harbour – Areas 35-36

Area 35

216 50 ° 41.842 minutes N , 001 ° 56.556 minutes W to

217 50 ° 41.654 minutes N , 001 ° 56.514 minutes W to

218 50 ° 41.622 minutes N , 001 ° 56.143 minutes W to

219 50 ° 41.328 minutes N , 001 ° 56.590 minutes W to

220 50 ° 41.351 minutes N , 001 ° 56.911 minutes W to

221 50 ° 41.852 minutes N , 001 ° 56.718 minutes W From point 221 to point 216.

Area 36

222 50 ° 42.236 minutes N , 001 ° 56.820 minutes W to

223 50 ° 42.127 minutes N , 001 ° 56.780 minutes W to

224 50 ° 42.047 minutes N , 001 ° 56.569 minutes W to

225 50 ° 42.017 minutes N , 001 ° 56.553 minutes W to

226 50 ° 41.998 minutes N , 001 ° 56.558 minutes W to

227 50 ° 41.996 minutes N , 001 ° 56.630 minutes W to

228 50 ° 42.025 minutes N , 001 ° 56.847 minutes W to

229 50 ° 42.243 minutes N , 001 ° 57.150 minutes W to

230 50 ° 42.292 minutes N , 001 ° 57.024 minutes W From point 230 to point 222.

Studland Bay – Area 37

Area 37

231 50 ° 39.383 minutes N , 001 ° 57.149 minutes W to

232 50 ° 39.280 minutes N , 001 ° 56.014 minutes W to

233 50 ° 38.683 minutes N , 001 ° 55.529 minutes W to

234 50 ° 38.543 minutes N , 001 ° 55.407 minutes W From point 234 along the coast at the level of mean high water spring tide to point 231.

Purbeck Coast – Area 38

Area 38

235 50 ° 38.581 minutes N , 001 ° 55.350 minutes W to

236	50	°	38.670	minutes	N	,	001	°	55.337	minutes	W	to
237	50	°	39.307	minutes	N	,	001	°	54.575	minutes	W	to
238	50	°	39.297	minutes	N	,	001	°	53.813	minutes	W	to
239	50	°	38.613	minutes	N	,	001	°	53.833	minutes	W	to
240	50	°	38.551	minutes	N	,	001	°	53.482	minutes	W	to
241	50	°	37.312	minutes	N	,	001	°	53.483	minutes	W	to
242	50	°	37.315	minutes	N	,	001	°	53.917	minutes	W	to
243	50	°	36.942	minutes	N	,	001	°	53.913	minutes	W	to
244	50	°	36.948	minutes	N	,	001	°	54.724	minutes	W	to
245	50	°	36.461	minutes	N	,	001	°	54.711	minutes	W	to
246	50	°	36.294	minutes	N	,	001	°	53.214	minutes	W	to
247	50	°	35.588	minutes	N	,	001	°	53.219	minutes	W	to
248	50	°	35.078	minutes	N	,	001	°	54.044	minutes	W	to
249	50	°	33.132	minutes	N	,	001	°	54.051	minutes	W	to
250	50	°	29.849	minutes	N	,	002	°	6.019	minutes	W	to
251	50	°	31.461	minutes	N	,	002	°	14.535	minutes	W	to
252	50	°	33.393	minutes	N	,	002	°	14.549	minutes	W	to
253	50	°	33.869	minutes	N	,	002	°	11.239	minutes	W	to
254	50	°	33.770	minutes	N	,	002	°	10.355	minutes	W	to
255	50	°	33.987	minutes	N	,	002	°	9.864	minutes	W	to
256	50	°	34.642	minutes	N	,	002	°	10.242	minutes	W	to
257	50	°	34.853	minutes	N	,	002	°	9.850	minutes	W	to
258	50	°	36.098	minutes	N	,	002	°	11.026	minutes	W	to
259	50	°	34.620	minutes	N	,	002	°	14.981	minutes	W	to
260	50	°	34.675	minutes	N	,	002	°	15.818	minutes	W	to
261	50	°	34.064	minutes	N	,	002	°	15.909	minutes	W	to
262	50	°	34.066	minutes	N	,	002	°	19.968	minutes	W	to
263	50	°	37.914	minutes	N	,	002	°	20.335	minutes	W	From point 263 along the coast at the level of mean high water spring tide to point 235.

Portland and Stennis Ledges – Areas 39-40

Area 39 - Portland

264	50	°	32.533	minutes	N	,	002	°	25.117	minutes	W	to
265	50	°	31.400	minutes	N	,	002	°	21.983	minutes	W	to
266	50	°	30.690	minutes	N	,	002	°	23.424	minutes	W	to
267	50	°	30.761	minutes	N	,	002	°	23.676	minutes	W	to

268	50 °	30.330	minutes	N	,	002 °	24.397	minutes	W	to
269	50 °	30.219	minutes	N	,	002 °	24.380	minutes	W	to
270	50 °	29.683	minutes	N	,	002 °	25.467	minutes	W	to
271	50 °	29.000	minutes	N	,	002 °	20.700	minutes	W	to
272	50 °	28.412	minutes	N	,	002 °	19.352	minutes	W	to
273	50 °	28.254	minutes	N	,	002 °	18.393	minutes	W	to
274	50 °	27.883	minutes	N	,	002 °	18.757	minutes	W	to
275	50 °	27.883	minutes	N	,	002 °	26.000	minutes	W	to
276	50 °	27.483	minutes	N	,	002 °	26.033	minutes	W	to
277	50 °	27.483	minutes	N	,	002 °	27.917	minutes	W	to
278	50 °	29.138	minutes	N	,	002 °	28.706	minutes	W	to
279	50 °	27.749	minutes	N	,	002 °	30.096	minutes	W	to
280	50 °	28.273	minutes	N	,	002 °	32.496	minutes	W	to
281	50 °	30.378	minutes	N	,	002 °	30.391	minutes	W	to
282	50 °	29.691	minutes	N	,	002 °	28.929	minutes	W	to
283	50 °	29.741	minutes	N	,	002 °	28.692	minutes	W	to
284	50 °	32.761	minutes	N	,	002 °	27.683	minutes	W	to
285	50 °	33.646	minutes	N	,	002 °	29.087	minutes	W	to
286	50 °	33.690	minutes	N	,	002 °	29.019	minutes	W	to
287	50 °	33.875	minutes	N	,	002 °	29.282	minutes	W	to
288	50 °	34.213	minutes	N	,	002 °	28.701	minutes	W	to
289	50 °	33.391	minutes	N	,	002 °	27.436	minutes	W	to
290	50 °	33.641	minutes	N	,	002 °	26.984	minutes	W	From point 290 along the coast at the level of mean high water spring tide to point 264.

Area 40 - Stennis Ledges

291	50 °	35.541	minutes	N	,	002 °	30.288	minutes	W	to
292	50 °	35.479	minutes	N	,	002 °	30.010	minutes	W	to
293	50 °	35.128	minutes	N	,	002 °	29.582	minutes	W	to
294	50 °	34.666	minutes	N	,	002 °	29.358	minutes	W	to
295	50 °	34.174	minutes	N	,	002 °	29.913	minutes	W	to
296	50 °	34.293	minutes	N	,	002 °	30.098	minutes	W	to
297	50 °	32.960	minutes	N	,	002 °	32.067	minutes	W	to
298	50 °	33.462	minutes	N	,	002 °	33.808	minutes	W	to
299	50 °	35.194	minutes	N	,	002 °	31.545	minutes	W	to
300	50 °	35.255	minutes	N	,	002 °	31.656	minutes	W	From point 300 to point 291.

Chesil and The Fleet – Areas 41-42**Area 41**

301	50	°	35.990	minutes	N	,	002	°	29.940	minutes	W	to
302	50	°	35.860	minutes	N	,	002	°	30.170	minutes	W	From point 302 along the coast at the level of mean high water spring tide to point 303.
303	50	°	38.680	minutes	N	,	002	°	35.510	minutes	W	to
304	50	°	38.775	minutes	N	,	002	°	35.410	minutes	W	From point 304 along the coast at the level of mean high water spring tide to point 301.

Area 42

305	50	°	37.569	minutes	N	,	002	°	34.394	minutes	W	to
306	50	°	36.901	minutes	N	,	002	°	33.020	minutes	W	to
307	50	°	36.757	minutes	N	,	002	°	32.952	minutes	W	to
308	50	°	36.565	minutes	N	,	002	°	34.060	minutes	W	to
309	50	°	37.401	minutes	N	,	002	°	35.673	minutes	W	From point 309 to point 305.

Lyme Bay – Area 43**Area 43**

310	50	°	41.735	minutes	N	,	002	°	43.267	minutes	W	to
311	50	°	41.000	minutes	N	,	002	°	44.020	minutes	W	to
312	50	°	40.790	minutes	N	,	002	°	44.768	minutes	W	to
313	50	°	40.180	minutes	N	,	002	°	44.767	minutes	W	to
314	50	°	39.764	minutes	N	,	002	°	45.035	minutes	W	to
315	50	°	39.970	minutes	N	,	002	°	43.721	minutes	W	to
316	50	°	39.864	minutes	N	,	002	°	43.212	minutes	W	to
317	50	°	39.219	minutes	N	,	002	°	42.925	minutes	W	to
318	50	°	38.702	minutes	N	,	002	°	42.963	minutes	W	to
319	50	°	38.538	minutes	N	,	002	°	43.162	minutes	W	to
320	50	°	38.485	minutes	N	,	002	°	42.086	minutes	W	to
321	50	°	38.839	minutes	N	,	002	°	42.418	minutes	W	to
322	50	°	39.186	minutes	N	,	002	°	41.962	minutes	W	to
323	50	°	39.609	minutes	N	,	002	°	39.759	minutes	W	to
324	50	°	39.141	minutes	N	,	002	°	39.243	minutes	W	to
325	50	°	39.045	minutes	N	,	002	°	38.214	minutes	W	to
326	50	°	38.600	minutes	N	,	002	°	36.833	minutes	W	to
327	50	°	37.920	minutes	N	,	002	°	36.743	minutes	W	to
328	50	°	38.210	minutes	N	,	002	°	37.356	minutes	W	to

329	50 °	37.548	minutes	N	,	002 °	42.154	minutes	W	to
330	50 °	38.938	minutes	N	,	002 °	44.570	minutes	W	to
331	50 °	38.939	minutes	N	,	002 °	45.676	minutes	W	to
332	50 °	39.653	minutes	N	,	002 °	45.683	minutes	W	to
333	50 °	39.653	minutes	N	,	002 °	48.090	minutes	W	to
334	50 °	39.458	minutes	N	,	002 °	48.942	minutes	W	to
335	50 °	38.949	minutes	N	,	002 °	48.945	minutes	W	to
336	50 °	38.956	minutes	N	,	002 °	52.009	minutes	W	to
337	50 °	38.869	minutes	N	,	002 °	52.502	minutes	W	to
338	50 °	39.000	minutes	N	,	002 °	52.807	minutes	W	to
339	50 °	38.969	minutes	N	,	002 °	54.864	minutes	W	to
340	50 °	38.705	minutes	N	,	002 °	54.856	minutes	W	to
341	50 °	38.705	minutes	N	,	002 °	55.000	minutes	W	to
342	50 °	38.617	minutes	N	,	002 °	55.000	minutes	W	to
343	50 °	38.284	minutes	N	,	002 °	53.089	minutes	W	to
344	50 °	38.290	minutes	N	,	002 °	52.785	minutes	W	to
345	50 °	38.167	minutes	N	,	002 °	52.433	minutes	W	to
346	50 °	37.866	minutes	N	,	002 °	52.817	minutes	W	to
347	50 °	37.667	minutes	N	,	002 °	54.300	minutes	W	to
348	50 °	37.267	minutes	N	,	002 °	53.600	minutes	W	to
349	50 °	37.084	minutes	N	,	002 °	53.830	minutes	W	to
350	50 °	37.000	minutes	N	,	002 °	54.185	minutes	W	to
351	50 °	37.433	minutes	N	,	002 °	55.300	minutes	W	to
352	50 °	37.382	minutes	N	,	002 °	56.083	minutes	W	to
353	50 °	38.124	minutes	N	,	002 °	56.780	minutes	W	to
354	50 °	43.070	minutes	N	,	002 °	56.780	minutes	W	From point 354 along the coast at the level of mean high water spring tide to point 310.

SOUTHERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Explanatory Note (not part of the byelaw)

This byelaw prohibits the use of bottom towed fishing gear for the exploitation of sea fisheries resources in areas of the Southern Inshore Fisheries and Conservation Authority District in order to protect designated features and supporting habitats within Marine Conservation Zones (MCZs) and within or adjacent to Special Areas of Conservation (SACs) and Special Protection Areas (SPAs).

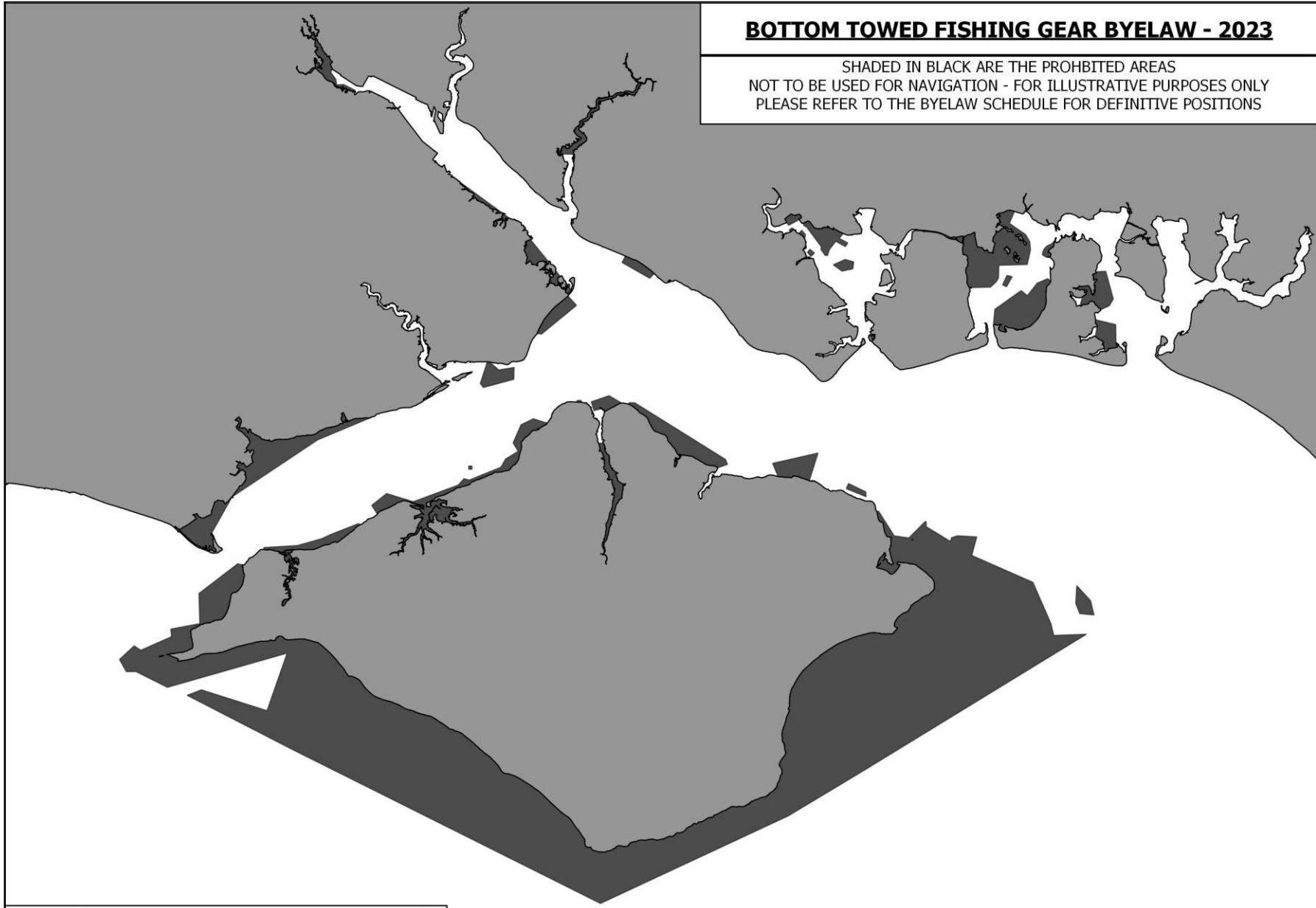
The byelaw also requires a vessel carrying bottom towed fishing gear while transiting through a prohibited area to have that gear inboard and above the sea.

Prohibited areas are defined in the Schedule and are shown, for illustrative purposes only, on the maps below.

DRAFT

BOTTOM TOWED FISHING GEAR BYELAW - 2023

SHADED IN BLACK ARE THE PROHIBITED AREAS
NOT TO BE USED FOR NAVIGATION - FOR ILLUSTRATIVE PURPOSES ONLY
PLEASE REFER TO THE BYELAW SCHEDULE FOR DEFINITIVE POSITIONS



BOTTOM TOWED FISHING GEAR BYELAW - 2023

SHADED IN BLACK ARE THE PROHIBITED AREAS
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PLEASE REFER TO THE BYELAW SCHEDULE FOR DEFINITIVE POSITIONS





Bottom Towed Fishing Gear Byelaw 2023

Management Intentions Document

Supporting document for the Bottom Towed Fishing Gear
Byelaw 2023

Document Control

Title	Bottom Towed Fishing Gear Byelaw 2023 Management Intentions Document
Author	Sarah Birchenough, Deputy Chief Officer
Approver	The Southern Inshore Fisheries and Conservation Authority
Approval Date (draft)	Draft documented approved at (TBC)
Approval Date (final)	TBC
Owner	Southern IFCA

Revision History

Date	Author	Version	Status	Reason/Detail	Approver(s)
04.05.23	S Birchenough	1.1	Initial draft for consideration by Southern IFCA TAC: 4 th May 2023		P Bateman
16.05.23	S Birchenough	1.2	Updated draft following TAC 4th May 2022	<p><u>Update to:</u></p> <ul style="list-style-type: none"> Section 2.2.1: Phase 1&2 clarification Section 2.2.2: Phase 1 Principles Annex 2 (maps) to reflect amendments to Phase 1 Principles (inclusion of areas currently closed under the BTFG Byelaw 2016) <p><u>Addition of:</u></p> <ul style="list-style-type: none"> Figures 1&2 	The Southern IFCA Authority on the 8 th June 2023

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1. Introduction

This Management Intentions document has been produced to accompany the Southern IFCA Bottom Towed Fishing Gear Byelaw 2023 (“the Byelaw”).

This document seeks to provide clarity of intention and process which has underpinned management decisions concerning bottom towed fishing gear in the Southern IFCA district.

This document is to be read in conjunction with the Byelaw. This document will be reviewed in line with any future review of bottom towed fishing gear.

1.1 Rationale

Southern IFCA is responsible for the management of fishing activities in the coastal waters of Dorset, Hampshire and the Isle of Wight. These waters contain highly biodiverse and ecologically rich habitats, providing a range of valuable ecosystem services. The value of these habitats and species is recognised through a range of Marine Protected Area (MPA) designations, collectively contributing to the UK’s MPA Network (“the National Site Network”).

Bottom towed fishing gears, or mobile demersal gears such as otter trawls or shellfish dredges, have been used by fishers for generations in the coastal waters of Dorset, Hampshire and the Isle of Wight. In certain areas these techniques have the potential to adversely affect sensitive habitats and species.

The Southern IFCA has a duty to manage fisheries within MPAs ensuring that designated features and supporting habitats are not adversely affected (SACs and SPAs) and that Conservation Objectives of the sites (MCZs) are furthered. These duties are set out in the Marine and Coastal Access Act 2009¹ (“the MaCAA”) and the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019² (“Conservation Regulations”).

2. Review of Bottom Towed Fishing Gear Management

In line with the duties of the Southern IFCA, in 2020 Members of the Southern IFC Authority considered the need for a review of management of bottom towed fishing gear in the district in response to a change in the National Site Network through the addition of new Marine Conservation Zones (MCZs) and updates to the best-available evidence which had been used to inform the Bottom Towed Fishing Gear Byelaw 2016 as the current management mechanism for these gear types in the district.

The evidence to support this review was collated through a series of MCZ Assessments and Habitats Regulations Assessments which were reviewed and agreed by the Southern IFCA Technical Advisory Committee (TAC) in February 2020 and May 2020 as well as standing assessments which were compiled for the 2016 byelaw and were deemed to still be relevant to the evidence base in 2020.

¹ [Marine and Coastal Access Act 2009 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

² [The Conservation of Habitats and Species \(Amendment\) \(EU Exit\) Regulations 2019 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

2.1 Review Drivers for Drafting Management Measures

At a meeting of the Southern IFCA TAC in August 2021, following consideration of the evidence to support a review, Members agreed to proceed the review of bottom towed fishing gear management to Stage 2 of the Byelaw Making Process, to draft management measures, operating under defined drivers.

2.1.1 Driver - Updates to the Marine Protected Area Network

On the 31st May 2019, the Government announced a third tranche (T3) of Marine Conservation Zone (MCZ) designations which included 6 new sites within the Southern IFCA district and a further 12 new features added to existing MCZs, these are given in table 1.

In line with Southern IFCA's duties under the MaCAA, the Authority was required to undertake an assessment of the potential impacts of fishing activities on designated features to ensure that these activities are compatible with the site's Conservation Objectives, seeking to ensure that the Conservation Objectives are furthered. These assessments consider the nature of the gear type, scale of fishing activity, overlap between the extent of the feature and fishing and the vulnerabilities of the features. The Authority is required to consult with Natural England, the Government's statutory nature conservation advisors, on the outcomes of these assessments. The outcomes of the MCZ Assessments indicated that additional measures would be required for the management of bottom towed fishing gears in MCZs to ensure the Conservation Objectives for the sites can be furthered.

Table 1: Updates made to the Marine Protected Area Network in the Southern IFC District

T3 MCZs	MCZs with Additional Features
Bembridge	Chesil Beach and Stennis Ledges
Yarmouth to Cowes	Poole Rocks
Southbourne Rough	The Needles
Studland Bay	
Purbeck Coast	
South of Portland	

2.1.2 Driver - Review of Existing Spatial Management

Previous management of bottom towed fishing gear under the Bottom Towed Fishing Gear Byelaw 2016 was informed by best-available evidence. In some areas this evidence, particularly in relation to MPA feature condition and extent, has been updated and improved since 2016. To ensure that management measures for bottom towed fishing gear are appropriate, additional MPA assessments were undertaken, focusing on reef and seagrass features against an updated evidence base.

As a result of the updated evidence base, the assessments indicated that changes would be required to the management of bottom towed fishing gear in the district's MCZs as well as in Special Areas of Conservation (SACs) and Special Protection Areas (SPAs). For MCZs, these assessments are MCZ Assessments and for SACs and SPAs they are Habitats Regulations Assessments. Details on the best-available evidence used in the 2020 review is given in Section 2.2.3. All MPAs within the National Site Network in the Southern IFCA District which are subject to consideration for management under the bottom towed fishing gear review are detailed in table 2.

Table 2: SACs, SPAs and MCZs that form part of the National Site Network which occur within the Southern IFCA District and are subject to consideration for management under the bottom towed fishing gear review

District SACs	District SPAs	District MCZs
Lyme Bay and Torbay	Chesil Beach and the Fleet	Bembridge
Solent Maritime	Chichester and Langstone Harbour	Yarmouth to Cowes
Studland to Portland	Poole Harbour	The Needles
South Wight Maritime	Portsmouth Harbour	Southbourne Rough
	Solent and Southampton Water	Poole Rocks
		Studland Bay
		Purbeck Coast
		South of Portland
		Chesil Beach and Stennis Ledges

2.1.3 Driver - Protection of Sensitive Habitats Outside MPAs

Under the initial scope of the review, Members considered a third driver which considered where areas of sensitive habitat outside of MPAs may require management for bottom towed fishing gear. The identification of this driver was based on the Southern IFCA duty under the MaCAA to ‘*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 to promote its recovery from, the effects of such exploitation*’.

During the progress of the review, it was determined that this driver would sit in a subsequent phase of reviewing management for bottom towed fishing gear. The rationale for this and an outline of how this second phase is intended to be delivered is given in Section 2.2.1.

2.2 Progression of the Bottom Towed Fishing Gear Review

Following the progression of the review to Stage 2, an initial set of proposed management measures was drafted on the basis of the three review drivers outlined in Section 2.1. An informal consultation with the stakeholder community was held on these measures between 17th June and 1st August 2022³. Members considered the outcomes of this consultation at a meeting of the TAC in August 2022 and a meeting of the Authority in September 2022 where it was agreed to progress the review to Stage 3 which involved drafting a new byelaw to replace the existing Bottom Towed Fishing Gear Byelaw 2016.

2.2.1 Phased Approach to MPA Management Review

In 2023, The Environmental Improvement Plan 2023 was introduced by Government as the first revision of the 25 Year Environment Plan. The Environment Plan identified the Government’s intention to support progress towards the UN’s Sustainable Development Goals under the Global Biodiversity Framework which includes protection of 30% of the global ocean by 2030. At a domestic level, the Government aim to achieve this by enhancing protection for MPAs. Under the Goal of Thriving Plants and Wildlife in the Environment Improvement Plan 2023, there is a target for 70% of designated features in MPAs to be in favourable condition by 2042 with the remainder in recovering condition and a new interim target of 48% of this to be achieved by 31st January 2028. The delivery of this is to be supported through strengthened

³ Copies of the Consultation Document and Summary of Responses from this informal consultation can be obtained from the Southern IFCA upon request.

protections in MPAs by 2024. Appropriate regulators, including IFCA, are required to ensure that management measures are in place for all MPAs by 2024 in order for this interim target to be achieved. This includes the management of bottom towed fishing gear in MPAs.

In order to meet the Government target, Southern IFCA identified a need to prioritise workstreams and adopt a phased approach to the delivery of the bottom towed fishing gear review. This is based on the resource requirements for meeting the Government target and aims to allow for the consideration of wider district wide sensitive habitat management following an initial consideration of feature-based management for MPAs.

Consideration of feature-based management for MPAs is in line with the legal duties of Southern IFCA in relation to the different designations of MPA. In all cases the term 'feature' is used to refer to designated features and supporting habitats for designated features under SPA designations. For MCZs, under S154 of the MaCAA, Southern IFCA must ensure that the Conservation Objectives of any MCZ in the district are furthered. Under Article 6 of the Conservation Regulations, Southern IFCA as a named competent authority must ensure that fishing activity occurring within or adjacent to an SAC or SPA does not damage, disturb or lead to a deterioration of a species or habitat which receives protection under the relevant designation so as to ensure compliance with the Habitats Directive and Birds Directive. These legal duties are related to the phased approach to bottom towed fishing gear management in the text boxes on the following page.

The phased approach to management of designated features and sensitive habitats/species across the District is illustrated in Figures 1 and 2. Figure 1 shows how feature-based management will be considered under Phase 1 based on the legal duties underpinning the IFCA's Core Functions in relation to MCZs and SACs/SPAs and Figure 2 shows how wider management of designated features as well as sensitive habitats/species will be considered under Phase 2, noting that the principles for this Phase of the review have yet to be determined by the Authority.

Phased Approach to the Bottom Towed Fishing Gear Review

The phased approach is split into two, Phase 1 and Phase 2.

Phase 1: To consider feature based management interventions for MPAs: sites designated under the National Site Network (Special Areas of Conservation [SACs], Special Protection Areas [SPAs] and Marine Conservation Zones [MCZs])

In line with the IFCA's Core Functions under both the MaCAA (2009) and the Conservation Regulations, Phase 1 will consider management of bottom towed fishing gear for features which exist within any MCZ, and which exist within or adjacent to any SAC/SPA. For the purposes of Phase 1, 'adjacent' means a feature (to include any buffer) which extends across the boundary of the designated site, to ensure that the integrity of that part of the feature which exists within the boundary of the site is not affected by activity occurring over that same feature where it extends outside the boundary of the site.

For MCZs, S154 of the MaCAA states that an IFCA's performance in meeting the duty to further Conservation Objectives should not be affected by anything listed in the general IFCA duties under S153 of the MaCAA, which include social or economic considerations. Likewise, for SACs and SPAs, the overarching legislation does not provide for the consideration of social or economic factors/impacts when making management decisions which are required to ensure that the duty of no adverse effect is met.

The Authority has developed a set of principles for Phase 1 in order to guide and maintain consistency in decision making which will ensure that any subsequent management is applied equally and with full transparency across the Southern IFCA District, where applicable.

Existing 2016 BTFG closures which do not meet Principles 1 & 2 (S2.2.2) will remain in place under Phase 1.

Phase 2: To consider district wide management interventions for sensitive habitats.

Following the completion of Phase 1 it is the intention of the Authority to commence Phase 2 of the review. Phase 2 would consider features which exist adjacent to an MCZ boundary (i.e., any part of a feature which extends across the boundary of an MCZ) as well as any sensitive habitats and species (yet to be defined, pending the scope of Phase 2) across the district, both inside and outside National Site Network Sites and MCZs. This would also include consideration of features and sensitive habitats/species within Sites of Special Scientific Interest (SSSIs) which are not also designated under overlapping MPAs, where IFCA duties under the Wildlife and Countryside Act (1981) require the Authority to take 'reasonable steps, consistent with the proper exercise of the authority's functions' to further conservation objectives for features within these sites.

Phase 2 will also consider those areas which are currently closed under the Bottom Towed Fishing Gear Byelaw 2016 which, according to the principles developed for Phase 1 (S2.2.2), will remain closed under Phase 1 of the review. In order to determine if any spatial changes are needed for these areas, socio-economic and environmental assessments will be carried out to create an evidence base to ensure all potential impacts of any potential change are considered.

Under Phase 2, social and economic factors/impacts can be considered alongside the need for protection of the marine environment, operating under the IFCA duties outlined under S153 of the MaCAA, namely balancing the protection of the marine environment with a sustainable fishing industry, balancing the needs of different persons engaged in the exploitation of sea fisheries resources and ensuring sustainable fishing and continued sustainable development. In addition, Phase 2 will allow for the consideration of outcomes of currently ongoing restoration projects for specified habitats and consideration of how the IFCA can align with the Government's Vision of protecting 30% of land and sea by 2030 ("30x30").

A phased approach allows for the consideration of wider sensitive habitat management beyond the feature-based management approach taken in Phase 1. In staging the approach, Phase 2 will benefit from the inclusion of outcomes from ongoing research programmes and projects, currently underway in the district, to include those which are specifically focused on areas which may provide habitat restoration potential, ecosystem services, blue carbon habitats and Natural Capital benefits. Research in these areas will contribute vital information to help the IFCA to contribute to wider conservation targets and understand how the wider management of sensitive habitats can contribute to meeting the objectives of the Fisheries Act 2020. In addition, during Phase 2, and in order to deliver Southern IFCA's core duties under the MaCAA, extensive consultation across the district's communities will be required to capture site specific information regarding the social and economic benefits of fishing, coupled with the need to protect the marine environment.

The phased approach to the delivery of this workstream was adopted by the Southern IFCA Authority at their meeting in March 2023 and is outlined in the Southern IFCA Research and Policy Team Plan for April 2023 to March 2024⁴.

⁴ To be added once uploaded onto website

PHASE 1

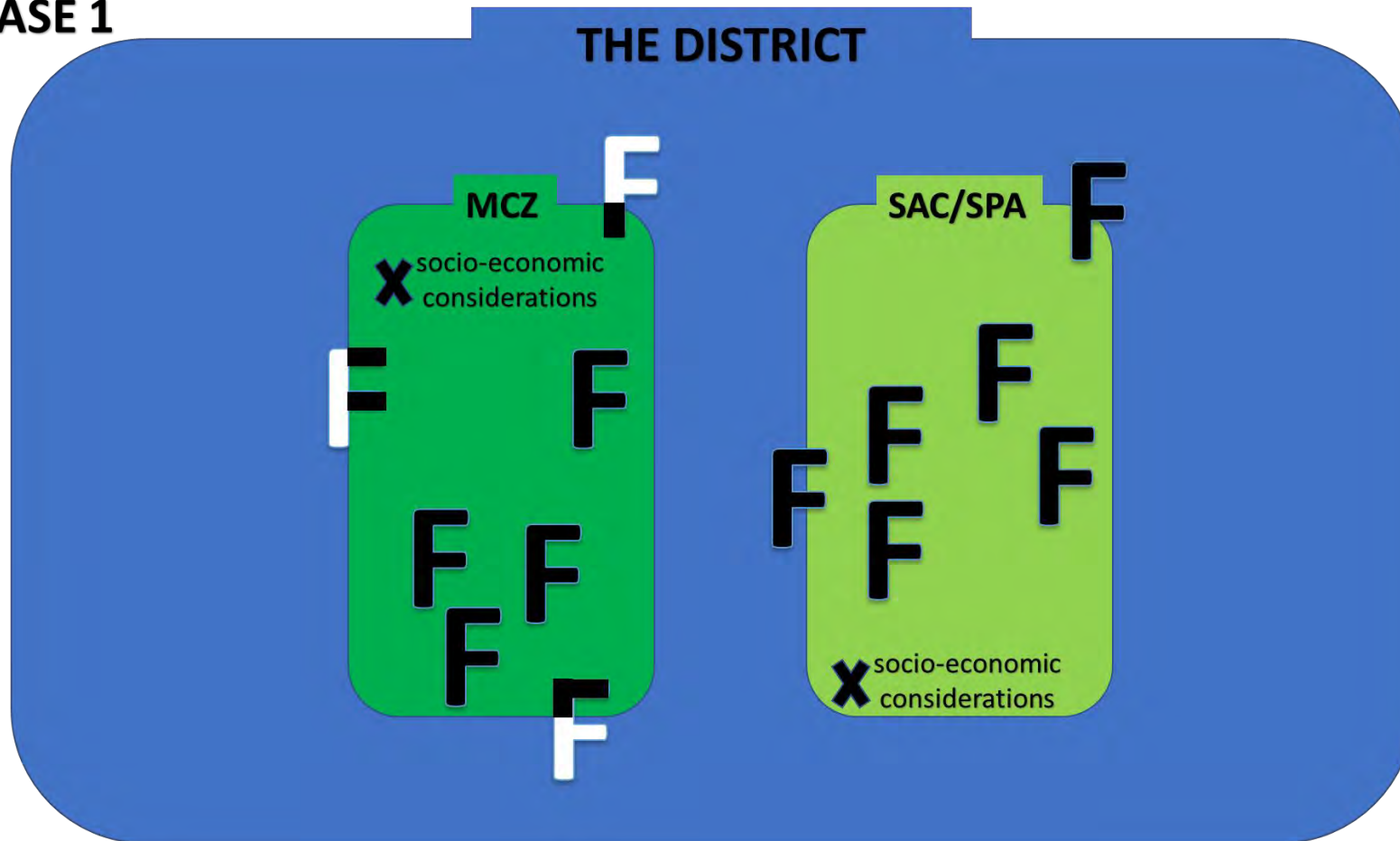


Figure 1: Feature-based management in the Southern IFCA District under Phase 1 of the Bottom Towed Fishing Gear Review. **F** = designated features, black letters indicate where a feature will be protected under Phase 1, white indicates where features will be considered for protection under Phase 2. For MCZs the duty of the IFCA is to further the conservation objectives for features where they occur within the boundary of the site, for SACs/SPAs the duty of the IFCA is to ensure that fishing activity occurring within or adjacent to an SAC or SPA does not damage, disturb or lead to a deterioration of a feature which receives protection under the relevant designation.

PHASE 2

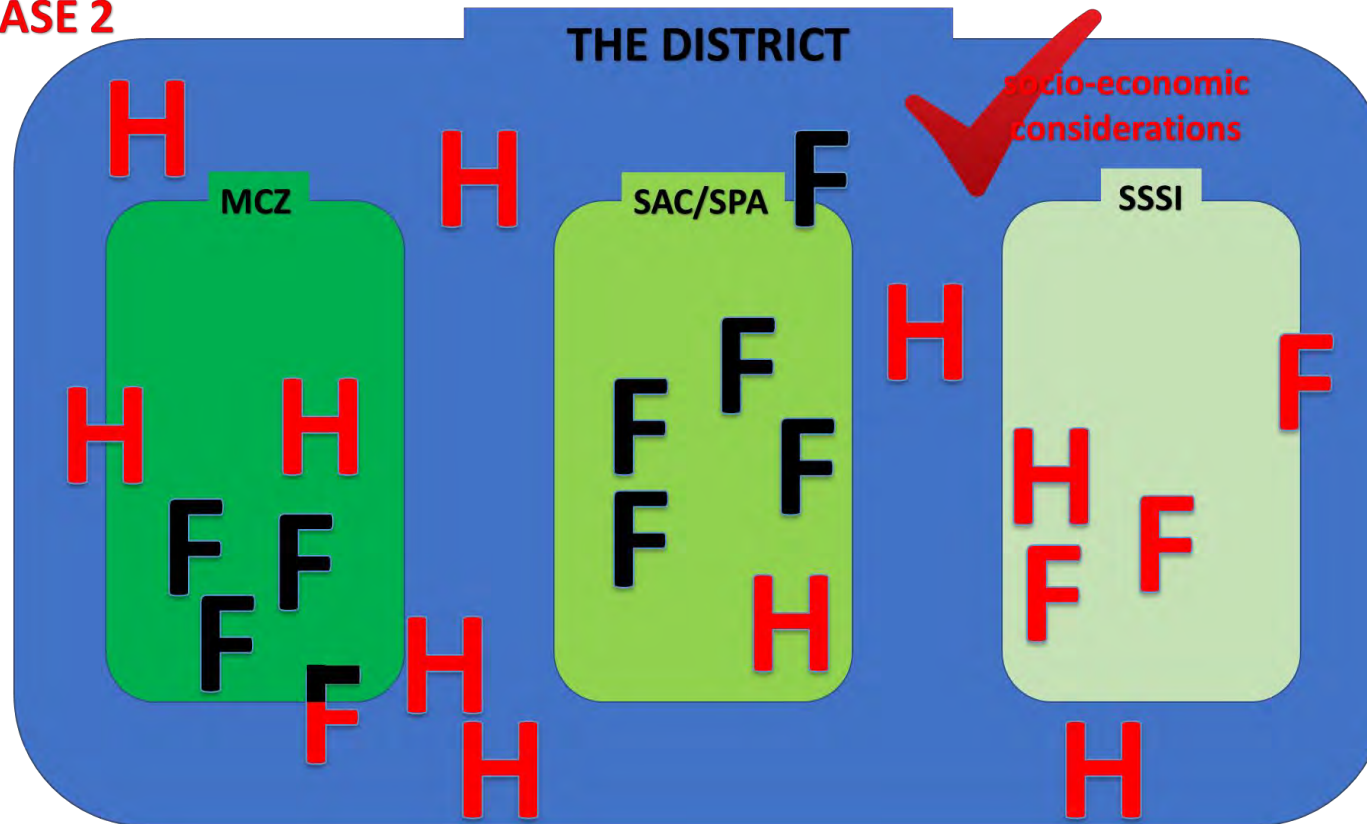


Figure 2: Management under Phase 2 of the Bottom Towed Fishing Gear Review. **F** = designated features, **H** = sensitive habitats and species which are not designated for an MPA, black letters indicate where a feature will be protected under Phase 1, red letters indicate where management will be explored through Phase 2, incorporating consideration of features which exist adjacent to MCZ boundaries (i.e., any part of a feature which extends across the boundary of an MCZ) as well as the location of sensitive habitats and species (yet to be defined, pending the scope of Phase 2) across the district, both inside and outside National Site Network Sites and MCZs. This would also include consideration of features and sensitive habitats/species within Sites of Special Scientific Interest (SSSIs) which are not also designated under overlapping MPAs.

2.2.2 Delivery of Phase 1

Members of the Southern IFC Authority agreed, through a series of Working Groups in early 2023 and following consideration of the outcomes of the IFCA Technical Advisory Committee in May 2023, a set of principles which would underpin management decisions defining management of bottom towed fishing gear under Phase 1 of the review. Defining these principles ensures a transparent approach and that the approach is applied consistently across the district.

The principles are as follows:

1. Proposed closed areas are considered for designated features within MCZs
2. Proposed closed areas are considered for designated features within and adjacent to SACs and SPAs
3. Proposed closed areas for feature-based protections under Principles 1 & 2 incorporate buffers in accordance with national JNCC/NE buffer guidance
4. The best available evidence used to inform feature-based protection is the Natural England database provided to Southern IFCA in 2020
5. With the exception of seagrass, the extent and distribution of feature-based management in the Solent Maritime SAC and district wide SPAs will be informed by outcomes of the relevant Habitats Regulations Assessment (HRA)
6. Existing 2016 BTFG closures which do not meet Principles 1 & 2 will remain in place under Phase 1. These areas will be subject to socio-economic and environmental assessments in Phase 2, forming an evidence base to allow for the consideration of any changes to the spatial extent of these areas to ensure that all potential impacts are considered

These principles were then applied to take Stage 3 of the Bottom Towed Fishing Gear Review forward through the drafting of a new byelaw titled the Bottom Towed Fishing Gear Byelaw 2023 which will replace the existing Bottom Towed Fishing Gear Byelaw 2016.

2.2.3 Best Available Evidence

Under the principles defined in Section 2.2.2, the best available evidence used to inform the prohibited areas under the Byelaw is the Natural England database provided to Southern IFCA in 2020. This database consists of spatial data on the extent and distribution of designated features and supporting habitats within and adjacent to MPAs and extent and distribution of habitats and species outside of MPAs. This data layer is compiled by Natural England combining data from a variety of sources and is periodically updated. When an updated database is published, it is provided to Southern IFCA to aid in management decision making. The latest update is the database provided to Southern IFCA in 2020 which is the data that has been used to inform the Byelaw.

2.2.4 Buffer Guidance

A buffer is a spatial extension applied to known feature extent in order to safeguard the feature from damage by an activity. The process of applying a buffer around a feature is frequently used in fisheries management and was used in the Bottom Towed Fishing Gear Byelaw 2016. Natural England, utilising guidance from the Joint Nature Conservation Committee (JNCC), provide advice on the application of buffers which is available to IFCAs to use in determining management.

The JNCC guidance provides “the appropriate distance beyond the seabed extent of the habitat by which the site boundary as the sea surface may be extended according to the maximum actual water depth of the feature in question...as a minimum measure to reduce the likelihood of habitat damage from demersal fishing” i.e., the potential unintentional incursion of mobile fishing gear on a feature. The guidance distances were based on generalised warp length to water depth ratios, thereby taking into account water depth at the site and the possible location of mobile gear on the seabed relative to a vessel at the sea surface.

The following table is provided in the guidance.

Water depth	Ratio warp length:depth	Approx. length of trawl warp	Boundary extension (i.e., buffer) to be added to the habitat area of interest
Shallow waters (\leq 25m)	4:1	100m at 25m depth	4 x actual depth
Continental shelf (25-200m)	3:1	600m at 200m depth	3 x actual depth
Deep waters (200 to over 1000m)	2:1	2000m at 1000m depth	2 x actual depth

2.2.5 Feature-based management in the Solent Maritime SAC and District wide SPAs (excluding seagrass)

For designated habitats other than seagrass in the Solent Maritime SAC and District wide SPAs the management under the Bottom Towed Fishing Gear Byelaw 2023 is in line with an agreement on how to manage these habitats under the Bottom Towed Fishing Gear Byelaw 2016. This agreement was based on the Authority’s consideration of the outcomes of HRAs relevant to those sites and feedback from two informal consultations held between January and September 2016.

The agreed approach was the identification of areas which provided good examples of SAC and SPA habitat and having those as prohibited areas to maintain the integrity of the sites whilst offering long-term stability to guard against the effects of fishing effort displacement. The approach was deemed to offer pre-emptive and precautionary measures which were proportionate to the risks to the site identified through the assessments. Factors considered in identifying these areas included existing levels of human disturbance, energy levels, habitat type and recoverability. A number of low-energy areas were identified as being most suitable for prohibited areas where levels of abrasion from bottom towed fishing gear activity would not allow the features and supporting habitats to reach favourable condition.

Good examples of estuarine habitat were also identified which included intertidal mud, subtidal mud and saltmarsh. These areas included parts of the River Hamble, Sinah Lake, Broom Channel, Russell’s Lake, the River Medina, King’s Quay, Newtown Creek, the River Yar, Ashlett Creek, Hythe foreshore, the River Test, Lymington, Keyhaven and additional parts of Langstone Harbour.

Protection of features and supporting habitats in these areas is also supplemented by management through the Solent Dredge Permit Byelaw (and previously the Solent Dredge Byelaw). The closed seasons under this byelaw are designed to enable the recovery of infaunal communities and to maintain the structure of intertidal and subtidal habitats, as well

as supporting breeding shellfish populations. This approach acknowledges that dredge fishing will still take place within these sites, but the mitigation provided by a combination of closures to bottom towed fishing gear and through the Solent Dredge Permit Byelaw is considered sufficient to enable the physical and biological recovery of designated features and supporting habitats.

Members of the Authority considered this approach through consideration of the principles for the review and agreed to maintain this approach in the Bottom Towed Fishing Gear Byelaw 2023. It was determined that seagrass within these sites required an updated assessment in line with the wider district due to changes in extent and distribution identified in the 2020 evidence base. Management related to seagrass was underpinned by a specific district wide HRA for this habitat in relation to bottom towed fishing gear.

3. The Bottom Towed Fishing Gear Byelaw 2023

The Bottom Towed Fishing Gear Byelaw 2023 (“the Byelaw”) prohibits the use of bottom towed fishing gear for the exploitation of sea fisheries resources in areas of the Southern IFCA district in order to protect designated features within Marine Conservation Zones (MCZs) and within or adjacent to Special Areas of Conservation (SACs) and Special Protection Areas (SPAs).

The Byelaw also requires a vessel carrying bottom towed fishing gear while transiting through a prohibited area to have that gear inboard and above the sea.

The Byelaw will revoke the Bottom Towed Fishing Gear Byelaw 2016 made by the Authority in November 2017 (see Annex 1 for a visual comparison of prohibited areas in the 2016 and 2023 byelaws).

3.1 Prohibited Areas

Prohibited areas are defined within the following areas under the Byelaw (please see the Schedule in the Byelaw for full coordinates). Site specific maps have been created showing the individual prohibited areas within each of these wider areas, these can be viewed in Annex 2 to this document.

- Chichester and Langstone Harbours
- Portsmouth Harbour
- Southampton Water
- Lymington, Keyhaven and Beaulieu
- Yarmouth
- Yarmouth to Cowes
- The Medina, Cowes and Osbourne Bay
- Ryde to South Wight
- South Wight
- Poole Bay
- Poole Harbour
- Studland Bay
- Purbeck Coast
- Portland and Stennis Ledges

- Chesil Beach and The Fleet
- Lyme Bay

4. Review

The Byelaw provides for reviewing management through a provision allowing the Authority (or a sub-committee thereof authorised by the Authority to do so) to review the suitability of the byelaw in accordance with any changes in available evidence, to include any statutory advice provided by Natural England or other such bodies, organisations or persons as the Authority deem fit.

At the time that any such evidence is available, prior to any review taking place, consideration will be given to the evidence provided in conjunction with the IFCA's priority workstreams, balancing any identified need for a review with resource capacity.

5. Phase 2 of Bottom Towed Fishing Gear Management

Following the completion of Phase 1 of the Bottom Towed Fishing Gear Review it is the intention of the Authority to commence Phase 2 of the review as outlined in Section 2.2.1. Following the implementation of any outcomes from Phase 2, this document will be updated accordingly.

6. Annex 1: Byelaw Maps – Bottom Towed Fishing Gear 2023 and Bottom Towed Fishing Gear 2016

The maps provided in Figures 3 & 4 in this Annex reflect the maps provided as part of the byelaws for both the Bottom Towed Fishing Gear 2023 and Bottom Towed Fishing Gear 2016 byelaws. There are two maps produced for each byelaw, one showing the eastern end and one showing the western end of the Southern IFCA District. The maps from the 2023 and 2016 byelaws have been provided side by side in each case to illustrate the additional locations and/or extent of prohibited areas from the 2016 to 2023 byelaws.

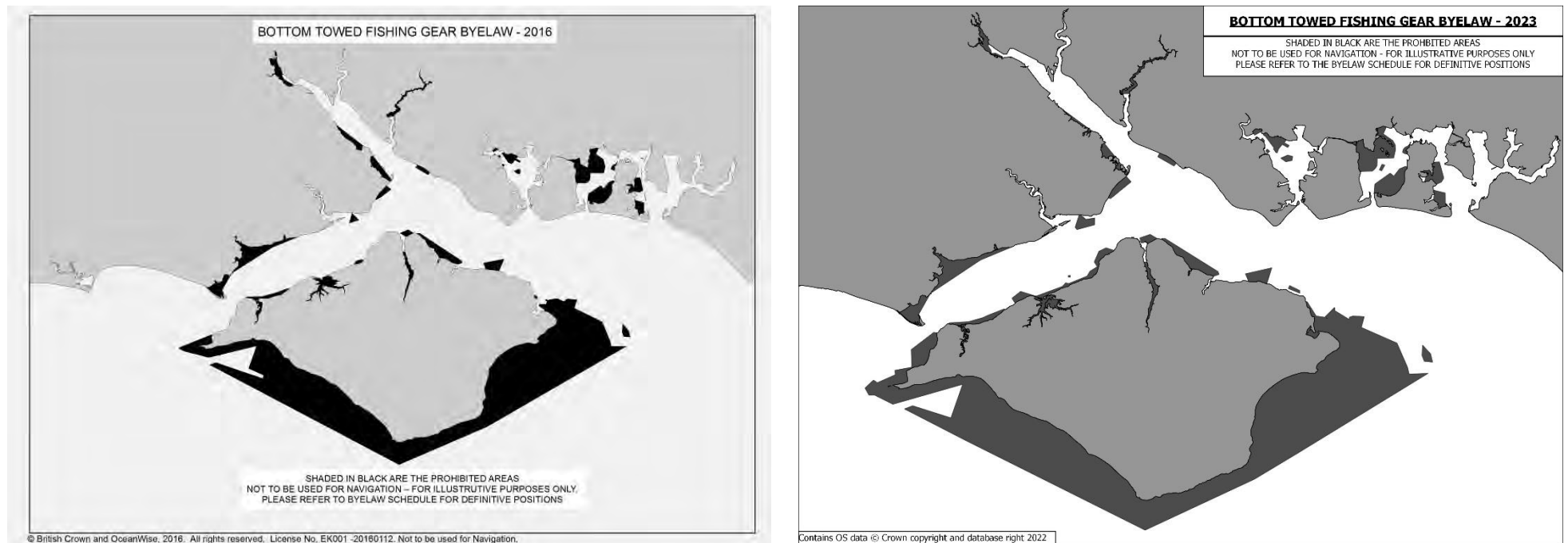


Figure 3: Maps of the eastern end of the Southern IFCA District from the Bottom Towed Fishing Gear Byelaw 2016 (left) and the Bottom Towed Fishing Gear Byelaw 2023 (right).

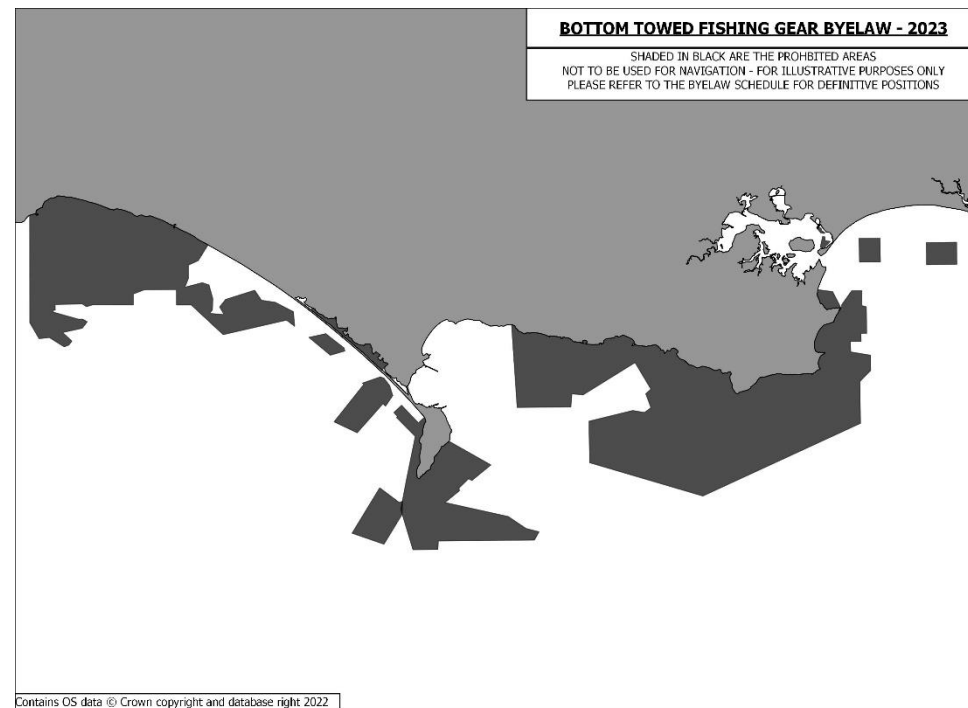


Figure 4: Maps of the western end of the Southern IFCA District from the Bottom Towed Fishing Gear Byelaw 2016 (left) and the Bottom Towed Fishing Gear Byelaw 2023 (right)

7. Annex 2: Site Specific Maps for Bottom Towed Fishing Gear Byelaw 2023

The maps provided in this annex show the prohibited areas under the Bottom Towed Fishing Gear Byelaw 2023 along with the location of designated features, the buffers applied to those features and the boundaries of MPAs in the district.

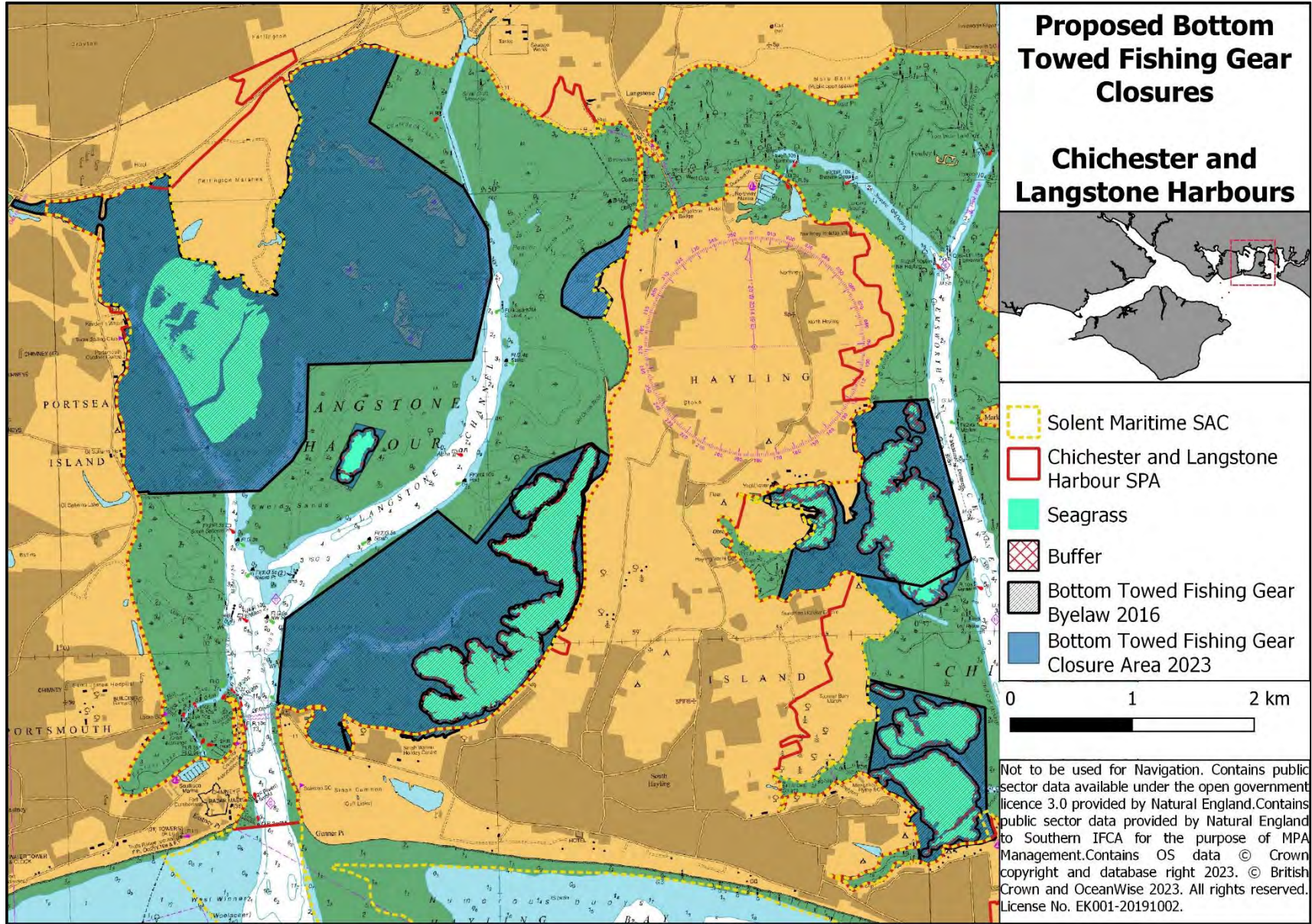
The maps also illustrate the prohibited areas under the Byelaw in relation to the prohibited areas under the Bottom Towed Fishing Gear Byelaw 2016. In adopting the principles agreed by the Authority to define the prohibited areas under the Byelaw (2023), the resulting prohibited areas represent a combination of extensions to previous closures and the inclusion of new prohibited areas.

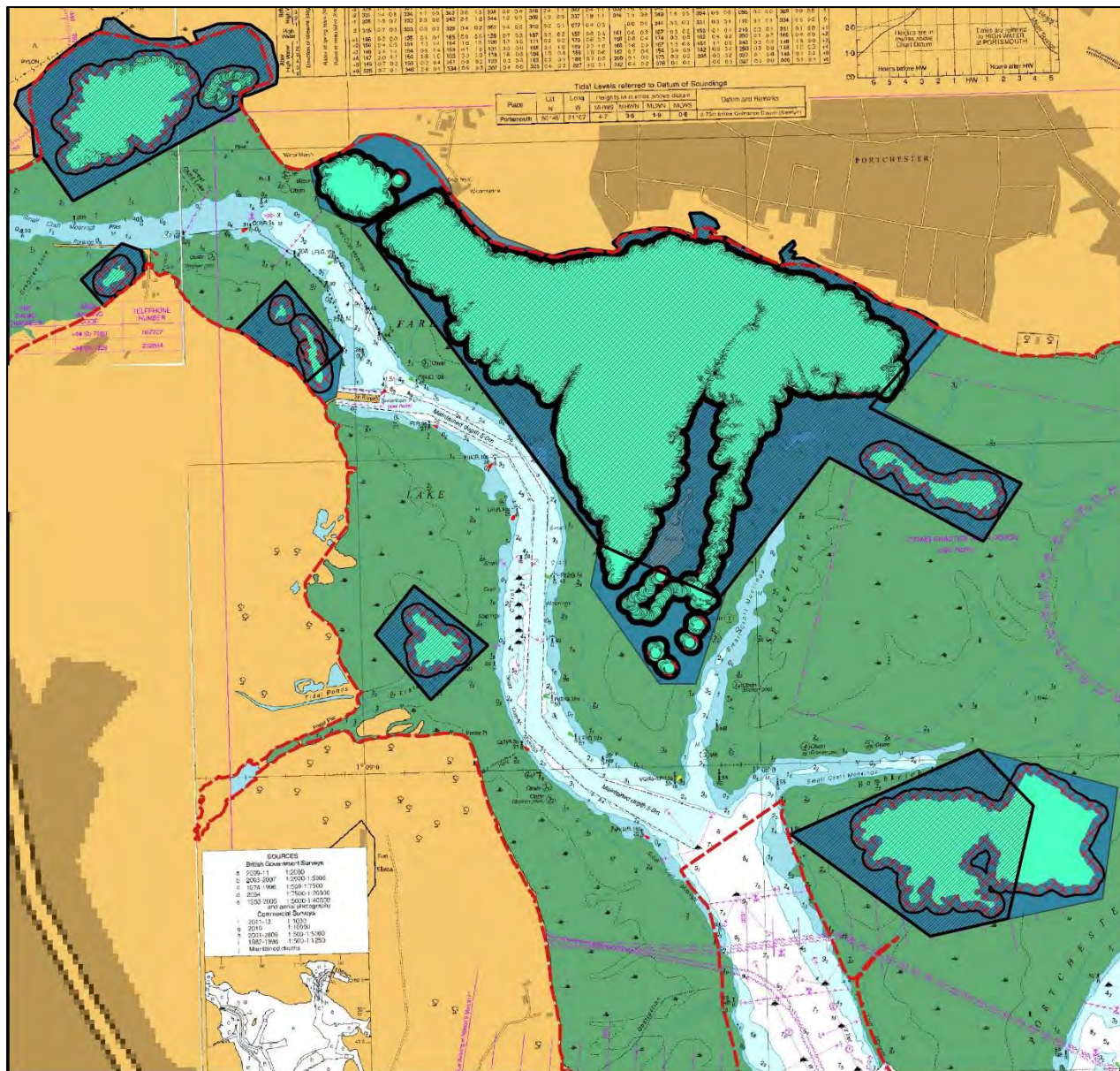
The total area closed to bottom towed fishing gear through the prohibited areas under the Byelaw, resulting from Phase 1 of the bottom towed fishing gear review, is 743.12km² representing 27.2% of the Southern IFCA District. This is compared to a total area closed under the Bottom Towed Fishing Gear Byelaw 2016 of 696.3km² representing 25.5% of the District. **The difference between the 2016 and 2023 byelaws is an increase in the total area closed of 46.8km² or 1.7% of the District.**

The following table provides page numbers for each map.

Area Map	Byelaw Prohibited Area Numbers	Page Number
Chichester and Langstone Harbours	1 – 6	20
Portsmouth Harbour	7 – 12	21
Southampton Water	13 – 18	22-23
Lymington, Keyhaven and Beaulieu	19 – 21	24-25
Yarmouth	22	24
Yarmouth to Cowes	23 – 24	25
The Medina, Cowes and Osbourne Bay	25 – 28	26
Ryde to South Wight	29 – 31	27
South Wight	32	28-29
Poole Bay	33 – 34	30
Poole Harbour	35 – 36	31
Studland Bay	37	32
Purbeck Coast	38	33

Portland and Stennis Ledges	39 – 40	34
Chesil Beach and The Fleet	41 – 42	35
Lyme Bay	43	36





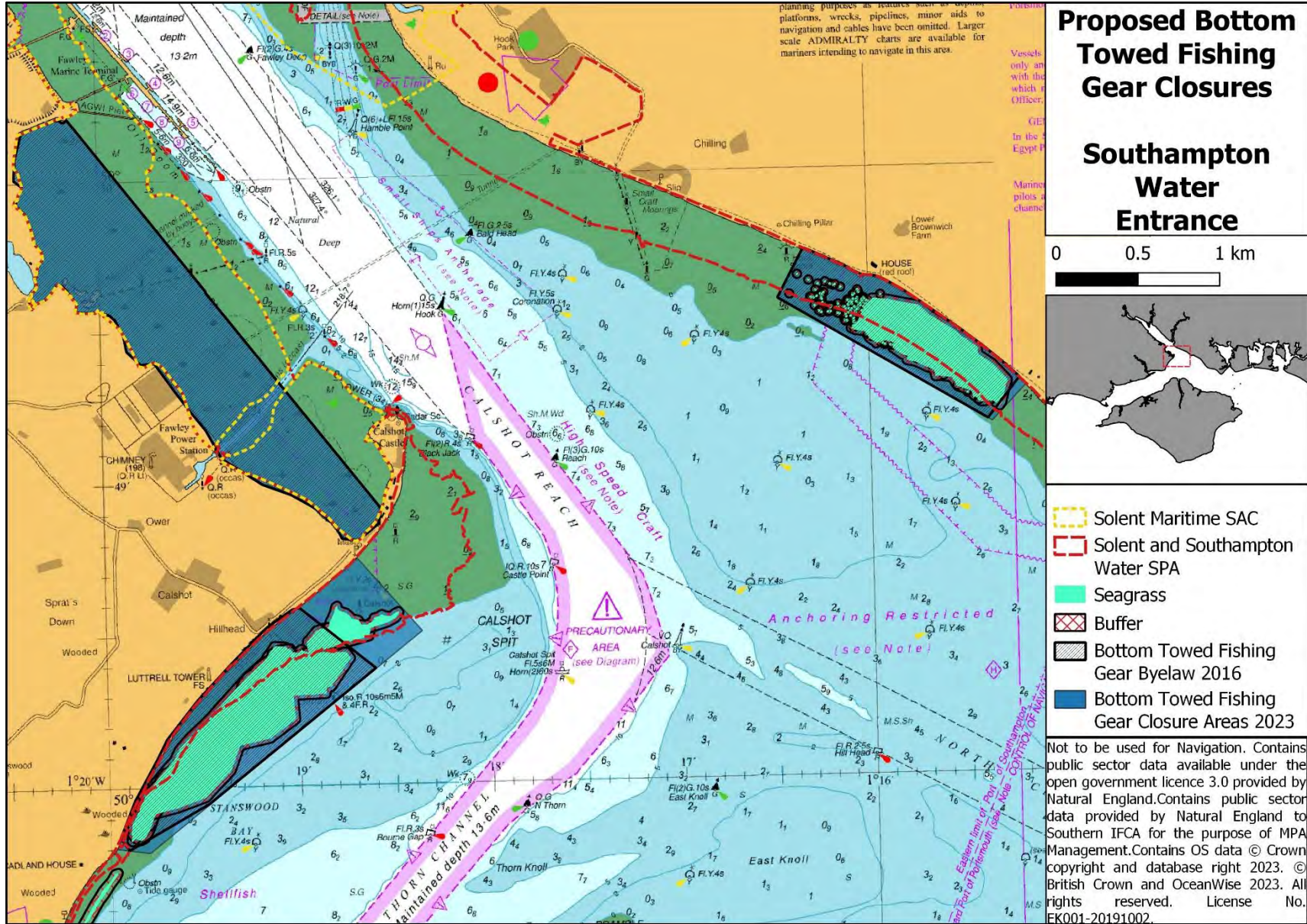
Proposed Bottom Towed Fishing Gear Closures

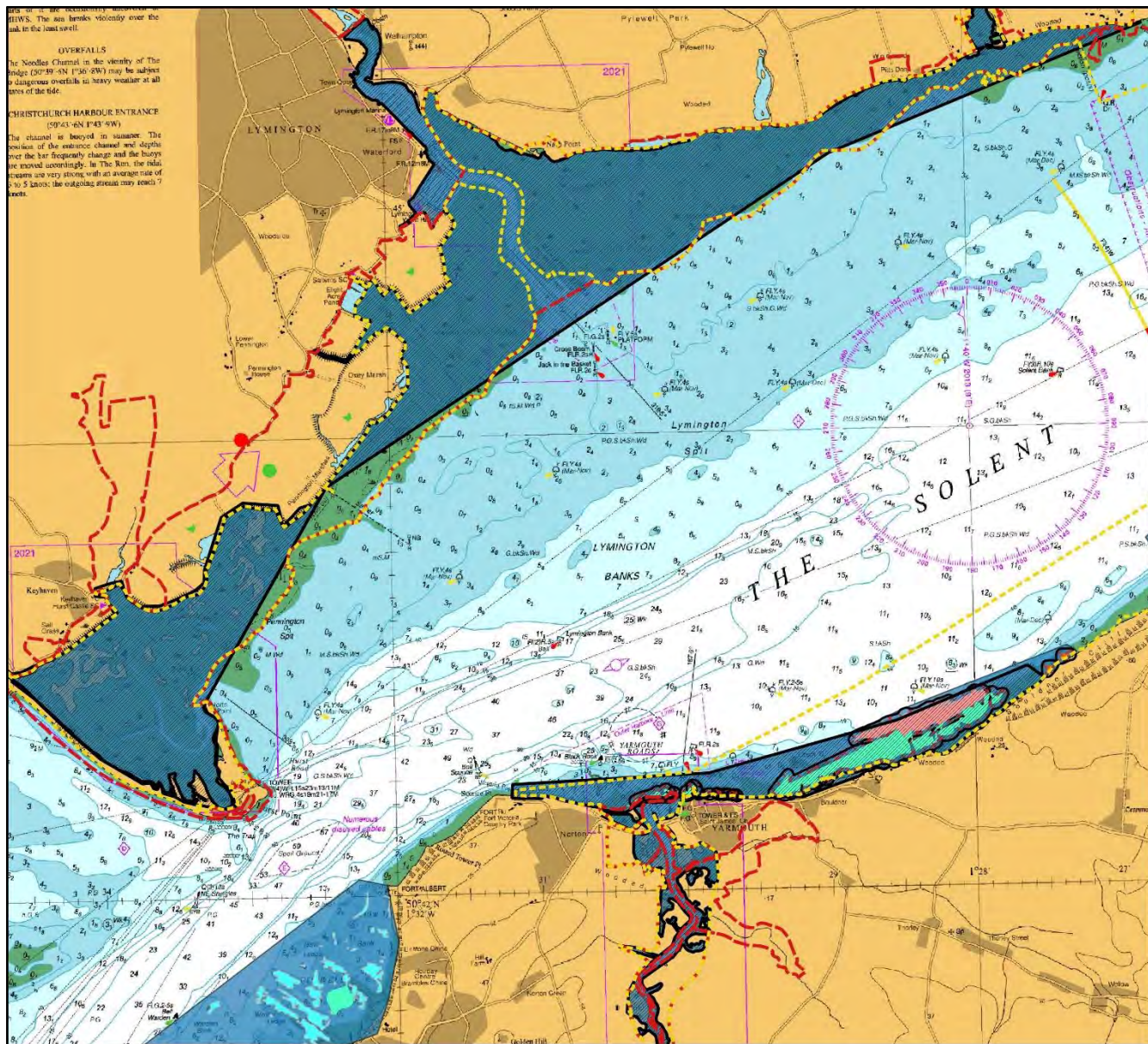
Portsmouth Harbour

- Portsmouth Harbour SPA
- Bottom Towed Fishing Gear Byelaw 2016
- Seagrass
- Buffer
- Bottom Towed Fishing Gear Closure Areas 2023



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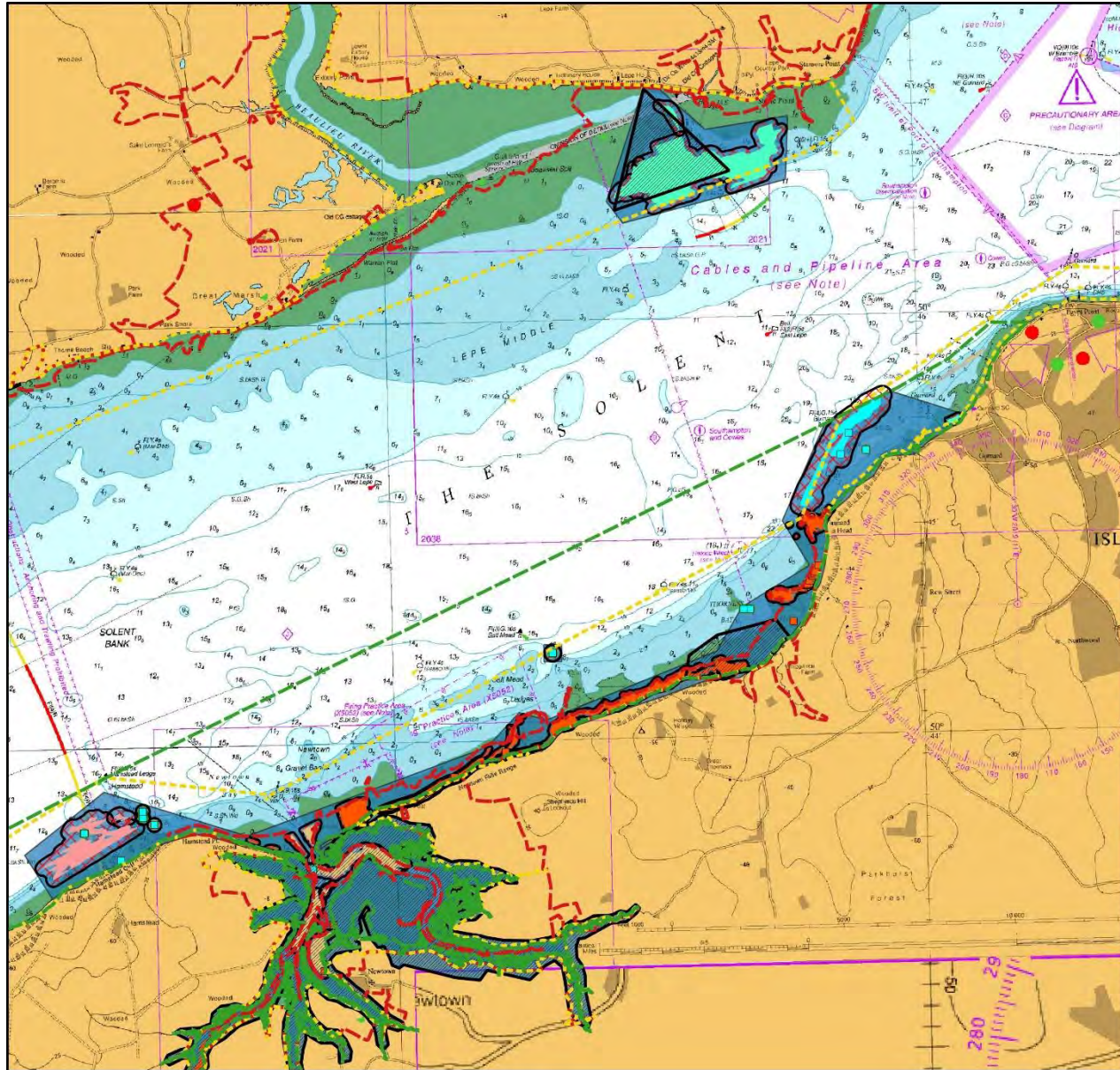
Proposed Bottom Towed Fishing Gear Closures

Lyminster, Keyhaven and Yarmouth



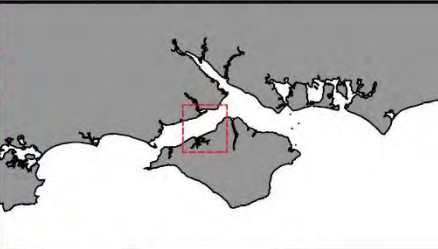
- Solent Maritime SAC
- Solent and Southampton Water SPA
- Seagrass
- High energy infralittoral rock
- Intertidal rock
- Buffer
- Bottom Towed Fishing Gear Byelaw 2016
- Bottom Towed Fishing Gear Closure Areas 2023

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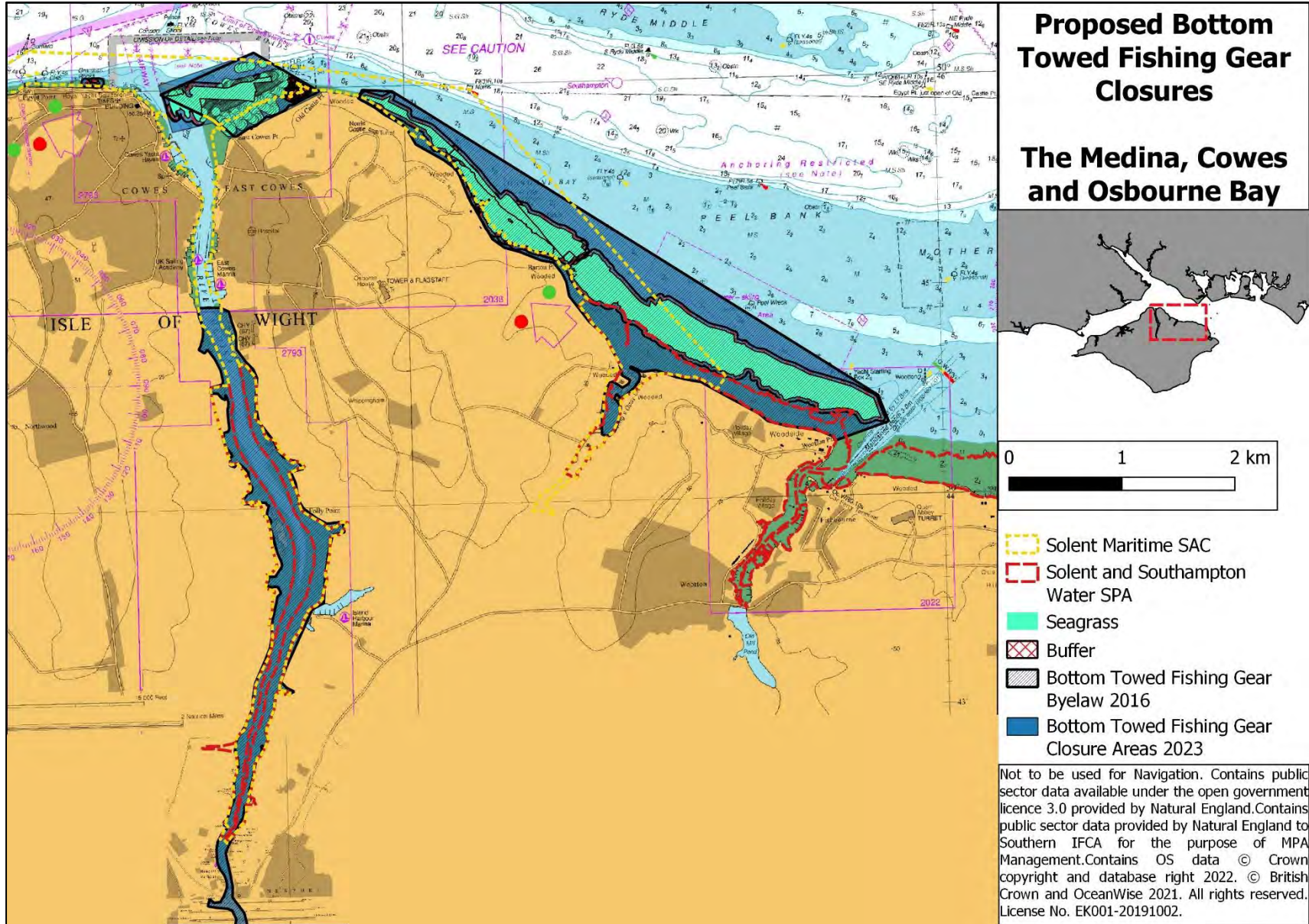
Proposed Bottom Towed Fishing Gear Closures

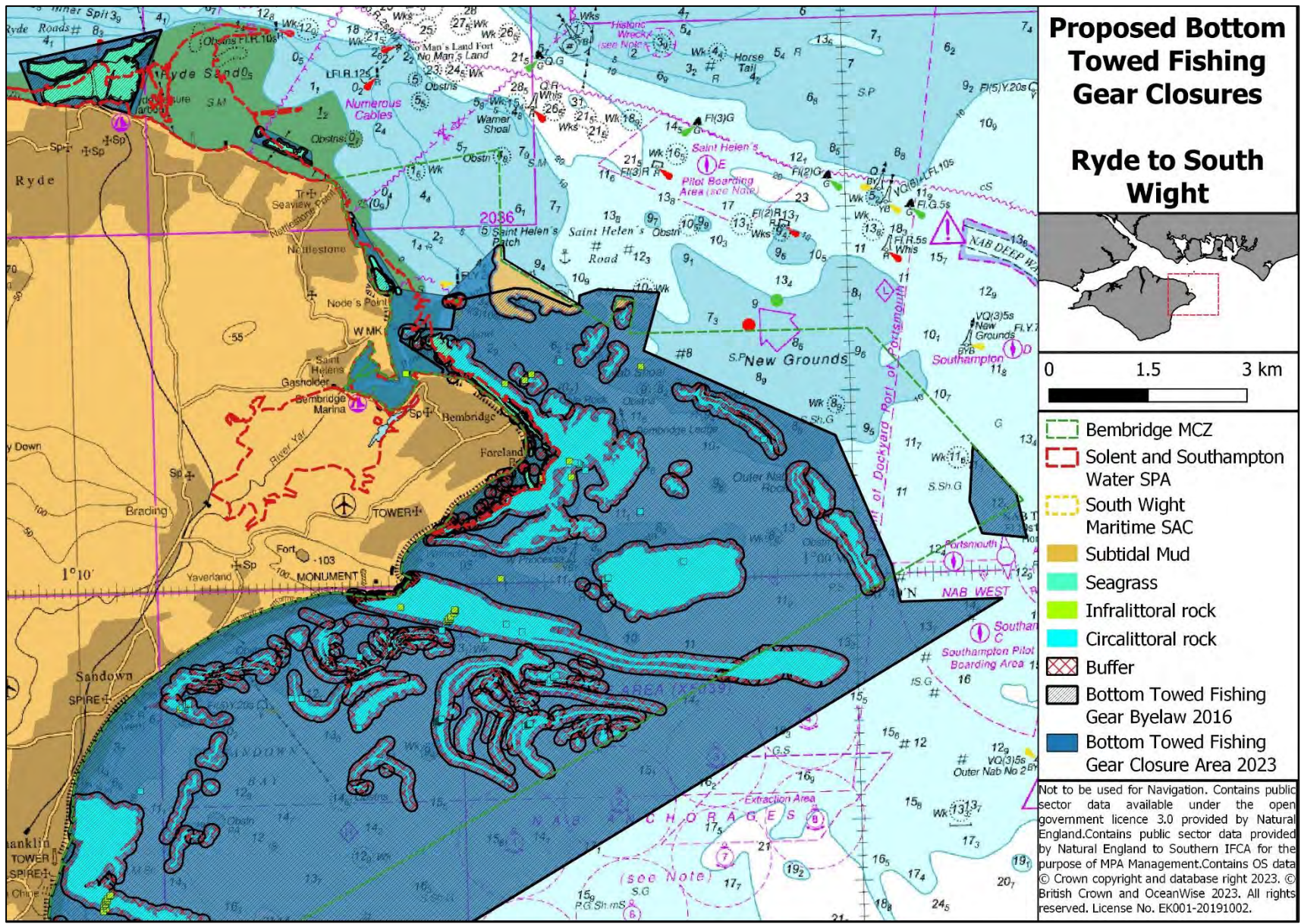
Beaulieu and Yarmouth to Cowes

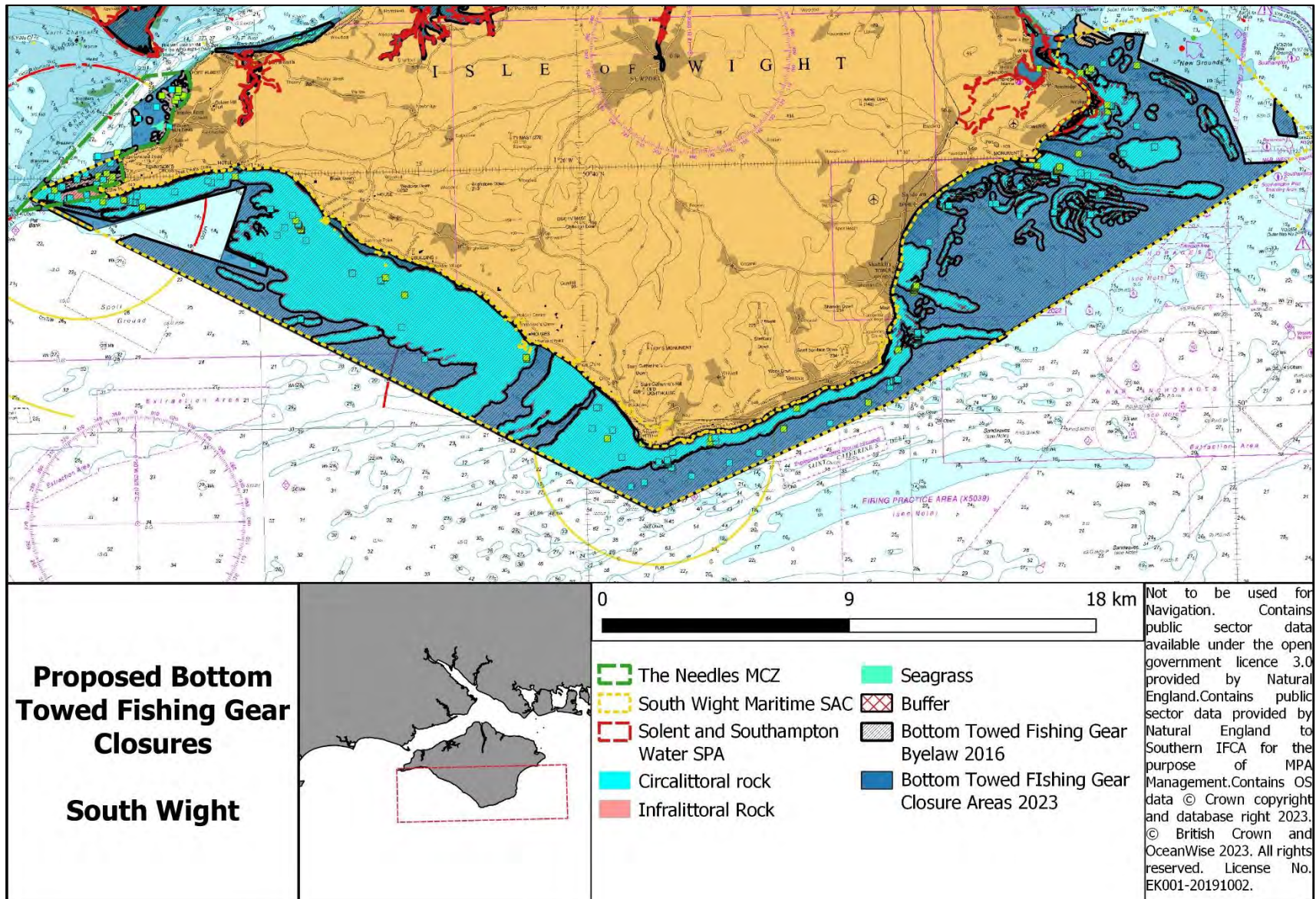


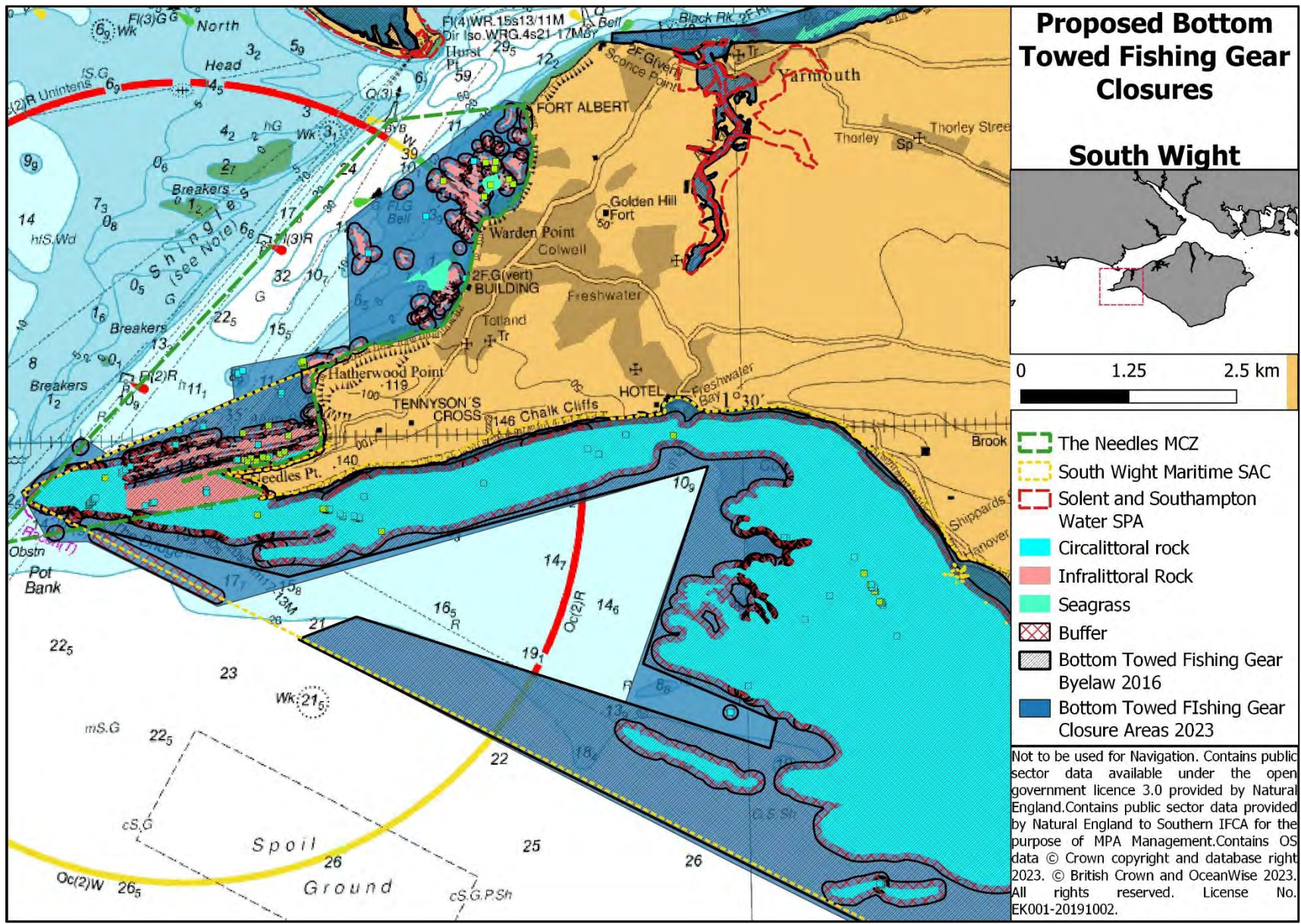
- Yarmouth to Cowes MCZ
- Solent Maritime SAC
- Solent and Southampton Water SPA
- Intertidal rock
- Circalittoral rock
- High energy infralittoral rock
- Subtidal mud
- Seagrass
- Buffer
- Bottom Towed Fishing Gear Byelaw 2016
- Bottom Towed Fishing Gear Closure Areas 2023

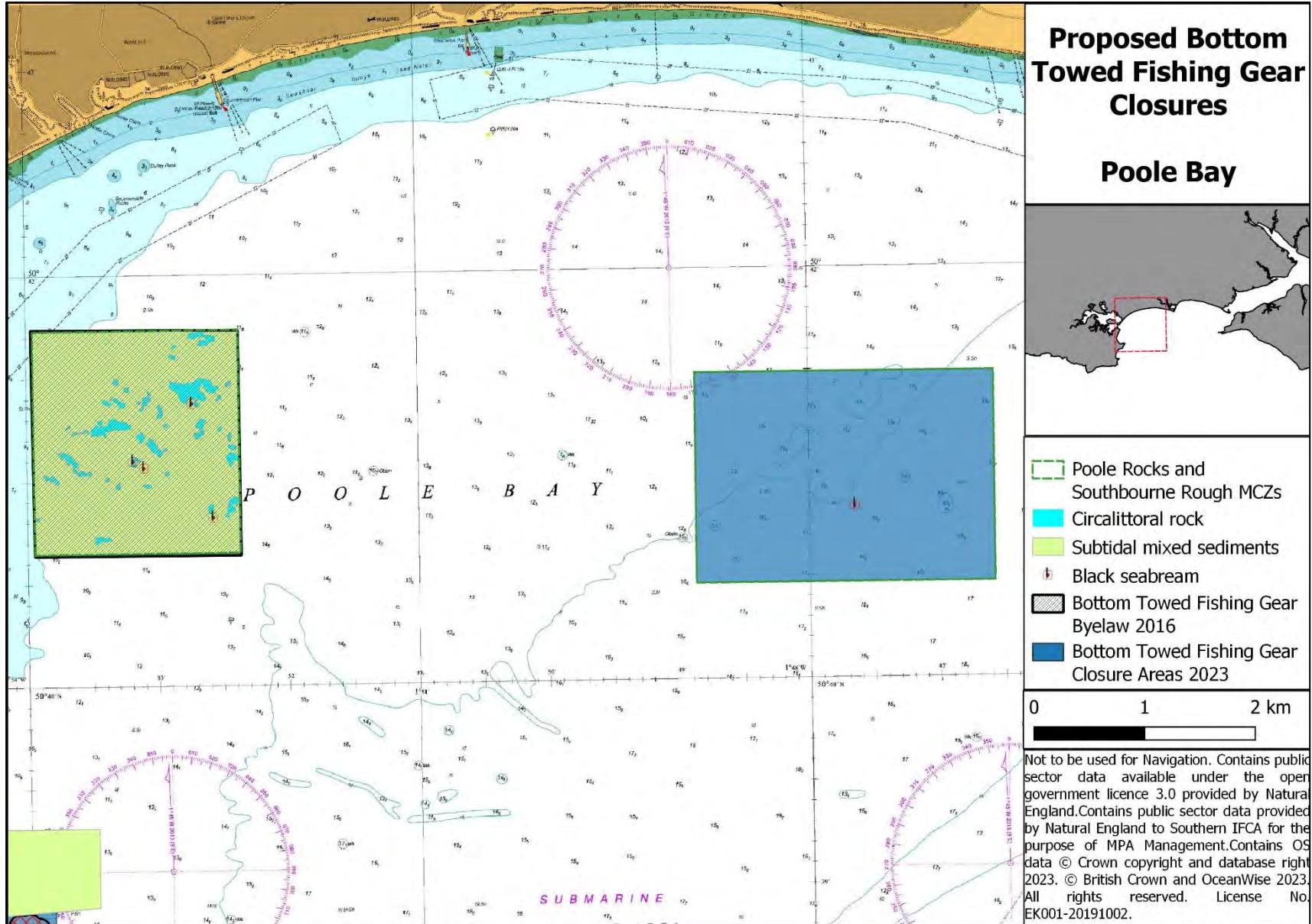
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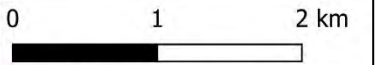


Proposed Bottom Towed Fishing Gear Closures

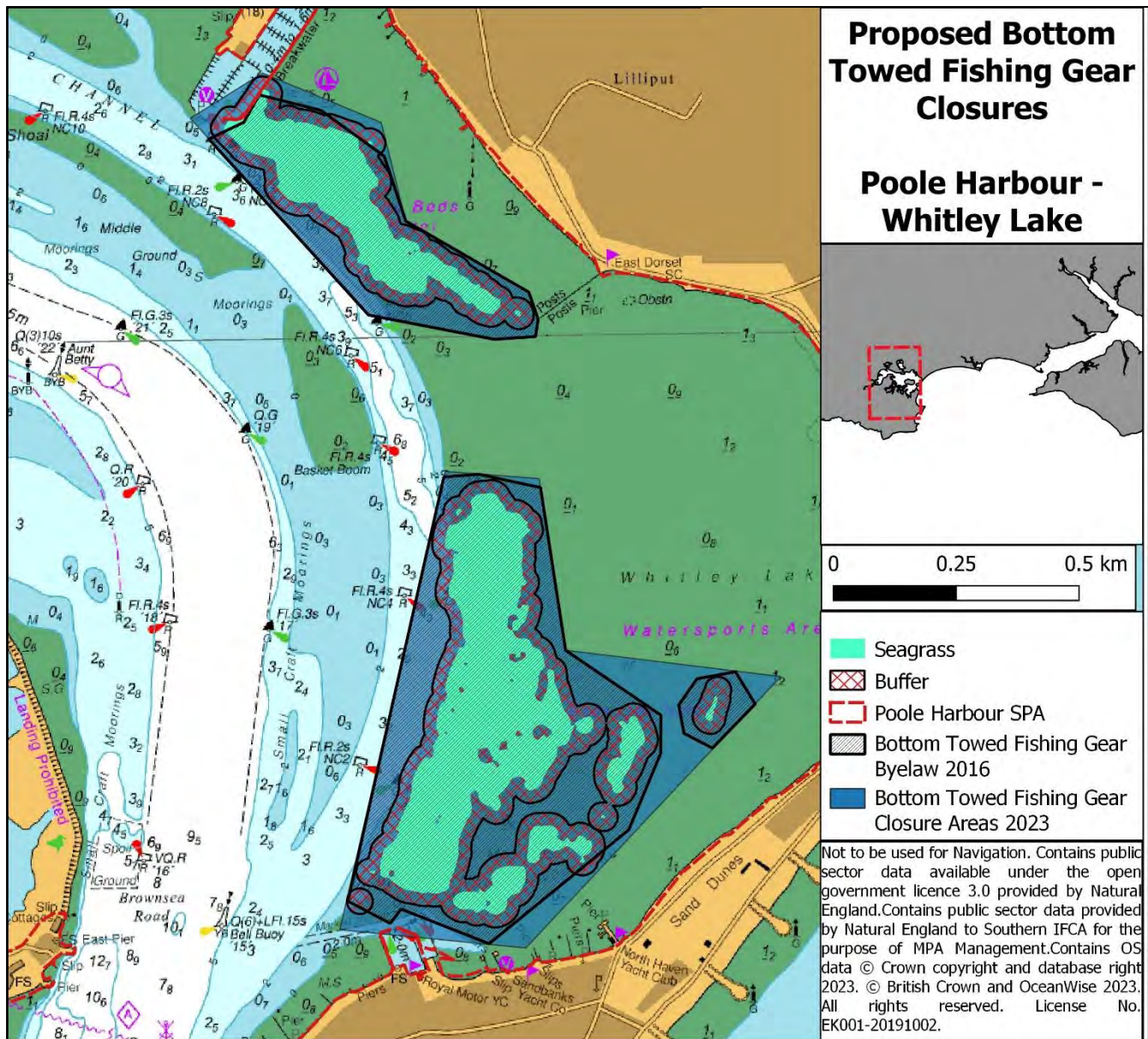
Poole Bay

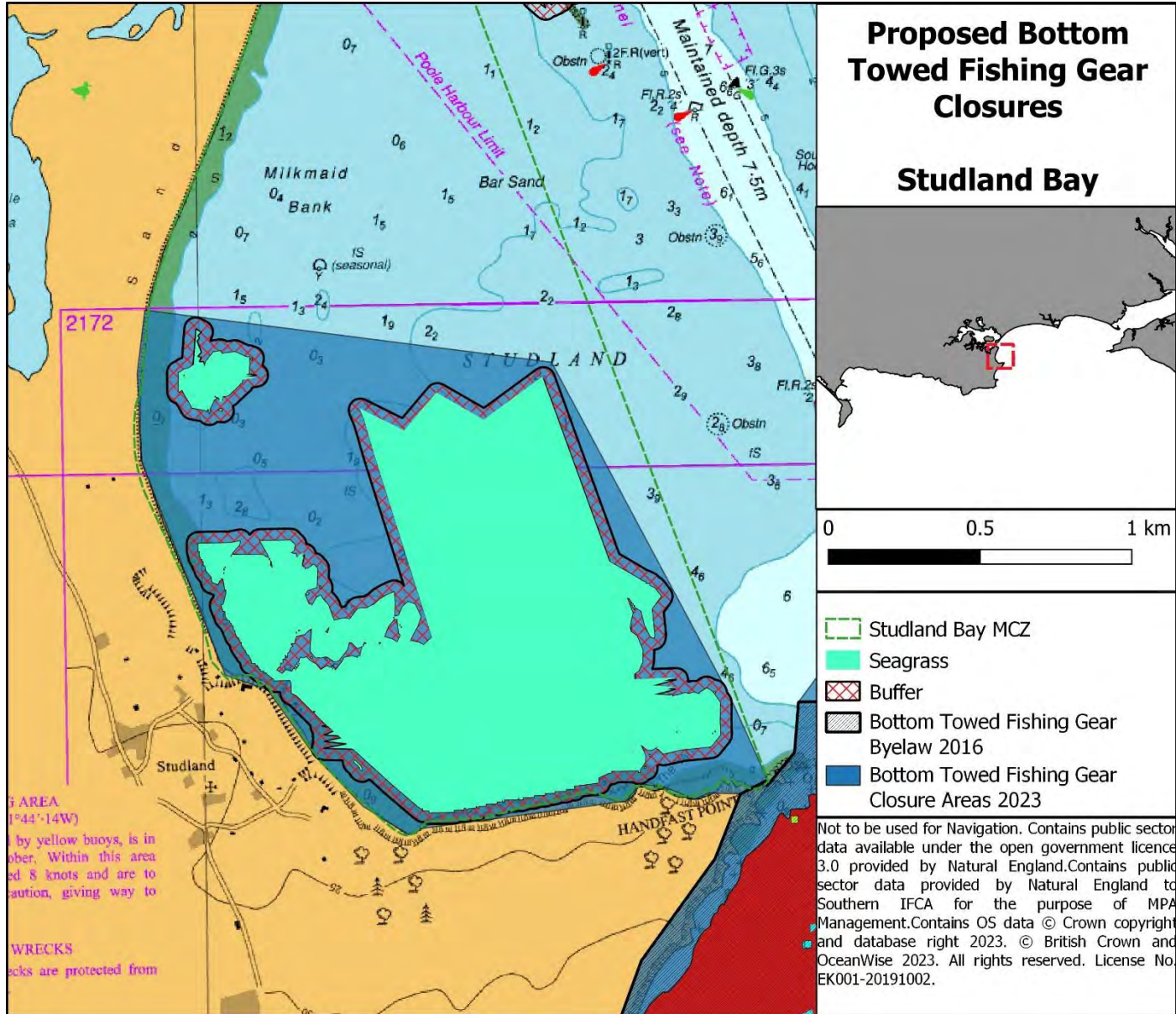


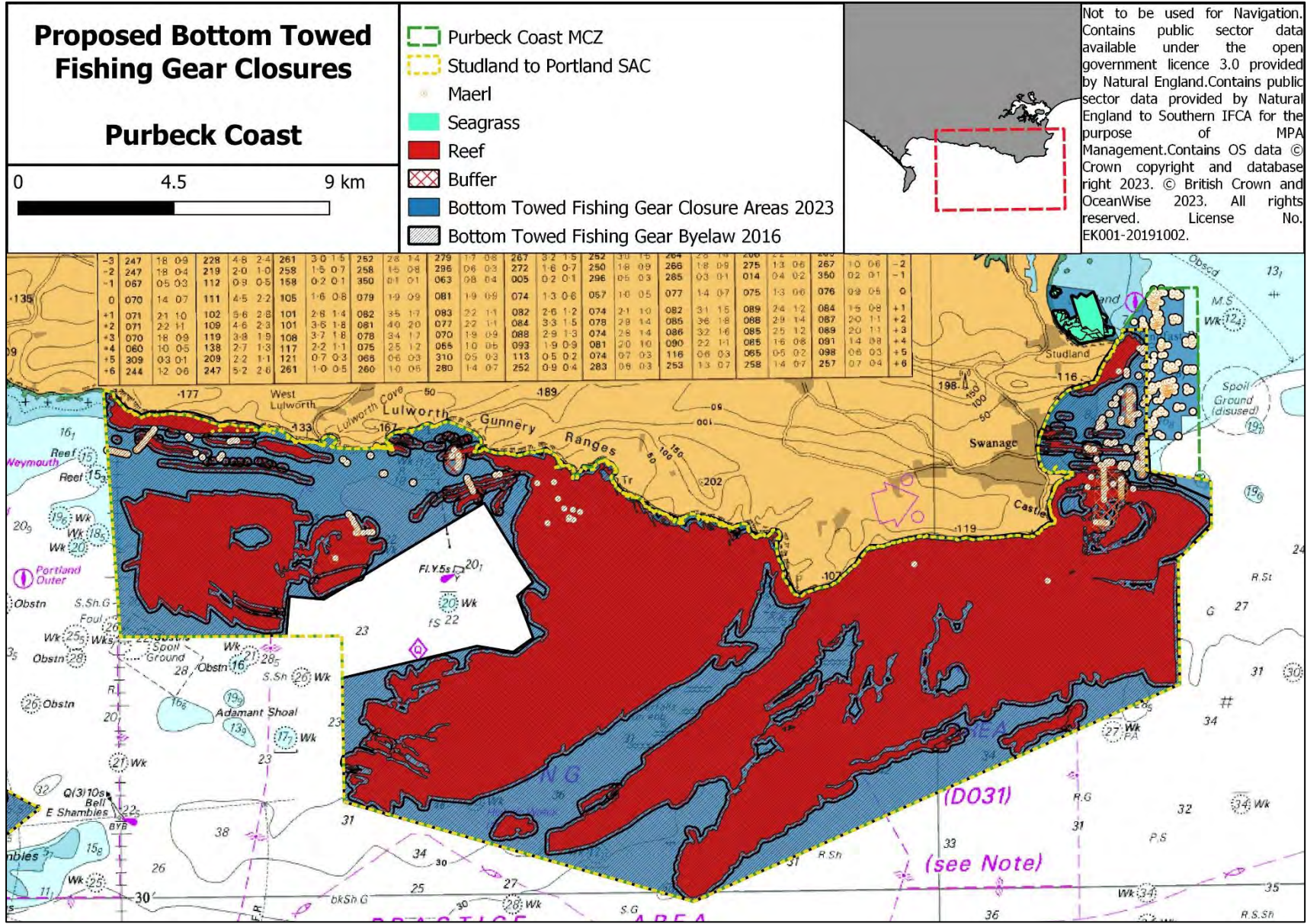
- Poole Rocks and Southbourne Rough MCZs
- Circalittoral rock
- Subtidal mixed sediments
- Black seabream
- Bottom Towed Fishing Gear Byelaw 2016
- Bottom Towed Fishing Gear Closure Areas 2023

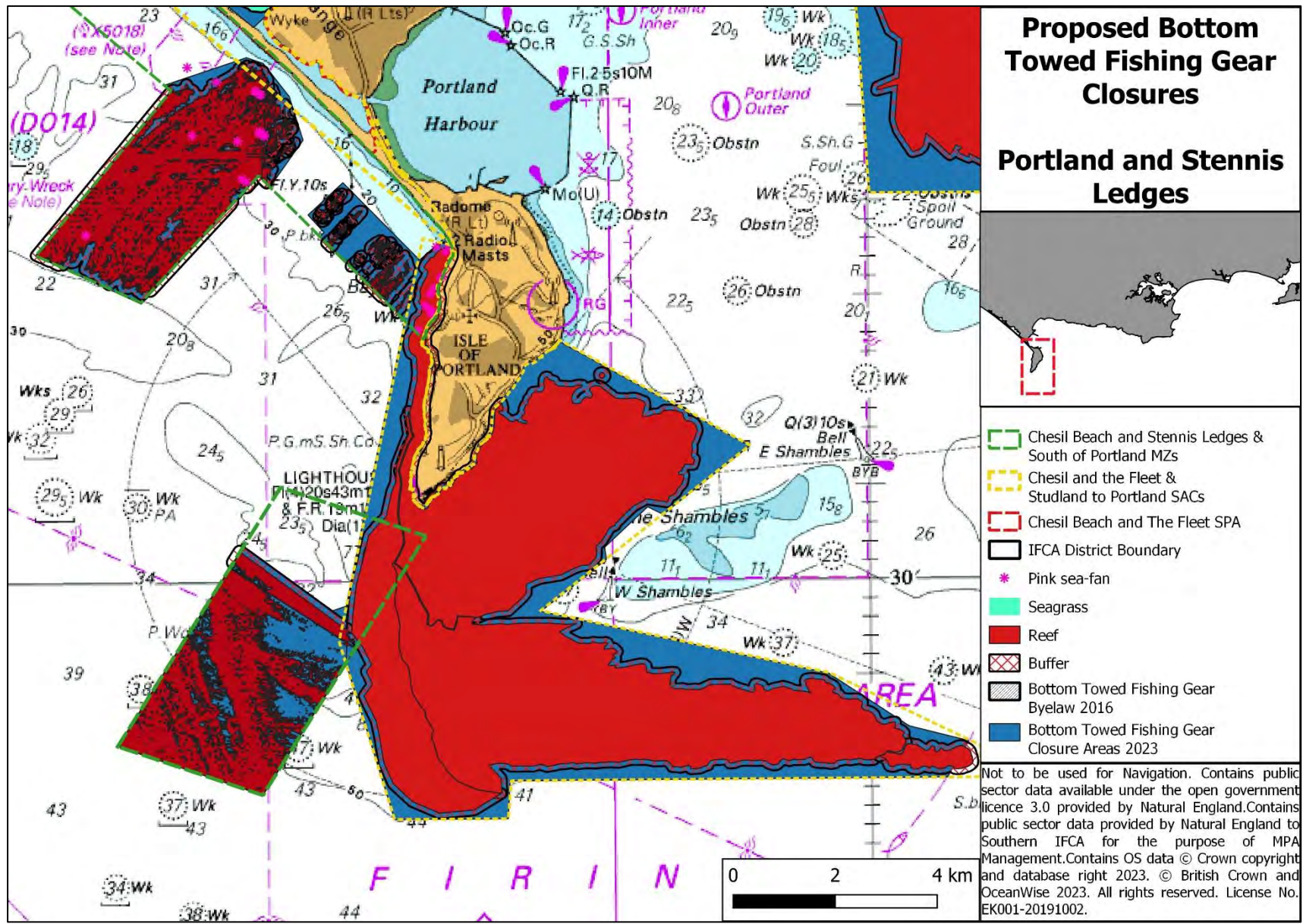


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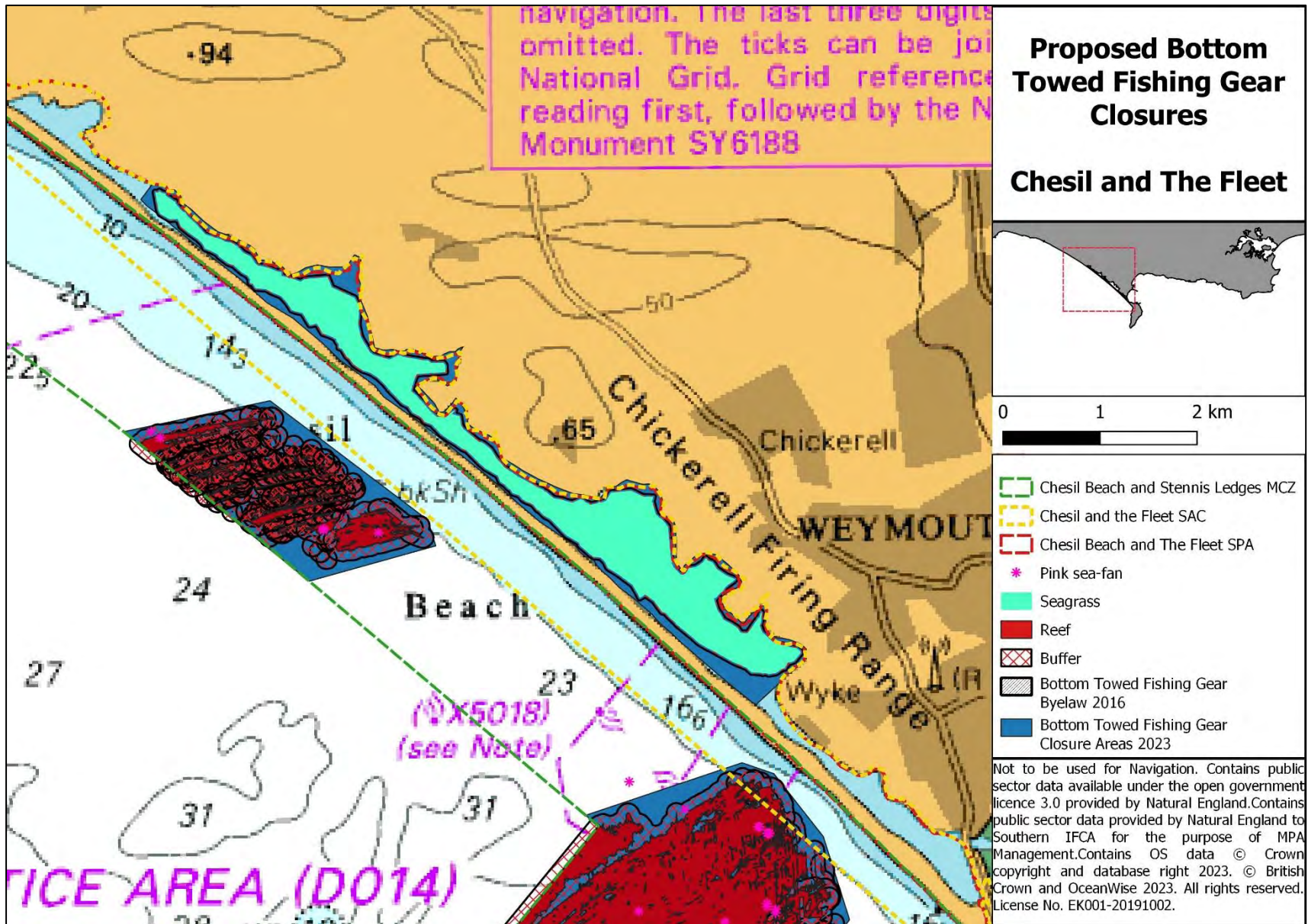
Proposed Bottom Towed Fishing Gear Closures

Portland and Stennis Ledges



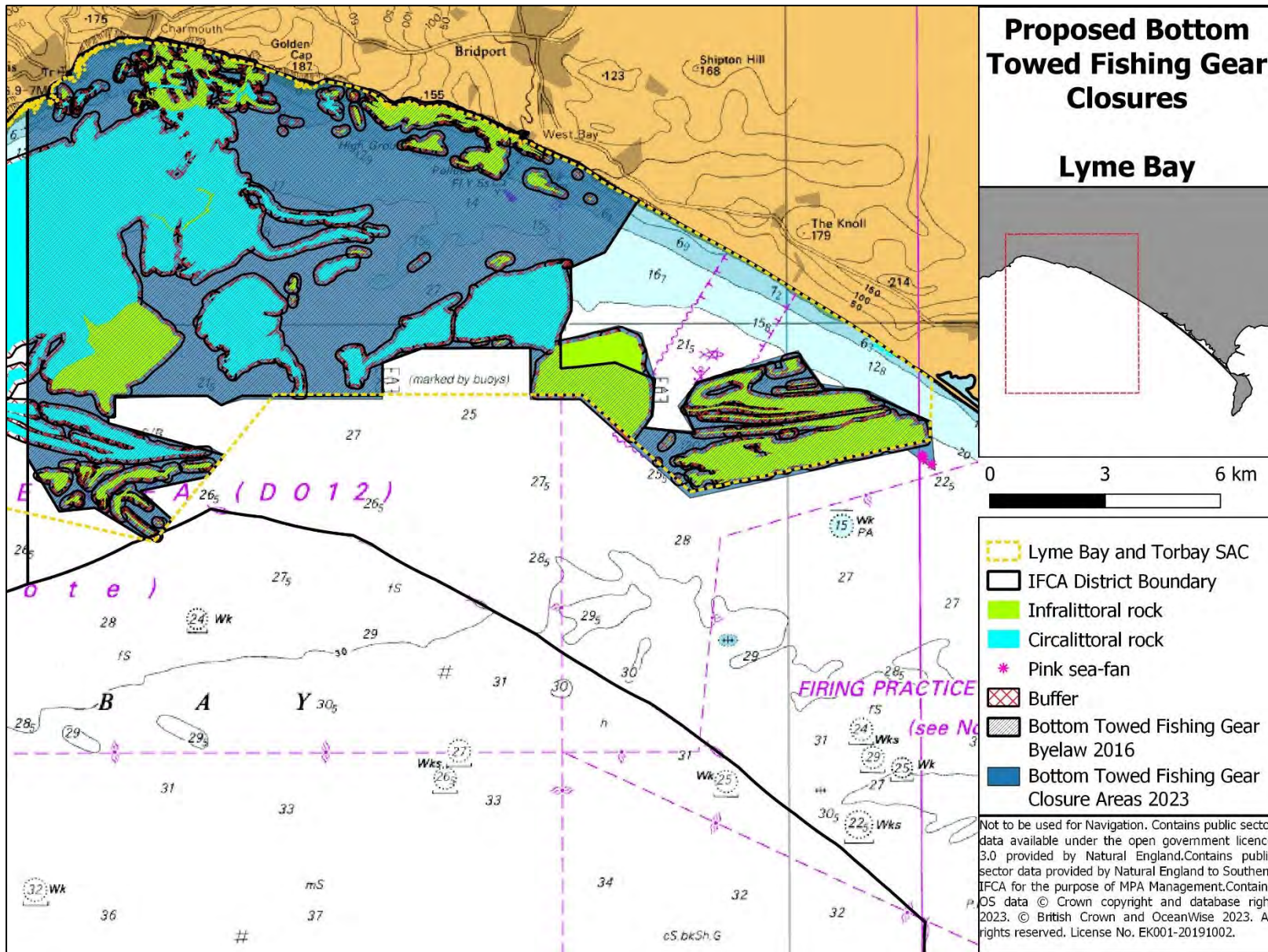
- Chesil Beach and Stennis Ledges & South of Portland MZs
- Chesil and the Fleet & Studland to Portland SACs
- Chesil Beach and The Fleet SPA
- IFCA District Boundary
- * Pink sea-fan
- Seagrass
- Reef
- Buffer
- Bottom Towed Fishing Gear Byelaw 2016
- Bottom Towed Fishing Gear Closure Areas 2023

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navigation. The last three digits omitted. The ticks can be joined to the National Grid. Grid reference reading first, followed by the National Monument SY6188

FISHING AREA (D014)



Title: Bottom Towed Fishing Gear Byelaw 2023 IA No: SIFCA 0123 RPC Reference No: Lead department or agency: Southern Inshore Fisheries and Conservation Authority Other departments or agencies: Marine Management Organisation, Natural England	Impact Assessment (IA)
	Date: 18/05/23
	Stage: Development
	Source of intervention: Domestic
	Type of measure: Secondary Legislation
	Contact for enquiries: Southern Inshore Fisheries and Conservation Authority, 01202 721373, enquiries@southern-ifca.gov.uk

Summary: Intervention and Options	RPC Opinion: RPC Opinion Status
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Cost of Preferred (or more likely) Option (in 2019 prices)			
Total Net Present Social Value	Business Net Present Value	Net cost to business per year	Business Impact Target Status Qualifying provision
£m -0.21236	£m -0.21236	£m 0.024670	

What is the problem under consideration? Why is government action or intervention necessary?

Bottom towed fishing gears, or mobile demersal gears, such as otter trawls or shellfish dredges, have the potential to impact or adversely affect certain sensitive features for which Marine Protected Areas (MPAs) are designated. Management intervention is required to ensure that the Southern IFCA can continue to meet its duties under the Marine and Coastal Access Act 2009 and the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 to manage fishing activities for MPAs to ensure that designated features are not adversely affected (SACs and SPAs), and that Conservation Objectives of the sites (MCZs) are furthered. A review of the existing Southern IFCA BTFG Byelaw 2016 is required in response to the creation of new Marine Conservation Zones (MCZs) within the Southern IFCA District and updated evidence on location and extent of designated features within other MPAs.

In accordance with the Government’s Environmental Improvement Plan 2023, IFCAs are required to ensure that **management measures are in place for designated features in MPAs by 2024** in order for the Government to achieve an **interim target where 48%** of designated features in MPAs are in a favourable position by 31st January **2028**, with the **ultimate target where 70%** of designated features in MPAs are in a favourable position, with the remainder in a recovering condition by **2042**.

- What are the policy objectives of the action or intervention and the intended effects?**
- To avoid adverse impact from bottom towed fishing activity on SACs and SPAs, and further the conservation objectives of MCZs in the Southern IFCA District
 - To incorporate updates to the Marine Protected Area network in spatial management of bottom towed fishing gear
 - To review existing spatial management of bottom towed fishing gear to ensure that it is based on best available evidence
 - To manage bottom towed fishing activity proportionately by considering management for designated features within MCZs and designated features within or adjacent to SACs and SPAs
 - To enhance environmental sustainability within the Southern IFCA District
 - Intended effect is protection of designated sensitive features in MPAs from bottom towed fishing gear, success of this measure is measured by compliance with the regulation, measured through outputs from compliance and enforcement monitoring and, if required, associated enforcement action

What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base)

0. Do nothing.
1. Update an existing Southern IFCA byelaw in order to introduce new and revised spatial management for bottom towed fishing gear within Marine Protected Areas, ensuring feature protection consistent with Southern IFCA legal duties for SACs, SPAs and MCZs.
2. Create a Southern IFCA byelaw to prohibit bottom towed fishing gear across the full extent of all Marine Protected Areas.
3. Voluntary measures.

The preferred option is **Option 1**. The revocation of the 'Bottom Towed Fishing Gear Byelaw 2016' and the creation of the 'Bottom Towed Fishing Gear Byelaw 2023' would best enable Southern IFCA to meet its duties. The use of spatial management within MPAs utilising a feature-based approach is in line with the current legal duties of the Southern IFCA and is a proportionate response to ensuring appropriate protection of the marine environment from bottom towed fishing gear.

Will the policy be reviewed? It will be reviewed. If applicable, set review date:

Is this measure likely to impact on international trade and investment?					
Are any of these organisations in scope?		Micro Yes	Small Yes	Medium Yes	Large Yes
What is the CO ₂ equivalent change in greenhouse gas emissions? (Million tonnes CO ₂ equivalent)			Traded: N/A	Non-traded: N/A	

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed by the responsible CHAIR: _____ Date: _____

Summary: Analysis & Evidence

Policy Option 1

Description:

FULL ECONOMIC ASSESSMENT

Price Base Year 2019	PV Base Year 2020	Time Period Years	Net Benefit (Present Value (PV)) (£m)		
			Low: Optional	High: Optional	Best Estimate: -0.212356

COSTS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	Optional	Optional	Optional
High	Optional	Optional	Optional
Best Estimate	0.179640	0.007515	0.212356

Description and scale of key monetised costs by 'main affected groups'

The average annual monetised costs for the UK fishing industry following the introduction of the proposed measures is estimated to be £75,147.32. These costs are likely to arise as a consequence of loss of fishing access. The cost to Southern IFCA associated with ensuring compliance with the new measures is estimated to be £14,970.00 and would come in the first year of the byelaw, the transitional phase. Ongoing compliance costs would form part of the normal annual delivery of work by Southern IFCA.

Other key non-monetised costs by 'main affected groups'

As a consequence of loss of access to certain areas, there is the potential for displacement of fishing effort to other areas, potentially creating additional conflict with other users and reducing the sustainability of fisheries and the marine environment.

BENEFITS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	Optional	Optional	Optional
High	Optional	Optional	Optional
Best Estimate	-	-	-

Description and scale of key monetised benefits by 'main affected groups'

It is not possible to estimate monetised benefits at this point.

Other key non-monetised benefits by 'main affected groups'

It is anticipated that the proposed measures will benefit the sustainability of the marine environment through the protection of sensitive designated features within MCZs and within or adjacent to SACs and SPAs (definition of adjacent is provided in S.1.26 of this IA) that would otherwise be vulnerable to potentially damaging fishing techniques. These features can act as important nursery, feeding, breeding and protective areas for fish & shellfish with the potential for net migration of species & larvae into adjacent areas benefiting commercial and recreational fisheries. Recreational users and commercial static gear fishers are anticipated to benefit from the closed areas, potentially benefiting the local economy. Certain protected habitats are also blue carbon habitats contributing to offsetting climate change. Such benefits are difficult to quantify.

Key assumptions/sensitivities/risks

Discount rate (%)

3.5

A key assumption is that the management intervention will be successful in preventing bottom towed fishing gear from fishing within prohibited areas and that the exclusion of these activities will lead to maintenance and/or recovery of designated sensitive features. Costs to industry have been calculated using MMO landings data with the information required to be generalised over the district concerning the origin and distribution of catches within that data. Landings data is fishery dependent and assumes catches and landings have been correctly reported.

BUSINESS ASSESSMENT (Option 1)

Direct impact on business (Equivalent Annual) £m:			Score for Business Impact Target (qualifying provisions only) £m: 0.1234
Costs: 0.024670	Benefits: N/A	Net: 0.02467	

Evidence Base

1. Problem Under Consideration and Rationale for Intervention

- 1.1 This Impact Assessment (IA) is for the Southern Inshore Fisheries and Conservation Authority (IFCA) Bottom Towed Fishing Gear Byelaw 2023 (“the Byelaw”). The Byelaw will manage bottom towed fishing gear in the Southern IFCA District and has been developed through reviews of MPA management and bottom towed fishing gear undertaken by the Southern IFCA Authority.
- 1.2 Bottom towed fishing gear fisheries (from here on referred to as “BTFG fisheries”) refer to fisheries where fishing gear is pushed or pulled along the seabed and occur across the Southern IFCA district for a variety of fish and shellfish species. Southern IFCA require commercial fishers to hold a Southern IFCA permit to fish in the district (freely available) and when applying for a permit, indicate types of fishing activity carried out. From these records, there are currently 159 fishers engaged in bottom towed fishing gear fisheries within the district, this incorporates fishers who have indicated either ‘trawling’ or ‘dredging’ or both on for their permit to fish. There is no pelagic trawling in the Southern IFCA district therefore ‘trawling’ is taken to mean bottom towed fishing gear.
- 1.3 Bottom towed fishing activity can potentially cause negative outcomes as a result of ‘market failures’. These failures can be described as:
 - **Public goods and services** – a number of goods and services provided by the marine environment such as biological diversity are ‘public goods’ (no-one can be excluded from benefiting from them, but use of the goods does not diminish the goods being available to others). The characteristics of public goods, being available to all but belonging to no-one, mean that individuals do not necessarily have an incentive to voluntarily ensure the continued existence of these goods which can lead to under-protection/provision.
 - **Negative externalities** – Negative externalities occurs when the cost of damage to the marine environment is not fully borne by the users causing the damage. In many cases no monetary value is attached to the goods and services provided by the marine environment, and this can lead to more damaging occurring than would occur if the users had to pay the price of damage. Even for those marine harvestable goods that are traded (such as wild fish), market prices often do not reflect the full economic cost of the exploitation or of any damage caused to the environment by that exploitation.
 - **Common goods** – A number of goods and services provided by the marine environment such as populations of wild fish are ‘common goods’ (no-one can be excluded from benefiting from those goods however consumption of the goods does diminish that available to others). The characteristics of common goods (being available but belonging to no-one, and of a diminishing quantity), mean that individuals do not necessarily have an individual economic incentive to ensure the long-term existence of these goods which can lead, in fisheries terms, to potential overfishing. Furthermore, it is in the interest of each individual to catch as much as possible as quickly as possible so that competitors do not take all the benefits. This can lead to an inefficient amount of effort and unsustainable exploitation.
- 1.4 The Byelaw aims to redress these sources of market failure in the marine environment through the following ways:
 - Management measures to ensure that designated features and supporting habitats are not adversely affected (SACs and SPAs) and to ensure that Conservation Objectives

are furthered (MCZs) will ensure negative externalities are reduced or suitably mitigated.

- Management measures will support continued existence of public goods in the marine environment, for example conserving the range of biodiversity in the Southern IFC District.
- Management measures will also support continued existence of common goods in the marine environment, for example ensuring the long-term sustainability of stocks of sea fisheries resources in the IFC District.

Southern IFCA Legal Duties

- 1.5 Southern IFCA is responsible for the management of fishing activities in the coastal waters of Dorset, Hampshire and the Isle of Wight. These waters contain highly biodiverse and ecologically rich habitats, providing a range of valuable ecosystem services. The value of these habitats and species is recognised through a range of Marine Protected Area (MPA) designations, collectively contributing to the UK's MPA Network ("the National Site Network").
- 1.6 Southern IFCA has duties under section 154 of the Marine and Coastal Access Act 2009¹ ("the MaCAA") for the protection of features within marine conservation zones as follows:
- (1) The authority for an IFC district must seek to ensure that the conservation objectives of any MCZ in the district are furthered.
 - (2) Nothing in section 153(2) is to affect the performance of the duty imposed by this section.
 - (3) In this section –
 - a. "MCZ" means a marine conservation zone designated by an order under section 116;
 - b. the reference to the conservation objectives of an MCZ is a reference to the conservation objectives stated for the MCZ under section 117(2)(b)
- 1.7 Section 125 of the MaCAA also requires that public bodies (which includes the IFCA) exercises its functions in a manner to best further (or, if not possible, least hinder) the conservation objectives for MCZs.
- 1.8 Southern IFCA has duties under the Conservation of Habitats and Species Regulations 2017² and the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019³ (referred to jointly in this document as the "Conservation Regulations"). The Conservation Regulations transpose the land and marine aspects of the Habitats Directive and Wild Birds Directive into domestic law and outlines how the National Site Network will be managed.
- 1.9 The National Site Network is a network of protected sites which are designated for rare and threatened species and rare natural habitat types. These sites include Special Areas of Conservation (SACs) and Special Protection Areas (SPAs), designated under the EC Habitats Directive 1992⁴ and the EC Birds Directive 2009⁵, respectively. The National Site Network also includes MCZs designated under the MaCAA.

¹ [Marine and Coastal Access Act 2009 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

² [The Conservation of Habitats and Species Regulations 2017 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

³ [The Conservation of Habitats and Species \(Amendment\) \(EU Exit\) Regulations 2019 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

⁴ [EUR-Lex - 31992L0043 - EN - EUR-Lex \(europa.eu\)](https://eur-lex.europa.eu)

⁵ [EUR-Lex - 32009L0147 - EN - EUR-Lex \(europa.eu\)](https://eur-lex.europa.eu)

- 1.10 Under Regulation 6 of the Conservation of Habitats and Species Regulations 2017, Southern IFCA, as a named competent authority, must ensure that fishing activity within or adjacent to an SAC or SPA does not damage, disturb or lead to a deterioration of a species which receives protection under the relevant designation, so as to ensure compliance with the Habitats Directive and Birds Directive.
- 1.11 For MCZs, where section 154 of the MaCAA states that an IFCA's performance in meeting the duty to further Conservation Objectives for features within an MCZ should not be affected by anything listed in the general IFCA duties under section 153, this includes social or economic considerations. Likewise, for SACs and SPAs, the overarching legislation does not provide for the consideration of social or economic factors/impacts when making management decisions which are required to ensure that the duty of no adverse effect is met for activity within or adjacent to these sites.

Review of Bottom Towed Fishing Gear Management

- 1.12 Bottom towed fishing gears, or mobile demersal gears such as otter trawls or shellfish dredges, have been used by fishers for generations in the coastal waters of Dorset, Hampshire and the Isle of Wight. In certain areas these techniques have the potential to adversely affect sensitive habitats and species.
- 1.13 In line with the duties of the Southern IFCA, in 2020 Members of the Southern IFC Authority considered the need for a review of management of bottom towed fishing gear in the district in response to a change in the National Site Network through the addition of new MCZs under Tranche 3, the addition of new features to already designated MCZs and updates to the best-available evidence which had been used to inform the Bottom Towed Fishing Gear Byelaw 2016 - the current management mechanism for these gear types in the district.
- 1.14 The evidence to support this review was collated through a series of environmental assessments for MCZs, SACs and SPAs.
- 1.15 In order to document and determine whether management measures are required to further the Conservation Objectives of MCZs, Southern IFCA is required to undertake an assessment relevant to fishing activities.
- 1.16 The assessment process is staged, comprising of an initial screening stage to establish whether an activity occurs or is anticipated to occur/has the potential to occur within the site. Activities which are not screened out are subject to a simple 'Part A' assessment, akin to the Test of Likely Significant Effect required under the Habitats Directive. The aim of this assessment is to identify pressures capable of significantly affecting designated features or their related processes. Fishing activities and their associated pressures which are not screened out in the Part A assessment are then subject to a more detailed 'Part B' assessment, where assessment is undertaken on a gear type basis. The Part B assessment is akin to the Appropriate Assessment required under the Habitats Directive. The aim of this assessment is to determine whether there is a significant risk of the activity hindering the Conservation Objectives of the MCZ. If the Part B assessment is unable to conclude that there is no significant risk of an activity hindering the Conservation Objectives of the MCZ, then the activity may be subject to management.
- 1.17 In relation to bottom towed fishing gear and MCZs, assessments were undertaken for the following areas so as to secure compliance with the MaCAA:

- Bembridge MCZ
- Yarmouth to Cowes MCZ
- The Needles MCZ
- Southbourne Rough MCZ
- Poole Rocks MCZ
- Studland Bay MCZ
- Purbeck Coast MCZ
- South of Portland MCZ
- Chesil Beach and Stennis Ledges MCZ

1.18 In order to document and determine whether management measures are required to ensure no adverse effect on the features and supporting habitats for which SACs and SPAs are designated, Southern IFCA is required to undertake an assessment relevant to fishing activities.

1.19 The first stage to this assessment is a Test of Likely Significant Effect (TLSE), which is designed to test whether a fishing activity is likely to cause a significant effect on the designated features of an SAC or SPA. All the features/sub-features and supporting habitats for a site are subject to the TLSE assessment. Where the potential for a likely significant effect cannot be excluded an Appropriate Assessment must then be undertaken which must consider, in detail, the potential effects of the activity being assessed on any features/sub-features and supporting habitats where a likely significant effect has been identified and indicate whether management of that activity is required to ensure no adverse effect. The full assessment (TLSE and Appropriate Assessment) is referred to as a Habitats Regulations Assessment (HRA).

1.20 In relation to bottom towed fishing gear and SACs/SPAs, assessments were undertaken for the following areas so as to secure compliance with the Conservation Regulations:

- Solent Maritime SAC
- Chichester and Langstone Harbour SPA
- Portsmouth Harbour SPA
- Solent and Southampton Water SPA
- District-wide HRAs for seagrass and reef as features of multiple sites

1.21 The outcomes of the assessments indicated that a review of management of bottom towed fishing gear in the Southern IFC District was required to meet the legal duties of the Southern IFCA in relation to MPAs, driven by updates to the National Site Network and a need to review existing spatial management as a result of an update to best-available evidence on feature/supporting habitat location and extent.

1.22 In 2023, The Environmental Improvement Plan 2023 was introduced by Government as the first revision of the 25 Year Environment Plan. The Environment Plan identified the Government's intention to support progress towards the UN's Sustainable Development Goals under the Global Biodiversity Framework which includes protection of 30% of the global ocean by 2030. At a domestic level, the Government aim to achieve this by enhancing protection for MPAs. Under the Goal of Thriving Plants and Wildlife in the Environment Improvement Plan 2023, there is a target for 70% of designated features in MPAs to be in favourable condition by 2042 with the remainder in recovering condition and a new interim target of 48% of this to be achieved by 31st January 2028. The delivery of this is to be supported through strengthened protections in MPAs by 2024. Appropriate regulators, including IFCAs, are required to ensure that management measures are in place for all

MPAs by 2024 in order for this interim target to be achieved. This includes the management of bottom towed fishing gear in MPAs.

1.23 In order to meet the Government target, Southern IFCA identified a need to prioritise workstreams and adopt a phased approach to the delivery of the bottom towed fishing gear review. This is based on the resource requirements for meeting the Government target and aims to allow for the consideration of wider district wide sensitive habitat management following an initial consideration of feature-based management for MPAs.

1.24 Consideration of feature-based management for MPAs is in line with the legal duties of Southern IFCA in relation to the different designations of MPA. In all cases the term 'feature' is used to refer to designated features and supporting habitats for designated features under SPA designations. For MCZs, under S154 of the MaCAA, Southern IFCA must ensure that the Conservation Objectives of any MCZ in the district are furthered. Under Article 6 of the Conservation Regulations, Southern IFCA as a named competent authority must ensure that fishing activity occurring within or adjacent to an SAC or SPA does not damage, disturb or lead to a deterioration of a species or habitat which receives protection under the relevant designation, so as to ensure compliance with the Habitats Directive and Birds Directive. These legal duties are related to the phased approach to bottom towed fishing gear management in the below sections.

1.25 The phased approach is split into two, Phase 1 and Phase 2.

1.26 Phase 1: To consider feature based management interventions for MPAs: sites designated under the National Site Network (Special Areas of Conservation [SACs], Special Protection Areas [SPAs] and Marine Conservation Zones [MCZs])

- Phase 1 will consider management of bottom towed fishing gear for features which exist within any MCZ and which exist within or adjacent to any SAC/SPA. For the purposes of Phase 1, 'adjacent' means a feature (to include any buffer) which extends across the boundary of the designated site, to ensure that the integrity of that part of the feature which exists within the boundary of the site is not affected by activity occurring over that same feature where it extends outside the boundary of the site. The Authority has developed a set of principles for Phase 1 in order to guide and maintain consistency in decision making which will ensure that any subsequent management is applied equally and with full transparency across the Southern IFCA District, where applicable. Existing 2016 BTFG closures which do not meet Principles 1 & 2 (S1.31) will remain in place under Phase 1.

1.27 Phase 2: To consider district wide management interventions for sensitive habitats.

- Following the completion of Phase 1 it is the intention of the Authority to commence Phase 2 of the review. Phase 2 would consider features which exist adjacent to an MCZ boundary (i.e., any part of a feature which extends across the boundary of an MCZ) as well as any sensitive habitats and species (yet to be defined, pending the scope of Phase 2) across the district, both inside and outside National Site Network Sites and MCZs. This would also include consideration of features and sensitive habitats/species within Sites of Special Scientific Interest (SSSIs) which are not also designated under overlapping MPAs, where IFCA duties under the Wildlife and Countryside Act (1981) require the Authority to take 'reasonable steps, consistent with the proper exerciser of the authority's functions' to further Conservation Objectives for features within these sites.
- Phase 2 will also consider those areas which are currently closed under the Bottom Towed Fishing Gear Byelaw 2016 which, according to the principles developed for Phase 1 (S.1.31), will remain closed under Phase 1 of the review. In order to determine if any spatial changes are needed for these areas, socio-economic and environmental

assessments will be carried out to create an evidence base to ensure all potential impacts of any potential change are considered.

- Under this Phase, social and economic factors/impacts can be considered alongside the need for protection of the marine environment, operating under the IFCA duties outlined under S153 of the MaCAA, namely balancing the protection of the marine environment with a sustainable fishing industry, balancing the needs of different persons engaged in the exploitation of sea fisheries resources and ensuring sustainable fishing and continued sustainable development. In addition, Phase 2 will allow for the consideration of outcomes of currently ongoing restoration projects for specified habitats and consideration of how the IFCA can align with the Government's Vision of protecting 30% of land and sea by 2030 ("30x30").

- 1.28 A phased approach allows for the consideration of wider sensitive habitat management beyond the feature-based management approach taken in Phase 1. In staging the approach, Phase 2 will benefit from the inclusion of outcomes from ongoing research programmes and projects, currently underway in the district, to include those which are specifically focused on areas which may provide habitat restoration potential, ecosystem services, blue carbon habitats and Natural Capital benefits. Research in these areas will contribute vital information to help the IFCA to contribute to wider conservation targets and understand how the wider management of sensitive habitats can contribute to meeting the objectives of the Fisheries Act 2020. In addition, during Phase 2, and in order to deliver Southern IFCA's core duties under the MaCAA, extensive consultation across the district's communities will be required to capture site specific information regarding the social and economic benefits of fishing, coupled with the need to protect the marine environment.
- 1.29 The phased approach to the delivery of this workstream was adopted by the Southern IFC Authority at their meeting on 16th March 2023. This development of the Bottom Towed Fishing Gear Byelaw 2023 falls under Phase 1 of this phased approach.
- 1.30 Members of the Southern IFC Authority agreed, through a series of Working Groups in early 2023 and following consideration of the outcomes of the IFCA Technical Advisory Committee in May 2023, a set of principles which would underpin management decision defining management of bottom towed fishing gear under Phase 1 of the review. Defining these principles ensures a transparent approach and that the approach is applied consistently across the district.
- 1.31 The principles are as follows:
1. Proposed closed areas are considered for designated features within MCZs
 2. Proposed closed areas are considered for designated features within and adjacent to SACs and SPAs
 3. Proposed closed areas for feature-based protections under Principles 1 & 2 incorporate buffers in accordance with national JNCC/NE buffer guidance
 4. The best available evidence used to inform feature-based protection is the Natural England database provided to Southern IFCA in 2020
 5. With the exception of seagrass, the extent and distribution of feature-based management in the Solent Maritime SAC and district wide SPAs will be informed by outcomes of the relevant Habitats Regulations Assessment (HRA)
 6. Existing 2016 BTFG closures which do not meet Principles 1 & 2 will remain in place under Phase 1. These areas will be subject to socio-economic and environmental assessments in Phase 2, forming an evidence base to allow for the consideration of any changes to the spatial extent of these areas to ensure that all potential impacts are considered

- 1.32 More detail on the principles concerning best available evidence, use of buffers and feature-based management in the Solent Maritime SAC and District wide SPAs (excluding seagrass) can be found in the Bottom Towed Fishing Gear Byelaw 2023 Management Intentions Document.

2. Rationale and evidence to justify the level of analysis used in the IA (proportionality approach)

- 2.1 The level of evidence presented through the environmental assessments to inform management intervention is appropriate to the problem under consideration. These assessments have been based on best available evidence of feature/supporting habitat location and extent in MPAs as provided to the Southern IFCA by Natural England, as the Government's Nature Conservation Advisors, in 2020. In understanding the location of features/supporting habitats and the sensitivity of these to fishing activity, Southern IFCA utilise information made available by Natural England through their Designated Sites View⁶.
- 2.2 Given the phased approach adopted by Southern IFCA and the development of the Bottom Towed Fishing Gear Byelaw 2023 under Phase 1, namely considering feature-based management interventions for designated features within MCZs and within and adjacent to SACs and SPAs, the development of management through the Bottom Towed Fishing Gear Byelaw 2023 is unable to consider social or economic factors.
- 2.3 Information has been sought from MMO landings data to inform the anticipated cost to industry through the implementation of the Byelaw, however no further information on socio-economic impacts of the prohibited areas under the Byelaw has been sought from the industry on the prohibited areas as defined in the Bottom Towed Fishing Gear Byelaw 2023 given the inability for the IFCA to consider this information when making feature based management decisions for MPAs under the National Site Network.
- 2.4 Once the Southern IFCA begin undertaking Phase 2 of the review of bottom towed fishing gear, extensive consultation will be held with all interested parties, reflecting the ability (outside of feature-based management under Principles 1 & 2 of Phase 1 of the review) for the Southern IFCA to consider potential management under its wider duties under the MaCAA, namely *to 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 to promote its recovery from the effects of such exploitation.*

3. Description of options considered

3.1 Option 0: Do Nothing

Under this option, management of bottom towed fishing gear would continue to be managed under the Bottom Towed Fishing Gear Byelaw 2016.

- 3.1.1 This would result in no management of bottom towed fishing gear within MCZs designated under Tranche 3 and would not provide full feature-based protection for features/supporting habitats, in line with the duties of Southern IFCA, in relation to their

⁶ [Site Search \(naturalengland.org.uk\)](https://www.naturalengland.org.uk)

location/extent under the updated best available evidence base. Under this approach, the Southern IFCA would not meet its duties under the MaCAA or the Conservation Regulations.

3.2 RECOMMENDED OPTION

Option 1: Update an existing Southern IFCA byelaw in order to introduce new and revised spatial management for bottom towed fishing gear within Marine Protected Areas, ensuring feature protection consistent with Southern IFCA legal duties for SACs, SPAs and MCZs

Under this option a byelaw would be created to replace the Bottom Towed Fishing Gear Byelaw 2016 to introduce new and revised feature-based spatial management for bottom towed fishing gear within Marine Protected Areas under the National Site Network (SACs, SPAs, MCZs).

3.2.1 This option would allow Southern IFCA to meet its duties for MCZs under the MaCAA and for SACs and SPAs under the Conservation Regulations. This option, operating under Phase 1 of the review of bottom towed fishing gear and under the principles defined by the Authority will allow the IFCA to meet the Government target of ensuring that management measures are in place for all MPAs by 2024.

3.2.2 Under this option the Southern IFCA 'Bottom Towed Fishing Gear Byelaw 2016' would be revoked.

3.3 Option 2: Create a Southern IFCA byelaw to prohibit bottom towed fishing gear across the full extent of all Marine Protected Areas.

Under this option a single byelaw would be created to prohibit bottom towed fishing gear use within the full spatial extent of all MPAs under the National Site Network (SACs, SPAs, MCZs).

3.3.1 This approach would allow Southern IFCA to meet its duties under the MaCAA, however under the Conservation Regulations, Southern IFCA must ensure that fishing activity does not damage, disturb or have an adverse impact upon the features for which an SAC or SPA has been legally protected. As such, full spatial closures of MPAs would not align to the legislative requirements upon IFCA's under the Conservation Regulations.

3.4 Option 3: Voluntary measures

Due to the total area and environmental value of the District's MPAs, coupled with the number of fishery participants and the complexity of the different types of bottom towed fishing gear, it is believed that a voluntary agreement would pose too great a risk to the integrity of the environmental designations. In addition, when Defra implemented the Revised Approach to the management of commercial fisheries in the then European Marine Sites (EMS) (now National Site Network), it was Defra's expectation that regulatory management measures would be introduced. The ongoing management of bottom towed fishing gear in the National Site Network is a continuation of the initial management implemented through the Revised Approach.

4. Policy objectives

4.1 The Policy Objectives of the Bottom Towed Fishing Gear Byelaw 2023 are:

- To avoid adverse impact from bottom towed fishing activity on SACs and SPAs, and further the conservation objectives of MCZs in the Southern IFCA District

- To incorporate updates to the Marine Protected Area network in spatial management of bottom towed fishing gear
- To review existing spatial management to ensure that it is based on best available evidence
- To manage bottom towed fishing activity proportionately by considering management for designated features within MCZs and designated features within or adjacent to SACs and SPAs
- To enhance environmental sustainability within the Southern IFCA District
- Intended effect is protection of designated sensitive features in MPAs from bottom towed fishing gear, success of this measure is measured by compliance with the regulation, measured through outputs from compliance and enforcement monitoring and, if required, associated enforcement action

5. The Bottom Towed Fishing Gear Byelaw 2023

- 5.1 Building on the 2016 Byelaw (currently in force), the Bottom Towed Fishing Gear Byelaw 2023 will introduce a series of prohibited areas across the Southern IFCA District within which the used of bottom towed fishing gear for the exploitation of sea fisheries resources is prohibited.
- 5.2 The byelaw will prohibit the use of bottom towed fishing gear in 42 areas of the District (Table 1). The Area numbers align with those in the schedule of the byelaw and Annex 2 of the Management Intentions Document.

Area of District	BTFG Prohibition Area Numbers
Chichester and Langstone Harbours	1 – 6
Portsmouth Harbour	7 – 12
Southampton Water	13 – 18
Lymington, Keyhaven and Beaulieu	19 – 21
Yarmouth	22
Yarmouth to Cowes	23 – 24
The Medina, Cowes and Osbourne Bay	25 – 28
Ryde to South Wight	29 – 31
South Wight	32
Poole Bay	33 – 34
Poole Harbour	35 – 36
Studland Bay	37
Purbeck Coast	38
Portland and Stennis Ledges	39 – 40
Chesil Beach and The Fleet	41 – 42
Lyme Bay	43

- 5.3 The Byelaw requires a vessel carrying bottom towed fishing gear while transiting through a prohibited area to have that gear inboard and above the sea.

- 5.4 The Byelaw provides for the Authority to issue a written dispensation to any person committing an act which would otherwise constitute an offence against the byelaw if the act is for the purpose of educational, scientific, stocking or breeding purposes, is being undertaken in accordance with that purpose and the dispensation is carried on board and produced for inspection when requested by an IFCA of the Authority or any other person authorised by the Authority to make such a request.
- 5.5 The Byelaw provides for the Authority to review the suitability of the byelaw in accordance with any changes in evidence, to include any statutory evidence provided by Natural England or other such bodies, organisations or persons as the Authority deems fit. At the time that any such evidence is available, prior to any review taking place, consideration will be given to the evidence provided in conjunction with the IFCA's priority workstreams, balancing any identified need for a review with resource capacity.
- 5.6 There have been prohibited areas for bottom towed fishing gear across the Southern IFCA District since the introduction of the Bottom Towed Fishing Gear Byelaw in 2013. The network of prohibited areas was increased following the introduction of the Bottom Towed Fishing Gear Byelaw 2016. In adopting the principles agreed by the Authority to define the prohibited areas under the 2023 Byelaw, the resulting prohibited areas represent a combination of extensions to previous closures and the inclusion of new prohibited areas.
- 5.7 The total area closed to bottom towed fishing gear through the prohibited areas under the Byelaw, resulting from Phase 1 of the review of bottom towed fishing gear, is 743.12km² representing 27.2% of the Southern IFCA District. This is compared to a total area closed under the Bottom Towed Fishing Gear Byelaw 2016 of 696.3km² representing 25.5% of the District. **The difference between the 2016 and 2023 byelaws, resulting from Phase 1 of the review, is an increase in the total area closed of 46.8km² or 1.7% of the District.**

6. Consultation

6.1 Informal Consultation

- 6.1.1 In accordance with the IFCA Byelaw Guidance Document (as issued by Defra) an informal period of consultation was held between 17th June 2022 and 1st August 2022 on proposed district wide bottom towed fishing gear closures in response to the key policy drivers underpinning the bottom towed fishing gear review.
- 6.1.2 Responses were invited by email, post and via an online form. Throughout the consultation period, Southern IFCA officers contacted key stakeholders to inform them of the consultation and engaged with fishers whilst out on patrol. Officers helped fill out response forms where required and signposted fishers to the consultation document.
- 6.1.3 A total of 74 responses were received by the Authority through the duration of the consultation⁷.
- 6.1.4 In response to the Government's Environmental Improvement Plan (EIP) (published in January 2023), which requires management to be in place across all MPAs by 2024, The Authority resolved to split the BTFG review into two phases in order to achieve the above

⁷ The Summary of Responses document for the informal consultation is available upon request from the Southern IFCA.

target, ensuring that feature-based management is in place by 2023 via the introduction of the Bottom Towed Fishing Gear Byelaw 2023.

- 6.1.5 The consultation undertaken in 2022 included all of the areas which have been proposed for feature-based management under Phase 1 of the bottom towed fishing gear review. The outcomes of the above consultation will also be taken forward for consideration under Phase 2, to embellish and help to inform the extensive site specific consultations which will be undertaken during Phase 2.

6.2 Formal Consultation

6.2.1 To be added following completion of Formal Consultation.

7. Monetised and non-monetised costs and benefits

- 7.1 Option 1 will be analysed in comparison to Option 0
- 7.2 The creation of the Southern IFCA Net Fishing Byelaw may result in the following costs:
- Direct costs to the fishing industry as a result of reduced access or loss of access to fishing grounds;
 - Indirect costs to the fishing industry associated with displacement to other fishing grounds;
 - Costs to Southern IFCA for compliance and enforcement activities
- 7.3 Costs to the fishing industry from reduced access or loss of access to fishing grounds and compliance costs to Southern IFCA can be monetised and these estimated values have been collated and presented as part of this IA.
- 7.4 Indirect costs to the fishing industry associated with displacement are difficult to value and are therefore described here as non-monetised costs.

Costs to the fishing industry

- 7.5 Bottom towed fishing gear users have the potential to incur costs as a result of reduced access or loss of access to fishing grounds within prohibition areas under the Byelaw. These costs will be incurred as a direct result of the closure of the fishing area.
- 7.6 Southern IFCA require commercial fishers to hold a Southern IFCA permit to fish in the district (freely available) and when applying for a permit, indicate types of fishing activity carried out. From these records, there are currently 159 fishers engaged in bottom towed fishing gear fisheries within the district, this incorporates fishers who have indicated either 'trawling' or 'dredging' or both on for their permit to fish. There is no pelagic trawling in the Southern IFCA district therefore 'trawling' is taken to mean bottom towed fishing gear.
- 7.7 To estimate the economic costs of the proposed management, Marine Management Organisation (MMO) catch data for bottom towed fishing gear catches landed to ports within the District between 2021 and 2023 (to Feb 2023) from UK registered vessels was analysed. Table 2 provides the quantity landed (kg) and the associated value (£) of all species landed by either trawling or dredging into ports in the Southern IFCA District for those years.

Year	Total quantity of all species landed by BTFG (tonnes)		Total value of all species landed by BTFG (£)	
	Dredges	Trawls	Dredges	Trawls
2021	1093.90	246.00	2,265,420.56	920,376.30
2022	1219.00	218.97	2,273,778.66	1,081,131.24
2023 (to Feb 2023)	75.58	34.57	194,097.50	151,716.63
Total for 2 full years (2021 and 2022)	2,312.90	464.97	4,539,199.22	2,001,507.54
Average per year (based on 2021 and 2022)	1156.45	232.49	2,269,599.61	1,000,753.77

(*) Note the 2023 data only represents two months of the year

- 7.8 It has to be assumed that the landings into these ports were made by vessels which are registered with the Southern IFCA under the Fish for Sale permit. On this basis, splitting the average values from the above table equally between the 159 registered vessels equates to an estimated average landings value per vessel of £14,274.21 per year for dredging and £6,294.05 for trawling.
- 7.9 These figures can be based on access to the area of the District available to bottom towed fishing gear under the Bottom Towed Fishing Gear Byelaw 2016 = 2036.7km². Converting the average value of landings for 2021 and 2022 for each gear type to a (£) value per square km, and then applying this value to the additional area which is proposed to be closed through prohibited areas under the 2023 Byelaw compared to the 2016 byelaw, an average value per year can be estimated of the proposed cost to industry from the new byelaw. This equates to an approximate annual cost (across all fishery participants) of £52,151.65 for dredging and £22,995.67 per year for trawling. Giving a combined approximate annual cost of £75,147.32. Dividing this cost by the 159 BTFG vessels in the District equates to an estimated cost of £472.62 per vessel per year.

Costs to Southern IFCA

- 7.10 Southern IFCA is anticipating that additional costs for compliance and enforcement as a result of the Byelaw, over and above those already directed towards compliance and enforcement for the Bottom Towed Fishing Gear Byelaw 2016, will be minimised due to the total footprint of prohibited areas (under Phase 1 of the bottom towed fishing gear review) changing by 46.8km² from the Bottom Towed Fishing Gear Byelaw 2016 (1.7% increase).
- 7.11 Under section 153 of the MaCAA, Southern IFCA has the lead responsibility of enforcing an IFCA byelaw. The Authority's existing compliance and enforcement strategy would be the most likely and effective method of enforcing the recommended byelaw.
- 7.12 Based on knowledge of the compliance and enforcement resource requirements for the Bottom Towed Fishing Gear Byelaw 2016 and the relatively small increase in total prohibited area size across the District it is anticipated that, in the first year of the byelaw being in place, there would be a day required per Fisheries Protection Vessel to update plotter information relating to positions of prohibited areas, this is anticipated at a total cost of £1,290 based on three patrol vessels. In the first year there would also be a requirement for 10 additional sea patrols across the District to engage with the bottom towed fishing gear industry on changes to prohibited areas, the cost of this would be £14,970.

- 7.13 The best form of engagement will be with the industry whilst they are on the water therefore the increased costs are based around sea patrols. It is anticipated that, given the relatively small increase in total prohibited area size across the District, there will not be a need for additional land patrols utilising assets such as the Southern IFCA drone, the current level of land patrols will be sufficient to ensure compliance and enforcement activities can be carried out in relation to the new byelaw.

Total monetised costs

- 7.14 The Equivalent Annual Net Direct Costs to Business (EANDCB) as a result of the proposed measures are estimated to be £24,670.00

Non-monetised costs

- 7.15 There is likely to be displacement of bottom towed fishing gear activity as a result of the proposed byelaw. The consequences of this displacement include potential conflict with other users, an increase in exploitation of other fisheries and an increased environmental impact as a result of increased bottom towed fishing gear in other areas.
- 7.16 The level of displacement cannot be quantified, however the combination of management measures for gear types across the Southern IFCA District will provide a form of mitigation in relation to an increase in exploitation of other fisheries. The likely increase may be in the form of pot fishing, net fishing or shore gathering activities. The former two are aiming to be managed through Southern IFCA byelaws which are currently undergoing scrutiny through the MMO QA process prior to being considered by the Secretary of State. These byelaws seek to regulate the use of these gear types to limit impacts on stocks (whelk fisheries) and impacts on fish species utilising habitats for feeding, breeding and protection and impacts on migratory fish species and other sensitive species (net fisheries). The Southern IFCA are also undertaking a review of shore gathering activity across the National Site Network in the District which will inform appropriate management to avoid any adverse impact to the marine environment. Phase 2 of the bottom towed fishing gear review will also consider management of sensitive habitats in the wider District, both inside and outside of MPAs.

Benefits

- 7.17 The creation of the Bottom Towed Fishing Gear Byelaw 2023 may result in the following benefits:
- Improved sustainability of the marine environment through the protection of sensitive designated features within MCZs and within or adjacent to SACs and SPAs that would otherwise be vulnerable to potentially damaging fishing techniques
 - A potential increase in the delivery of ecosystem services
 - A potential increase in the sustainability of the fisheries, leading to a socio-economic benefit for fishermen and associated businesses
 - A potential increase in opportunities for other fishing gear types
 - Potential reputational benefits to bottom towed fishing gear users and the fishing industry
- 7.18 These benefits are difficult to value and are therefore described here as non-monetised benefits.

- 7.19 The MCZ and HRA assessments carried out to inform the review of bottom towed fishing gear demonstrate that methods of bottom towed fishing gear are likely to have a significant effect on certain sensitive features/supporting-habitats for which sites in the District are designated and therefore prevent the furthering of Conservation Objectives for MCZs and lead to an adverse effect on features within or adjacent to SACs and SPAs, in all cases affecting overall site integrity. The creation of prohibited areas under the Byelaw provides a benefit to these MPAs through protection of these sensitive features/supporting-habitats allowing them to be maintained and/or recovered where required contributing to the achievement of overall site integrity.
- 7.20 The sensitive habitats and species designated for the National Site Network sites in the Southern IFCA District which relate to the assessments for bottom towed fishing gear include: seagrass, reef features, estuarine habitats (i.e. saltmarsh, intertidal sediments), sea-pens and burrowing megafauna, subtidal sediment habitats, black seabream, native oyster, maerl beds, pink sea fans and bird species with associated supporting habitats. The outputs from the assessments indicate that abrasion, penetration or disturbance of the seabed, removal of non-target and target species, changes in suspended solids, smothering and siltation rates and disturbance of bird species were identified as the main pressures which required management consideration. The degree to which each of these pressures requires management in relation to bottom towed fishing gear will vary between sites taking into account the evidence in literature as to the potential impacts of different types of fishing gear on each habitat/species.
- 7.21 The sensitive habitats and species listed above contribute to the biodiversity of the marine environment and provide a variety of roles in supporting food webs, providing areas for feeding, breeding, roosting and protection for species and supporting the development of species communities and characteristic biotopes. These services would be maintained and potentially enhanced by the Byelaw.
- 7.22 Protection of these features/supporting habitats is also anticipated to deliver additional ecosystem services. The range of habitats and species protected within the prohibited areas are known to provide a degree of coastal protection (reefs, saltmarsh, mudflats) and are important areas for nutrient cycling, carbon and nitrogen fixing and sediment stabilisation. By protecting areas of sensitive habitat, a natural refuge is created for populations of exploited and bycatch species.
- 7.23 It is anticipated that the closure of sensitive areas will benefit adjacent fisheries through two mechanisms: net emigration of adults and juveniles across borders (termed 'spill over') and the export of pelagic eggs and larvae. Inside the prohibited areas, there is the potential for populations to increase in size, with individuals able to live longer, grow larger and develop increased reproductive potential. This has the potential to lead to increased catches outside of these areas. Within carefully managed, sustainable fisheries, additional fishing opportunities provided through increased catches may potentially offer employment opportunities, thus supporting the local economy.
- 7.24 In some areas, methods of towed fishing gear can restrict opportunities for other fishing activities such as static gear, shore gathering and recreational sea angling due to the potential for damage to fishing gear or through competition for a resource. Previous experience from the Lyme Bay area suggests that closures to bottom towed fishing gear may lead to an increase in fishing opportunities for other gear types such as pot fisheries. Within carefully managed, sustainable fisheries additional fishing opportunities may potentially offer employment opportunities, thus supporting the local economy.

- 7.25 It is anticipated that this byelaw will manage the fishery-ecosystem interaction, supporting biodiversity within the prohibited areas. The effective management of bottom towed fishing gear within MPAs demonstrates that these fisheries can be managed in an appropriate way within designated sites. This byelaw therefore provides these fisheries with the opportunity to demonstrate their environmental credentials. In an ever-more environmentally aware society, this information may increase consumer confidence in these fisheries which may in turn have associated social and economic benefits.

8. Risks and assumptions

- 8.1 Cost estimates are based on estimates of UK landings values. Landings information is reported by port landed into and therefore it is not possible to ascertain what proportion of the landings value was derived directly from the proposed prohibited areas under the Byelaw.
- 8.2 The number of potentially affected vessels has been obtained through analysing the number of fishers in the District who have indicated to the Authority when registering to fish for sale, that they fish with either trawls or dredges or both. From officer knowledge, it is known that there are no pelagic trawling vessels operating in the Southern IFCA District therefore trawling is taken to represent bottom towed fishing gear.
- 8.3 Displacement of fishing effort is difficult to quantify, and impossible to predict where exactly activities will be displaced to.
- 8.4 Estimated costs to the fishing industry are likely to be an overestimate, as vessels are likely to offset some of the lost revenue by fishing in other areas. It is also possible that the increased environmental status within the prohibited areas could coincide with relatively more abundant fishing grounds, and therefore the analysis may have underestimated the value of reduced fishing ground.

9. Impact on small and micro businesses

- 9.1 The Byelaw will impact micro businesses (1-9 employees). There are two fishing vessels operating in the Southern IFCA District using bottom towed fishing gear which are >12m, all other vessels are <12m. The majority of vessels operate as a single business operated by one owner. Vessels will operate both single handed with only a skipper, and with a skipper and crew (maximum 2 crew).
- 9.2 It would not be possible to exempt small and micro businesses from the Byelaw.
- 9.3 Due to the size and range of these vessels, some may not be able to access alternative sources of income. These businesses may fail as a result. This has aimed to be mitigated by aligning the prohibited areas with the principles developed by the Authority to ensure consistency in approach across the District and ensure that closures are developed around feature-based management within MPAs in line with the Southern IFCA duties for different designation types. This has resulted in some new prohibited areas and extensions to some existing prohibited areas. The total difference in area closed to bottom towed fishing gear between the 2016 byelaw and the 2023 byelaw, resulting from the outcomes of Phase 1 of the bottom towed fishing gear review, is 46.8km² (696.3km² under the 2016 byelaw compared to 743.12km² under the 2023 byelaw), this equates to a difference in the percentage of the District closed to bottom towed fishing gear of 1.7% (from 25.5% under the 2016 byelaw to 27.2% under the 2023 byelaw).

10. Wider impacts

- 10.1 There is the potential for businesses directly related to fishing to be affected as a result of the proposed measures. This is aimed to be abated through the mitigation to the fishing industry by the relatively small difference in the total size of the prohibited areas within the District.
- 10.2 As a result of possible environmental and fisheries benefits, there is the potential for other fishing and environmental businesses to benefit from the proposed measures, for example due to increased fishing opportunities.
- 10.3 There are potential social implications associated with the proposed byelaw, these have the potential to include the suppliers, fuel costs and time costs associated with sourcing new suppliers, travelling to and utilising alternative fishing grounds.
- 10.4 It is anticipated that the introduction of the proposed measures will achieve the conservation objectives of the MPAs within the district in the National Site Network (SACs, SPAs, MCZs) thus maintaining the overall integrity of these sites.
- 10.5 Increases in the density and biodiversity of species in the prohibited areas will positively contribute towards the health of the marine environment.

10.6 South Marine Plan

As per paragraph 58(3) of the MaCAA, Southern IFCA must have regard to the South Marine Plan⁸ when undertaking any decision which is not an authorisation or enforcement decision. By definition, as per paragraph 58(4), a byelaw would fall under the definition of 'authorisation or enforcement decision'.

- 10.6.1 That said, the proposed measures ensure compatibility with the following objectives and policies of the South Marine Plan:
- **Objective 3:** To support the diversification of a sustainable fishing industry **S-FISH-1**
 - **Objective 10:** To support marine protected area objectives and a well-managed ecologically coherent network with enhanced resilience and capability to adapt to change **S-MPA-1, S-MPA-2**
 - **Objective 12:** To safeguard space for, and improve the quality of, the natural marine environment, including to enable continue provision of ecosystem goods and services, particularly in relation to coastal and seabed habitats, fisheries and cumulative impacts on highly mobile species **S-BIO-3**

11. Monitoring and evaluation

- 11.1 The Authority is able to review the suitability of the byelaw in accordance with any changes in evidence, to include any statutory evidence provided by Natural England or other such bodies, organisations or persons as the Authority deems fit. At the time that any such evidence is available, prior to any review taking place, consideration will be given to the evidence provided in conjunction with the IFCA's priority workstreams, balancing any identified need for a review with resource capacity.

⁸ <https://www.gov.uk/government/collections/south-marine-plans>

11.2 Monitoring of compliance with the Byelaw will be carried out through the Authority's compliance and enforcement framework⁹.

⁹ [Compliance-and-Enforcement-Framework-2023.pdf \(toolkitfiles.co.uk\)](#)

Southern Inshore Fisheries and Conservation Authority

OFFICER'S REPORT

MARKED I

POOLE HARBOUR OIL SPILL MAJOR INCIDENT

Report by the Deputy Chief Officer Sam Dell

A. Purpose of the Report

To provide an update to Members on Southern IFCA involvement in the response to the Poole Harbour Oil Spill Incident.

B. Recommendations

- a. That Members note the report.

1. Oil Spill Response – Major Incident [26th March to 4th April 2023]

- 1.1 On the 26th March 2023 a leak occurred at a pipeline operated by Perenco at Ower Bay in Poole Harbour. Perenco advised that a small amount of reservoir fluid (approximately 85% water and 15% oil) escaped from the pipeline. The pipeline was shut down and booms were placed on either side of the leak in order to minimise any pollution. Poole Harbour Commissioners (PHC) activated its emergency oil spill plan and specialist oil spill response companies were brought in to assist with the operation. A Major Incident was declared. Southern IFCA were contacted by PHC requesting assistance from the team including the use of the Patrol Vessel Endeavour and the Drone.
- 1.2 Southern IFCA Officers, then operating from the PHC Incident Room working with OSRL (Oil Spill Response Limited), were tasked from the 27th to the 30th March to carry out Shoreline, Clean Up, Assessment Techniques (SCAT) across the harbour utilising both the Drone to conduct ariel surveillance and Patrol Vessel Endeavour to reach remote parts of the Harbour including the Islands.
- 1.3 Southern IFCA, working closely with BCP Council, the Food Standards Agency (FSA) and Centre for Environment, Fisheries and Aquaculture Science (CEFAS), set up and co-ordinated a shellfish sampling programme to test multiple commercial shellfish species to help inform an FSA position on the harvesting and marketing of shellfish for aquaculture and wild fisheries.
- 1.4 A number of Incident Response Groups were set up with Southern IFCA's Senior Management Team sitting across various advisory groups, these included daily Sit Rep briefings, a daily Standing Environment Group meeting and twice weekly PREMIAM monitoring cell meetings. Southern IFCA also provided DEFRA with information to inform Ministerial briefings regarding fisheries and in particular the potential impact of the spill on the aquaculture businesses operating in Poole Harbour.
- 1.5 As directed by the PHC Incident Room, during the incident response all external communications and media requests were coordinated through the PHC Incident Room.
- 1.6 These communications included: on the 27th March, Environmental Health Officers at BCP Council contacting all Poole Harbour Lease Bed holders advising that Shellfish harvested from Poole Harbour from Sunday 26 March onwards should not be relayed or marketed, with this advice remaining in place until a further assessment has been made and advice has been received from the Food Standards Agency FSA and CEFAS regarding the safety.
- 1.7 On the 27th March Southern IFCA also facilitated BCP Council by providing contact details for PHDP holders, hand gatherers, and net fishers to allow direct contact by BCP Council and also aided in developing joint updates from BCP Council and Southern IFCA which were disseminated across relevant platforms.
- 1.8 During the Major Incident phase, Southern IFCA continued to work with BCP Council and PHC to provide updated communications as required and disseminate those accordingly to PHDP holders and via relevant platforms.

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- 1.9 On the 31st March the media releases specific to fisheries from BCP Council and PHC were released. This media release included information relating to shellfish testing, aquaculture activity, commercial shellfish fisheries, commercial net fisheries, recreational fisheries and bait dragners and bait diggers. The release was cross referenced to the Southern IFCA website and social media in order to provide accurate and up to date advice on the Oil Spill Incident.

<p><u>Shellfish Testing</u></p> <p>BCP Council and Southern IFCA are continuing to work closely with CEFAS and the FSA to ensure that appropriate sampling and testing is prioritised to help inform the current position on shellfish.</p>
<p><u>Aquaculture</u> - Aquaculture operators in Poole Harbour have been advised not to relay or market shellfish harvested from Poole Harbour from Sunday 26 March onwards. This advice will remain in place until further assessment has been made and advice has been received from the Food Standards Agency (FSA) and the Centre for Environment, Fisheries and Aquaculture Science (CEFAS) regarding safety.</p> <p>BCP Council and Southern IFCA are continuing to work closely with CEFAS and the FSA to ensure that appropriate sampling and testing is prioritised to help inform the current position on shellfish.</p> <p>Joint updates from BCP Council and Southern IFCA will be provided to the aquaculture industry as soon as the measures needed to enable the safe harvesting of shellfish have been agreed with the FSA.</p> <p>We are collectively doing everything we can at this time to prioritise ongoing investigations. In the meantime, we do encourage you to visit www.phc.co.uk for the latest updates and press releases on the ongoing incident.</p>
<p><u>Poole Harbour Dredge Permit (PHDP) Holders</u> - BCP Council and Southern IFCA are continuing to work closely with CEFAS and the FSA to ensure that appropriate sampling and testing is prioritised to help inform the current position on shellfish.</p> <p>We are collectively doing everything we can at this time to prioritise ongoing investigations. In the meantime, we do encourage you to visit www.phc.co.uk for the latest updates and press releases on the ongoing incident.</p>
<p><u>Commercial Shellfish Fisheries</u> - The fishing industry who are currently engaged in gathering shellfish by hand in Poole Harbour have been advised not to market shellfish harvested from Poole Harbour from Sunday 26 March onwards. This advice will remain in place until further assessment has been made and advice has been received from the Food Standards Agency (FSA) and the Centre for Environment, Fisheries and Aquaculture Science (CEFAS) regarding safety.</p> <p>BCP Council and Southern IFCA are continuing to work closely with CEFAS and the FSA to ensure that appropriate sampling and testing is undertaken to help inform this current position on shellfish.</p> <p>Joint updates from BCP Council and Southern IFCA will be provided to the shellfish industry as soon as the measures needed to enable the safe harvesting of shellfish have been agreed with the FSA.</p> <p>We are collectively doing everything we can at this time to prioritise ongoing investigations. In the meantime, we do encourage you to visit www.phc.co.uk for the latest updates and press releases on the ongoing incident.</p>
<p><u>Commercial Net Fisheries</u> - The fishing industry who are currently engaged in net fisheries in Poole Harbour have been advised to cease fishing operations. This advice will remain in place until further assessment has been made.</p> <p>In the meantime, we do encourage you to visit www.phc.co.uk for the latest updates and press releases on the ongoing incident.</p>
<p><u>Recreational Fisheries</u> - All recreational fishers are advised to refer to the latest Notice to Mariners available at www.phc.co.uk. In addition, we do encourage you to visit www.phc.co.uk for the latest updates and press releases on the ongoing incident.</p>
<p><u>Bait Dragners and Bait Diggers</u> - Those currently engaged in bait dragging and bait digging in Poole Harbour are advised not to undertake these activities. This advice will remain in place until further assessment has been made. In the meantime, we do encourage you to visit www.phc.co.uk for the latest updates and press releases on the ongoing incident.</p>

- 1.10 Southern IFCA, working closely with BCP Council, the Food Standards Agency (FSA) and Cefas, set up and co-ordinated a shellfish sampling programme to test multiple commercial shellfish species to help inform a FSA position on the harvesting and marketing of shellfish for aquaculture and wild fisheries.
- 1.11 The FSA assured Southern IFCA and BCP Council that analysis of the samples was being prioritised and as soon as results are received, they will act quickly to issue their advice regarding the safety of recommencing harvesting. Southern IFCA worked with BCP Council, FSA and Centre for Environment, Fisheries and Aquaculture Science (CEFAS) in doing all that

Southern Inshore Fisheries and Conservation Authority OFFICER'S REPORT

was possible to move the position forward. It is vital that the safety of shellfish from Poole Harbour, following the Oil Spill incident, can be demonstrated before harvesting recommences, both from a food safety perspective and to protect the reputation of Poole Harbour shellfish. BCP Council were in a position to contact the trade directly when the FSA has provided advice following the results of the sampling carried out.

1.12 The table below details the sampling program carried out during the Major Incident phase and into the Ongoing Phase (see Section 2 below):

Date	Fishery	Samples Taken	Samples taken for	Results Received	Action Taken
29.03.23	Aquaculture	Samples of: <ul style="list-style-type: none"> • Pacific oyster • Blue mussel • Manila clam • Cockle <i>1x sample of each species</i> <i>Water sample taken</i>	Ensuring a TO sample record was available – results will not inform fishing activity	11.04.23	No indication of any significant oil exposure
29.03.23	Wild shellfish fisheries	Samples of: <ul style="list-style-type: none"> • Manila clam • Common cockle <i>24x samples across 6 sites (2x of each species per site)</i> <i>Water sample taken at each site</i>	Ensuring a TO sample record was available – results will not inform fishing activity	Samples unable to be tested due to issues with courier delivery delays making them unsuitable	
03.04.23	Aquaculture	Samples of: <ul style="list-style-type: none"> • Pacific oyster • Blue mussel • Manila clam • Cockle <i>10 samples taken across lease beds in proximity to spill site</i>	Testing to inform FSA and BCP advice on harvesting activity on aquaculture beds	BCP advice issued 19.04.23	Harvesting activity able to resume on aquaculture beds as of 20.04.23 (see Section 2.2)
18.04.23	Wild shellfish fisheries	Samples of: <ul style="list-style-type: none"> • Manila clam • Cockle <i>18 samples from sampling sites aligned with SIFCA Poole Bivalve Survey – 10 samples from sites in proximity to spill site, 8 samples from wider shellfish beds distributed amongst clam and cockle grounds</i> <i>Sediment samples also taken from each sampling site</i>	Testing to inform FSA and BCP advice on harvesting from wild shellfish beds (hand gathering and dredge for coming season)	BCP advice issued 05.05.23	Harvesting activity able to resume (see Section 2.2)

2. Oil Spill Response – Ongoing [5th April to 25th May 2023]

2.1 The Senior Management Team continued to represent Southern IFCA on various advisory groups in relation to the Oil Spill Response to include The Environment and Infrastructure Subgroup, which aims to develop a Remediation Plan to feed into the Recovery Coordination Group, the PREMIAM Monitoring Cell and a Sit Rep and In Field Report group.

2.2 Southern IFCA continued to engage with key stakeholders providing the latest information to the industry with joint updates from BCP Council and Southern IFCA provided to the shellfish industry as soon as the measures needed to enable the safe harvesting of shellfish had been agreed with the FSA.

Current Advice (as of 5th May 2023):

- The aquaculture shellfish beds within Poole Harbour were closed as a precautionary measure since the start of the incident in Poole Harbour on 26th March. Following sampling carried out by BCP Council and SIFCA, and facilitated by the Food Standards Agency,

Southern Inshore Fisheries and Conservation Authority

OFFICER'S REPORT

these sites were opened as of Thursday 20th April 2023. The FSA have advised that operators of these sites should continue to take appropriate action to ensure that any harvested shellfish are fit for consumption.

- The wild shellfish beds are fished on a seasonal basis and were closed to dredging until 25th May 2023. Additional sampling was carried out of these sites and the results were assessed with advice provided by the FSA to inform a position from BCP Council that, based on the results of the testing indicating no significant contamination, harvesting from the wild fishery could resume from 5th May (at this time hand gathering only). This work has ensured that the permit fishery was able to start, as normal, with the opening of the season on 25th May. Fishers were advised that the immediate area around the spill site in Ower Bay remained closed off for on-going remediation works and therefore should be avoided for practical reasons.
 - Fishing and/or netting for **fish** in Poole Harbour was able to resume from 00:01 on Wednesday 5th April. Those fishing are advised to avoid any areas of the Harbour which are evidently contaminated with oil (spill site). Any fish found to be dead, dying or visibly contaminated with oil residues should not be consumed or marketed.
- 2.3** The first results relating to informing the activities of the aquaculture fisheries were received on 19th April 2023 and BCP Council updated their advice to operators as above (Section 2.2) indicating that aquaculture sites could open as of Thursday 20th April 2023.
- 2.4** BCP Council and Southern IFCA undertook further sampling of shellfish from Poole Harbour in order to inform the position for the wild shellfish dredge fishery which opened on the 25th May 2023 and the wild shellfish hand gathering fishery. This sampling took place on 18th April 2023 as detailed in the table under Section 1.12 and informed the updated communications detailed above (Section 2.2).
- 2.5** On Wednesday 17th May the Deputy Chief Officers attended a PHC led de-brief on the Incident which was focussed around how effective the PHC Pollution Response Plan was. Minor amendments were suggested in relation to initial communication with Southern IFCA but the overriding assessment was that the Pollution Response Plan worked and required little amendment.
- 2.6** To date Southern IFCA have committed significant time and resource (marine assets and officers) to support the initial and ongoing incident. A full account of this of this has been prepared and a claim was submitted on 25th May to seek remuneration of costs. Perenco have acknowledged receipt of the claim.

OFFICER'S REPORT

**COMPLIANCE AND ENFORCEMENT
QUARTERLY REPORT**

Report by Deputy Chief Officer Dell

A. Purpose of the Report

To report to Members on the compliance and enforcement activities for the quarter February to April 2023.

B. Recommendation

That Members note the report.

1. Compliance and Enforcement Summary

- 1.1 This report contains information relating to our enforcement activity for this reporting period in statistical format for inspections, patrols and offences detected and a quarterly summary of key enforcement operations and activities.

Sam Dell
Deputy Chief Officer

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
List of Background Papers**

Compliance and Enforcement Report

MARKED J – ANNEX 1



Compliance & Enforcement Quarterly Report

February – April 2023



Prepared by DCO Sam Dell

Contents

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- 2. Background**
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1. **Purpose**

The purpose of this report is to provide the Committee with an overview of the Southern IFCA risk-based approach to compliance and enforcement, the report also highlights key operational activities and statistical information for the previous quarter February to April 2023. The statistical data included in this report is aligned to national IFCA metrics that are reported to Association IFCAs (AIFCA) and Department for Food, Environment and Rural Affairs (Defra) on an annual basis.

2. **Background**

2.1 **Risk Based Enforcement**

Southern IFCA is committed to achieving fair, effective and proportionate enforcement. The Compliance and Enforcement Framework sets out the Authority's approach and details the general principles the Authority will follow and the enforcement actions available. The Risk Register forms part of that Framework, providing focus and priorities for Southern IFCA's compliance and enforcement activities. The Risk Register identifies priorities in specific areas at different times of the year.

2.2 **Intelligence Led Approach**

Intelligence Reports (IRs) are the Authority's method of recording, storing, collating and the dissemination of intelligence that complement our risk-based approach. Additional intelligence together with access to the UK Fisheries Monitoring, Control and Surveillance System¹ (MCSS) and Vessel Monitoring System (VMS) maximizes the efficient use and deployment of resources on the ground. Southern IFCA uses the National Intelligence Model which incorporates a tasking and coordination process.

2.3 **Tactical Coordination Group (TCG)**

The TCG meeting is chaired by the DCO who makes decisions in relation to resourcing and enforcement priorities for the upcoming period (2 weeks). The aim of this meeting is to make decisions around resource allocation in order to make best use of resources and provide the best possible protection for fisheries and the marine environment within the Southern IFCA District, the TCG also decides what operational tactics will be deployed.

2.4 **Fisheries Patrols**

Southern IFCA officers conduct both land and sea-based patrols across the district. Southern IFCA operates three patrol vessels, patrols on board these vessels may take place at any time of day or night, and are used to observe fishing activity, engage with industry, carry out boarding inspections and to target reported illegal activity. On shore, Officers conduct land patrols to engage with industry, carry out inspections, observe activity at sea and in ports, visiting a number of locations across the district including commercial premises, recreational angling hotspots, piers, ports, beaches and quaysides. The Authority has also developed a drone capability and has procured two drones to support operational activity. This has enhanced our operational delivery and is used to record evidence of possible offences using the onboard camera from perspectives not previously possible, it has improved the prevention (deterrent) and detection of offending.

[Compliance & Enforcement : Southern IFCA \(southern-ifca.gov.uk\)](https://www.southern-ifca.gov.uk)

¹ The UK reporting database of sightings, boarding, positions of vessels, prosecutions and other actions against infringements of UK and EU Fisheries. This system is managed by CEFAS on behalf of the MMO (also see RNSS). This also contains access to VMS data.

3. Enforcement Activity

3.1 Intelligence Reports

The following table demonstrates the information reports submitted for this reporting quarter.

Intelligence Reports	February	March	April	Total
IFCOs	11	14	10	35

3.2 Enforcement Activity Table

The following table demonstrates the enforcement activity and offences detected for this reporting quarter, these reporting metrics are aligned nationally to those requested by Defra. Fluctuations that occur in statistical figures can be as a result of a number contributing factors i.e. number of land based as opposed to sea-based patrols in any given month, staff resources, weather, other duties and the objectives of the patrols recognising the Authorities commitment to risk based intelligence led enforcement.

Category	Metric	February	March	April	Total
Inspections at sea	Vessel patrols	4	3	4	11
	Boardings/inspections	2	7	9	18
Inspections ashore or in a port	Metric	February	March	April	Total
	Shore patrols	13	6	6	25
	Port visits	19	11	14	44
	Premises inspections	1	0	1	2
	Landing inspections	15	2	9	26
	Vehicle inspections	0	0	0	0
	Gear Inspections	1	0	0	1
	Person Inspection	0	5	0	5
Offences Detected	Per report	February	March	April	Total
Verbal warnings		1	4	1	6
Written warnings		2	1	0	3
Advisory letter		0	0	1	1
FAP		0	0	3	3
Offence Reports		1	0	0	1

3.3 Offence reports

The following table demonstrates the offence reports & actions submitted by officers for this reporting quarter.

Date of Offence	Offence	Action
01/02/2023	Retention of undersized American hard-shelled clams (Southern IFCA Minimum Conservation Reference Size Byelaw)	16/02/2023 – 2x Official warning letters issued to the master and owner of the fishing vessel

3.4 Offence Outcomes

The following table demonstrates offence outcomes for this reporting quarter.

Date of offence	Offence	Action taken and date
28/11/2022	Breach of closed area (Southern IFCA Poole Harbour Dredge Permit Byelaw)	07/02/2023 - £1000 FAP administered to the master and owners of the fishing vessel. Amount paid in full.

7/12/2022	Retention of undersized manila clams (Southern IFCA Minimum Conservation Reference Size Byelaw)	07/02/2023 - £500 FAP administered to the master and owners of the fishing vessel. Amount paid in full.
16/01/2023	Storage of undersized manila clams (Southern IFCA Minimum Conservation Reference Size Byelaw)	01/03/2023 – Official warning letter issued to the fish merchant concerned
30/01/2023	Retention of undersized bass (Article 15 paragraph 12 of (EU) No. 1380/2013)	22/03/2023 - £500 FAP administered to the master and owner of the fishing vessel. Advisory letter sent to the fish merchant in relation to storing undersized bass

4. Summary of key enforcement operations and activities

4.1 Solent Clam Fishery

The Solent Dredge Permit Byelaw allows permit holders to dredge for manila clams and American hard-shelled clams in Southampton Water, Portsmouth Harbour & Langstone Harbour from 1st November to February 28th inclusive.

During the 2022-2023 season, fishing for clams was almost exclusively carried out within Southampton Water by a small number of vessels. This fishing activity intensified during February, when some of the vessels that had been targeting scallops (Please see item 4.2 below) finished the season prematurely. Southern IFCA officers conducted patrols of the clam fishery by land and sea. Compliance with the regulations was generally good, with only minor offences detected.

4.2 Solent Scallop Fishery

The Scallop Fishery in The Solent is now regulated under Southern IFCA's Solent Dredge Permit Byelaw, as well as the UK Scallop Order. The 2022-2023 Solent scallop season opened between 1st October and 31st March inclusive. Compliance with the regulations has been good.

Officers and permit holders reported a gradual decline in catch rates over the course of the season, with many of the permit holders no longer fishing for scallops during February & March.

Of particular concern was some mortality encountered during February and March; this was observed by officers and Permit Holders alike. In response, Southern IFCA officers worked closely with the fishing industry to obtain samples of scallops from various parts of The Solent. These have since been delivered to CEFAS for testing. We await the full results.

4.3 Fishing Gear Conflict in Poole Bay

During February and March officers received reports of fishing gear conflict in Poole Bay, with some local skippers reporting the loss of valuable pots and nets to visiting trawlers who were operating at night. The Southern IFCA has no jurisdiction over gear conflict, damage & loss. However, it does have a duty to monitor and report on levels of fishing effort across its District, particularly when local stocks are being targeted by different gear types in a condensed area by multiple vessels.

Our relationships with other agencies are invaluable when issues in common arise. In this instance we alerted Dorset Police regarding allegations of Criminal Damage and assisted them with their enquiries. The conflict in Poole Bay has, for the time being, subsided, but this is an issue that may well come to the fore again, particularly when there are changes to fish quota or when new legislation displaces fishing effort. There are striking parallels here with the situation in Lyme Bay, where gear conflict between local and visiting fishing boats has prompted Marine Management Organisation to consideration intervention.

4.4 Investigations

This reporting period has been particularly busy; administering 3 Financial Administrative Penalties (FAPs), conducting 1 tape recorded interview of a suspect, issuing 3 official warning letters and 1 advisory letter. The level of evidence that officers must collect to issue a FAP is only marginally less than that required to take a case to court. It's detailed, time-consuming work, that has been undertaken thoroughly, fairly and promptly by our officers.

4.5 Assisting with the Perenco Oil Spill in Poole Harbour

On Sunday 26th March 2023, approximately 200 barrels of reservoir fluid, made up of approximately 85% water and 15% oil, leaked into Poole Harbour, from the Perenco Oil Field. This was an unprecedented event requiring an unprecedented response.

This response was more than competently led by Brian Murphy the Harbour Master and Poole Harbour Commissioners (PHC). Other partners involved with the clean-up operation included Oil Spill Response, BCP Council, Perenco and the Southern IFCA.

Southern IFCA resources were allocated to the operation for the entire week commencing Monday 27th March. During that week Officers attended the daily briefing and liaised with BCP Council, PHC and fishers about all things fishing related. In the meantime, officers from the IFCA's Compliance & Enforcement Team made up 1 of 4 reconnaissance teams tasked with surveying the harbour for any traces of oil. The Southern IFCA's drone and Patrol Vessel Endeavour were utilised for this task too. In addition, Southern IFCA officers worked with local fishers to gather samples of shellfish that were sent off for scientific analysis. The initial advice issued to fishers and members of the public was that all forms of fishing should cease. Thankfully the clean-up operation went well, and the analysis of shellfish samples established that Poole Harbour's aquaculture beds could reopen on 20th April. The outcomes of subsequent tests allowed the wild fishery to reopen on 5th May, with the area immediately around the spill site in Ower Bay remaining closed.

4.6 Joint Patrol with the Environment Agency

On 17th April, Officers from the Southern IFCA Compliance & Enforcement Team carried out a joint agency land and sea patrol with the Environment Agency (EA) in Southampton Water, the River Test and the River Itchen. The patrol focussed on compliance with the IFCA's Fixed Engine Byelaw & EA regulations concerning salmonids & migratory fish. During the patrol, officers observed ring netting activity occurring in the River Itchen which was compliant with current regulations.

4.7 Assisting the Southern IFCA Fisheries Management & Policy Team

During April, the Compliance & Enforcement Team assisted the Fisheries Management & Policy Team with the Poole Bivalve Survey, the Solent Scallop Survey and the Solent Bivalve Survey. These surveys are always conducted pre and post season, with the results informing future Southern IFCA management and policy decisions.

5. **Compliance & Enforcement Team**

FISHERIES PROTECTION TEAM



SAM DELL
FPT Deputy Chief Officer
Joined: 2011

Key Responsibilities:

- Strategic Planning
- Operational Delivery
- Marine Operations (FPV Skipper)
- Accountable Manager (Drone)
- Assets
- Policy Adherence & Development
- Line Management

Warranted IFCO

ADAM PARRY
Senior IFCO
Joined: 2018

Key Responsibilities:

- Marine Operations
- FPV Skipper
- Hampshire & Isle of Wight Area Lead
- Compliance Patrols
- Community Engagement

Warranted IFCO



DAVID MAYNE
Senior IFCO
Joined: 2004

Key Responsibilities:

- Investigations
- FPV Skipper
- Marine Operations
- Central Area Lead
- Compliance Patrols
- Community Engagement

Warranted IFCO



ISABEL GRIFFITHS
IFCO
Joined: 2020

Key Responsibilities:

- Intelligence Lead Officer
- Biosecurity
- Drone Pilot
- West Dorset Lead
- Compliance Patrols
- Community Engagement

Warranted IFCO



FRED HARRIS
IFCO
Joined: 2022

Key Responsibilities:

- MCSS
- Drone Pilot
- Compliance Patrols
- Community Engagement



MEGAN FULBROOK
IFCO
Joined: 2022

Key Responsibilities:

- Intelligence Officer
- Sightings
- Compliance Patrols
- Community Engagement



IFCO TBD

- Compliance Patrols
- Community Engagement

Southern Inshore Fisheries and Conservation Authority

OFFICER'S REPORT

MARKED K

**BEHIND THE SCENES
WITH THE RESEARCH AND POLICY TEAM**

Report by DCO Birchenough

A. Purpose of the Report

To provide Members with an update on some of the work that the Research and Policy Team is delivering behind the scenes.

B. Recommendation

That Members receive the report.

1. Background

- 1.1 This report from the Research and Policy Team (RPT) Officers captures some of the work that they are delivering behind the scenes. This may include standalone projects or supplementary work which complements and supports the workstreams presented at meetings of the Authority, or sub-committees.
- 1.2 This report includes updates from DCO Birchenough, from IFCOs Dominic Parry, Emily Condie and Liberty Cast on recent survey work and from PO Celie Mullen on her work related to FMPs and joining the IFCA surveys.



with DCO Birchenough

Updates from the RPT Deputy Chief Officer:

Welcome to PO Chelsea Perrins

In May, the team welcomed a new Project Officer. Chelsea Perrins will take on the role of PO for MPAs.

Hello, I am Chelsea Perrins. I am a recent Masters graduate with a focus towards a career in marine environmental protection. Over several years, I have been involved in multiple conservation projects through volunteering and university. This includes Just One Ocean, the Solent Oyster Project and Kefalonia's Wildlife Sense. I'm excited to be working with Southern IFCA, where I can use my scientific knowledge and experience with engaging the public to benefit local and district coastal communities to understand the IFCA vision and achieve healthy and sustainable seas.



Survey Work – Spring 2023

As you will see from the Officer's updates, we have had a busy spring survey season. The team, with help from officers from the Compliance & Enforcement team (for which we are very grateful) did a fantastic job in adapting to changing circumstances dictated by the weather and worked well together to undertake a significant amount of survey work over a relatively short time period.

Our survey work is important to build time-series datasets for our permit fisheries that can help the Authority in determining management for these fisheries. It was great to introduce a new survey into our monitoring work too with the advent of the whelk population survey.

Angling for Sustainability Project

The FISP funded Angling for Sustainability Project is up & running with tagging work taking place during the spring by the project lead, University of Plymouth. A black bream workshop is being held for anglers in June to provide info. on the project and ways to get involved.





Throughout the past quarter I have been busy designing and preparing for Southern IFCA's first whelk survey. An output from the development of the proposed Pot Fishing Byelaw, this study aims to provide evidence to help inform management decisions regarding the district's whelk populations, aiming to identify whether there is any size variability across the districts' 'stocklets'.

In organising the survey, I liaised with four willing and experienced whelk fishers, who were happy to help us with the survey work. Following this, I then had to get in contact with the Marine Management Organisation to request dispensations for the landing of undersize whelk as it was expected that some undersize may come up in the pots.

Before any IFCO's could participate in any of the survey work, risk assessments had to be designed and approved. These assessments had to cover in lab, at sea and at quay work. This helped facilitate a smooth and safe survey by alleviating any risks.

The next steps of the survey were possibly the hardest...organising a day that fishers can go out and collect samples and facilitating collection of those samples. Sounds simple, but the weather was not on our side this spring,



Left: Aboard E509 deploying whelk pots in Lyme Bay. Right: Picture of whelks on the sorting riddle aboard E509.

meaning fishing trips had to be rearranged multiple times with officers being flexible and reactive at short notice.

Albeit, after a good window of weather, the fishers were able to collect samples and the sampling program was completed! For now, the samples remain in frozen storage and are awaiting analysis.

Going forward it is one of my priorities to complete the analysis of the samples and have them written up into the final report, ahead of the August TAC meeting. Time to put my statistical science cap on!





**BEHIND
THE SCENES**

with IFCO Condie

April was a very busy month for Southern IFCA. Multiple surveys needed to be completed due to weather related delays; the weather and tides continued to play all kinds of games and the Poole Harbour oil spill incident required significant staff input. Despite all of this, we successfully completed the annual Poole Harbour Bivalve Survey over three days spread across two weeks.

As always, the surveys follow the timetable of the moon which meant meeting bright and early each morning, splitting into two teams (Team Dredge and Team Measure) and heading out on our adventures.

This year Team Dredge worked with local fishing vessel Marnie George, PE50 and Team Measure were once again kindly hosted by the Othniel Oyster Barge.

Team Dredge headed to 27 survey sites across Poole Harbour over a period of two days. Three tows of two minutes were carried out at each site; the contents of each dredge sorted by species and delivered to Team Measure on the barge.



Day 3 saw us switch from dredging to taking sediment samples from FPV Endeavor. This second part of the survey was conducted using a modified sediment drag (as shown below).



The bag was dragged across 1m of sediment, three times at each site, and the contents delivered to the barge. Once on the barge the sediment was sifted with all clams and cockles retained, including any smaller size classes of bivalves that would have passed through a dredge.

The Poole Harbour Bivalve Survey is important in assessing the sustainability of the Poole Harbour clam and cockle fishery. The two sampling methods allow a wide overview of the stocks and population structure in the Harbour and the survey provides an excellent opportunity to work with fishers to whom the fishery is so important.

**BEHIND
THE SCENES**

In April, Officers carried out the Spring Solent Bivalve and Scallop Surveys. This involves chartering local fishing vessels around the Solent to facilitate the sample collection.

The surveys are used to determine the state and range of the bivalve and scallop populations within the Solent in Bivalve Management Areas. The bivalve survey adds to an ongoing time-series which provides important information on the stocks. And this will be the start of the second full year for the scallop survey, building a similar time-series.



The Officers enjoyed two weeks of survey activity, practicing sampling & analysis skills.



Officers sorting through bivalves and other sea critters that have come up in the dredge!

After battling adverse weather resulting in some date changes for the survey work, there was a break in the weather for two weeks which is when all of the Southern IFCA spring surveys were completed. The whole team got involved for a hard, exhausting but fun couple of weeks at sea!

The data will be analysed to see if there is a difference in the Catch per Unit Effort (CPUE) of bivalves and scallops across the Solent and look at the change in length between the pre- and post-fishing season surveys.

The surveys directly feed into helping inform the management of fisheries under the Solent Dredge Permit Byelaw.



with PO C. Mullen

Since beginning this role in February, I have been able to work in the FMP sector in time for the 6 Fronrunner FMPs to commence preparation and publication. Shellfish FMPs (Crab and Lobster, King Scallop and Whelk) have led the way in the preparation process, submitting drafts in February of this year. Plans are now being revised within the relative Working Groups and public consultation is expected in the summer of this year.

The Channel Demersal Non-Quota Species FMP underwent key stakeholder engagement in February and March. Initial proposed management measures are currently being discussed within the working group and a draft is expected shortly followed by public consultation in the months July and August. Smoothhound was recently added as a species following feedback from stakeholders.

Information surrounding the Bass FMP is expected to increase over the coming months as Defra and the Welsh Government take forward FMP recommendations from Policy Lab in 2023. And finally, Defra restarted work on the Southern North Sea and Eastern Channel Mixed Flatfish FMP earlier this year. Engagement opportunities for 2023 are currently under review and remain open as



Top and bottom: IFCO Fullbrook, PO Mullen and IFCO D. Parry sorting and measuring King Scallops on the recent King Scallop Solent survey.

Defra review previous initial stakeholder feedback. There is consideration of changing the FMP lead from Defra to the MMO.

Alongside FMP work, I have also been able to assist in relevant tasks related to the Research and Policy Team, including recent Scallop and Bivalve surveys across the Solent and Poole Harbour. This involved a busy couple of weeks due to weather issues preventing previous surveys, however, it was a thoroughly enjoyable experience once we were able to get stuck in on the boats.



Southern Inshore Fisheries and Conservation Authority

OFFICER'S REPORT

Marked L-N

STAKEHOLDER GROUPS

Report by DCO Birchenough

A. Purpose of the Report

To inform Members of the activity undertaken by three stakeholder groups:

- The South Coast Fishermen's Council (Marked K)
- The Recreational Angling Sector Group (Marked L)
- The Dorset, Hampshire and Isle of Wight Marine Conservation Group (Marked M)

B. Recommendation

That the Minutes of the South Coast Fishermen's Council, Recreational Angling Sector Group and the Dorset, Hampshire and Isle of Wight Marine Conservation Group be received.

1. Background

- 1.1 The Minutes of three stakeholder groups for the District; the South Coast Fishermen's Council (minutes dated 22nd March 2023), the Recreational Angling Sector Group (minutes dated 12th April 2023) and the Dorset, Hampshire and Isle of Wight Marine Conservation Group (minutes dated 26th April 2023) are presented to the Authority for Members' consideration and to appraise them of the groups' business.
- 1.2 The Authority currently provides a secretariat role for the Recreational Angling Sector Group and the Dorset, Hampshire and Isle of Wight Marine Conservation Group. The Authority has given a grant of £300 to the Fishermen's Council in this financial year. All three groups are offered free use of a room, at the Committee's office, for meetings. Meetings are held both virtually and in person as required.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 List of Background Papers

There are no background papers to this report.

SOUTH COAST FISHERMEN'S COUNCIL

MINUTES OF THE 366th MEETING HELD VIA ZOOM AT 7.00PM ON
WEDNESDAY 22nd MARCH 2023, THE ANNUAL GENERAL MEETING

PRESENT: P. Dadds - Mudeford & District FMA
R. Stride - Mudeford & District FMA
T. Russell - Poole & District FMA
S. Postles - Lyme Regis FMA
T. Legg - Hardway FMA
A. Banfield - Bridport FMA
J. Miller - Swanage FMA

IN ATTENDANCE

S. Dell - Deputy CEO Southern IFCA
R. Irish - Principal Marine Officer MMO

I APOLOGIES B. Pool, G. Chittenden, H. Hamlett (Fishermen's Mission).

The minutes of the 365th meeting held via Teams on 14th December 2022 were taken as read and it was agreed they should be signed as a true record.

II ELECTION OF OFFICERS R. Irish took the chair and invited nominations for Chairman. It was proposed by S. Postles that P. Dadds be Chairman, seconded by T. Russell. All in favour. P. Dadds took the chair. R. Stride proposed that T. Russell be Vice-Chairman, seconded by S. Postles. All in favour. S. Postles proposed R. Stride be Secretary/Treasurer, seconded by T. Russell. All in favour.

III TREASURERS REPORT R. Stride reported that the Fishermen's Council bank balance stands at £1366.48. Bank charges had amounted to £61.20. The South Coast Sea Fisheries Training Association current account stood at £14,835.36 which included the proceeds of a bond that had matured on 29/4/22. A further bond of £10,000 was due to mature on 15/3/24. No disbursements had been made since March 2022 and there had been bank charges of £60.40. He suggested that, given the low take up of training grants, the Council might like to broaden the type of training supported in the future.

He stated that it was not yet possible to combine the two current accounts as the Training Association account was the servicing account for the remaining bond and the Council and SCSFTA are separate entities for banking purposes. There were still some amendments to be made to the bank mandate to complete the change of treasurer.

It was agreed that subscriptions should be £75.00 per association. Subscriptions are due after the meeting and invoices will be sent out. The 2022/23 subscription was outstanding for 1 association.

IV CONSTITUTION R. Stride had reviewed the constitution to accommodate changes that had been put forward at ordinary meetings of the Council. He explained the minor amendments and the inclusion of provision for associate membership of the Council that could be taken out by individual fishermen in ports that were not

represented by an association. It was proposed by T. Russell and seconded by J. Miller that the amendments be adopted. All in favour.

V REGIONAL FISHERIES GROUPS

SW RFG (Area 7e)

Members who had attended the meeting welcomed the allocation of quota for small-eyed ray following the study carried out by CEFAS had determined there had been no decline in stocks. A consultation on the possible regulation of the sole fishery in Lyme Bay was discussed. The local gentlemen's agreement had not been successful and the Community Interest Company and MMO proposed holding a national consultation, recognising that other areas have similar "honey pot" fisheries for which Lyme Bay could be considered to be a pilot for management. National legislation was not being considered. R. Irish confirmed that the consultation would launch the following week. S. Dell added that the MMO intended to manage the fishery by way of licence variations and noted that the SIFCA net fishing bylaw included provisions for the marking of nets which will be helpful

There was discussion of observer data that was needed to supplement the CEFAS trawl surveys. Members felt that greater use should be made of anecdotal data and observations of fishermen which were very comprehensive.

South RFG (Area 7d)

Members who had attended the meeting in January stated that there was little controversy over quota allocation in 7d. Catch allowances were above what vessels were expecting to be able to catch in most cases. It was noted that the licence cap on quota species imposed on part of the 10m fleet had been lifted for the whole of 2023. R. Irish updated from the RFG Team. The Scallop FMP has completed its consultation phase. The Channel Demersal NQS FMP team intends to conduct a round of stakeholder engagement. No date is set for the next meeting.

VI SHELLFISH INDUSTRY ADVISORY GROUP

The meeting was updated on the outlines of the publication of the latest stock assessments, the Fisheries Improvement Project and the objectives of the fisheries management plans. Proposals being considered include a standardised national MCRS for lobster and crawfish, the prohibition of the use of soft crabs for bait, and limits on recreational catches. It was suggested that members should become better acquainted with developments so that they and the Council are better placed to contribute to the debate.

S. Dell stated that SIFCA had responded informally to the draft FMPs for shellfish. SIFCA has recruited an FMP Project Officer with DEFRA funding who closely follows developments and is available to assist.

VII FINFISH INDUSTRY ADVISORY GROUP

Bass FMP

The FMP will be published for consultation in the summer. Members were concerned that despite the early rounds of stakeholder engagement there was still no indication of what the FMP might contain.

Channel Non-Quota Species FMP

The working group were looking at evidence requirements and sources to inform the FMP. A further round of engagement will consult on the work done so far. Members felt that the issue of fly seining in the channel was not being dealt with sufficient urgency and that some immediate action was required ahead of the FMP. The chairman noted that there had been a lot of meetings to consider regional fisheries matters and the FMPs and urged members to attend where possible.

VIII MMO/ DEFRA MATTERS

R Irish updated the meeting on the following matters:

- Grants are now available to modernise small scale vessels including the replacement of older diesel engines and grants for electric propulsion.
- The MMO is seeking funding to undertake an investigation into the reduction in the size of pollock that has been observed by fishermen in areas 7e,f&g.
- Regarding the iVMS rollout, the assurance work on type approval was ongoing. The supply and installation of new devices is still paused in the meantime. Members expressed their unease at the doubts raised by this protracted process. They felt they had been induced to purchase a device and commit to air time contracts prematurely and now faced the prospect of the type approval for their device being removed.
- Catch recording compliance work is now being managed centrally and some issues had arisen, including IT problems, which may have led to anomalies. There had been some confusion as letters were issued centrally but on local MMO office letterheads.
- A Commercial Fishing Social Survey would take place and there were opportunities to contribute to it March to May. A poster was shared with the meeting. Details from the website of Fishing Into The Future (www.fishingporthole.co.uk). It was noted that the nearest workshop would be held in Newhaven.

IX SOUTHERN IFCA MATTERS S. Dell reported that:

- Both the Netting and Potting byelaws are still in the QA process and the date when they might come into force could not be predicted. In the meantime, he had been engaging with industry regarding the mandatory fitting of escape gaps, including attendance at a meeting of PDFA. As these are permit byelaws they cannot have immediate effect and so there are grace periods for adopting the provisions. SIFCA is developing guidance for fishermen.
- SIFCA will soon be starting a whelk survey throughout the district. Commercial vessels will provide whelk samples from their own catches and demonstrate the fishing techniques, equipment and handling methods to IFCA officers. Members welcomed this collaborative approach to the collection of data to inform fisheries management.
- Following reports of scallop mortality, SIFCA was liaising with fishermen regarding the provision of scallop samples for testing by CEFAS.
- SIFCA had responded to the consultation on the proposed area 7e and 7d scallop closed period.

S Dell said that he was happy to attend any fishermen's association meetings to discuss SIFCA matters. The Chairman thanked him and said that it was encouraging to see such a good level of engagement and openness.

T. Legg pointed out that there are a considerable number of MPAs in the district and asked whether the position data that defines the boundaries can be made available in an electronic form that can be downloaded onto a plotter. He had been able to access a copy of the Kingfisher charts in an appropriate format for his plotter and wondered whether SIFCA could integrate its data with that service. In the event he did not download the Kingfisher data set as it had not been updated since 2021. S. Dell indicated that he was willing to look into that possibility, particularly if it would assist compliance. SIFCA inputs the data manually but he would see if it could be extracted on a card and contact T. Legg with the outcome.

X OTHER BUSINESS

Training

S. Postles updated the meeting on forthcoming courses. He expected that demand for mandatory courses would reduce after April and was anticipating a difficult change over to the MCA training regime in June. A 3-day first aid course for scallop divers had been held. This is now a required course. The inaugural rod and line and longline course had gone well. A GRP and wood repair course was being developed and an application had been submitted for MMO funding.

R. Stride asked if the availability of SCSFTA training grants for new entrants could be more widely advertised to potential candidates. The difficulty with recruiting younger crew was discussed. It was agreed that young people show an interest in fishing as a career but are less convinced that it has a future.

Medicals

Members discussed the MCA requirement for all fishermen to hold a valid ML5 or ENG1 medical certificate by November this year. It was felt that there was little appreciation of the seriousness of the issue and an incomplete understanding of the requirements. The inclusion of factors such as BMI limits and colour vision could force some long serving fishermen to leave the industry. In particular there was concern as to how the “grandfather rights”, which should enable fishermen with existing medical conditions to continue fishing, would be applied. It was unclear whether the certificate could be issued with an endorsement regarding an existing condition or whether an appeal had to be made to the MCA. Doctors did not appear to be any better informed. It was agreed that it was best to do the medical in good time so that such issues could be resolved before the deadline.

IX ARRANGEMENTS FOR MEETING 2023. Members agreed that face to face meetings were desirable but recognised the value of meeting online in facilitating greater attendance and saving on travel cost and time. The secretary was asked to propose dates after considering the timetables for SIFCA, Regional and national meetings.

The Chairman closed the meeting thanked everyone for attending.

Chairman

Recreational Angling Sector Group

MARKED M

AGENDA

Wednesday 12th April 2023

19:00 – 21:00

Meeting location:

Virtual meeting on MS Teams

1. Welcome and Apologies

Apologies: Wayne Comben, Mike Spiller, Steve Porter, Trevor Gibbs

Attending: Sam Cunningham, Chris Holloway, Allan Green, Colin Francis, Sarah Birchenough (DCO, Southern IFCA), Emily Condie (Southern IFCA), Fred Harris (Southern IFCA), Alice Hall (University of Plymouth) and Peter Davies (University of Plymouth)

Sarah Birchenough introduced Alice Hall and Peter Davies from the University of Plymouth who were attending the meeting to give a presentation to Members on the Angling for Sustainability Project. She also updated Members that Phil Higgins would no longer be a part of the RASG, Members expressed their thanks to Phil Higgins for his work on the group. Sarah Birchenough also introduced Emily Condie and Fred Harris, both IFCOs at Southern IFCA, who will be taking over the administration of this group going forwards.

Members of the group introduced themselves for the benefit of those attending who were new to the meeting.

2. Minutes of the Last Meeting (13th December 2022)

The minutes were agreed.

3. Presentation: Angling for Sustainability Project, University of Plymouth

Alice Hall and Peter Davies from the University of Plymouth gave a presentation on the recently funded FISP project 'Angling for Sustainability'. The project is being delivered in partnership with the Professional Boatman's Association, the Angling Trust, Natural England and Southern IFCA.

The speakers provided some background to the project and outlined that the University of Plymouth have been working on fish tagging programs over the last few years utilising acoustic telemetry techniques. The FISH INTEL project set up a network of receivers which is currently operational with the tagging work under that project focussing on bass, black bream, pollock and crawfish. An explanation was provided on how receivers are deployed, and the array networks constructed with a fine scale array deployed in the Sussex IFCA district to map black bream movements provided as an example. It was outlined that the Angling for Sustainability Project is looking to expand the black bream tagging work into Dorset.

Detail was provided on the Angling for Sustainability Project, which is a partnership between the scientific community and the fishing industry. The fishing industry partner for this project is the Professional Boatman's Association (PBA) who will act as a consortium to aid liaison with fishers, help identify vessels that could help with the project and help identify what kind of questions anglers would want to ask about the species being monitored and how these questions might be able to be answered using acoustic telemetry work.

The project will run for two years and details were provided on the planned workstreams during this period. The project will be studying black bream, starry smooth hound, tope and undulate ray in Dorset, the Solent and the Isle of Wight. The tagging process will use PIT tags where tagged fish can be scanned to determine if a tag is present, but it is easier to determine if a fish is tagged from visual inspection which is more difficult with other types of acoustic tags.

A preliminary plan of the receiver array was presented with the receivers in Dorset aiming to monitor black bream and a gateway of receivers in the Solent from the mainland to the Isle of Wight aiming to monitor elasmobranch species. Local anglers have been spoken to and have helped develop the receiver positions.

The project aims to look at site fidelity of black bream, i.e., do they use the same nests year on year or different nesting sites. Additional aims include to look at whether movement is influenced by any other factors and whether catch and release has any influence on movement patterns. It is recognised that population numbers for black bream are unknown, and this project aims to collect more data to help towards this question.

The Angling Trust are also involved in the project to help with engagement and communication. The aim is to feedback results from the project as quickly as possible to the angling community with workshops to be arranged in Dorset and the Solent to discuss the respective species. The first workshop on black bream in Dorset is aiming to be held at the end of May to provide an introduction to the project. The speakers asked Members of the group for input on the best time and location to hold this meeting. The recommendation from Members was to have an evening meeting during the week and Chris Holloway indicated he would be able to help find a suitable location.

Members asked whether the project was going to feed into the proposed Fisheries Management Plan (FMP) on black bream. It was stated that Defra was keen for funded research to lead into the FMP process. With the black bream FMP proposed for the 2023-2025 round of FMPs, the timeline would be appropriate for outputs from this

project to feed into that process. Members commented that undulate ray may also feature in a future FMP.

It was questioned how the information collected through the project would be handled and what elements could be kept confidential. There were concerns that by publicising data on black bream movements it may allow for more specific targeting at certain times of year by the commercial sector, increasing the impact on the species. It was outlined that the acoustic technology rarely provides specific information about sites which is not already generally known, i.e., in terms of nesting locations. The technology is not a GPS tag therefore the location of the fish is only known when it comes into the range of the receivers, the positions of which have been informed already by local fishers based on knowledge of bream presence. The project is aiming to ask questions more around the timing of when fish are accessing these wider areas and whether fish return year on year. It was stated that if there are any specific locations which are felt to be confidential, a conversation could be had about how to present that information in the project outputs. One of the Members raised that the tracking won't be for all black bream, only a subsection of the population and that the commercial risk for targeting is low as black bream are not usually a target species, the main interest is for the charter vessel fleet.

The speakers thanked Members for a useful discussion.

4. Southern IFCA Updates/Ongoing Items

Sarah Birchenough provided Members with an update from Southern IFCA.

The proposed Southern IFCA Net Fishing Byelaw and Pot Fishing Byelaw remain in the MMO Quality Assurance phase. There is no timeline at present for when these byelaws will pass to the next phase for consideration by the Secretary of State.

The Annual Plan for 2023-2024 and associated team strategies for the Research and Policy Team and the Compliance and Enforcement Team have been developed and were shared with Members of the Southern IFC Authority at their meeting in March where they were agreed. The plans have been sent to Defra and will be made available on the Southern IFCA website in due course. The Annual Plan outlines Horizon Goals for each of the teams which are then translated into clear outcomes and focused delivery priorities in each of the team strategies. The RPT Plan outlines that one of the Horizon Goals in the review of Minimum Conservation Reference Sizes (MCRS) which will be progressing through the coming year.

For Fisheries Management Plans (FMPs), it is anticipated that there will be formal consultations in the summer on the frontrunner plans. The Southern IFCA now has a Project Officer for FMPs who will be engaging with each of the FMPs and providing updates to the Southern IFC Authority and stakeholders. The dedicated webpage on the Southern IFCA website for FMPs is being updated with all relevant information for stakeholders and will be utilised to provide any updated on formal consultations when the dates become known ([Fisheries Management Plans : Southern IFCA \(southern-ifca.gov.uk\)](https://www.southern-ifca.gov.uk)). A question was asked about the Southern North Sea and Eastern Channel Mixed Flatfish FMP and whether it covered the Southern IFCA district. It was confirmed that that particular FMP extended into ICES rectangle VIIId which covers the

eastern half of the Southern IFCA district and therefore the Southern IFCA would be involved in engagement for that FMP and provide updates to stakeholders. Currently, engagement opportunities in 2023 for this FMP are under review with consideration of the FMP lead moving from being Defra to being the MMO. The email address FlatFishFMP@defra.gov.uk can be used by stakeholders wishing to register an interest in future engagement on this FMP.

An update was also provided on the Poole Harbour oil spill incident which occurred in late March. Southern IFCA have been working with partner agencies to provide support and are in the process of helping to deliver a sampling program for shellfish in the Harbour to inform aquaculture and wild harvest fisheries. Fishing and/or netting for fish in Poole Harbour was able to resume from Wednesday 5th April with those fishing advised to avoid any areas of the Harbour which were evidently contaminated with oil (spill site) and advice that any fish found to be dead, dying or visibly contaminated with oil residues should not be consumed or marketed. Southern IFCA continue to engage in this process with partner organisations.

5. Additional Requested Items

a) Highly Protected Marine Areas

An update was provided that there are currently three pilot site HPMA's being considered by Defra, with two of the original five sites proposed having been removed from the process. There are currently no proposed pilot sites within the Southern IFCA district.

b) Porbeagle Sharks

A question was asked on the current status of porbeagle sharks. From the information available from the Shark Trust, Members were informed that the targeting of this species is prohibited along with retention and transshipping. Discarding of the species is permitted but there are no legal catches for this species.

c) Undulate Rays

An issue was raised by one of the Members that recreational catches (on the basis of catch and release) of undulate ray in the eastern Solent have declined following the lifting of the commercial ban on this species. The average size of any undulate ray which are caught has also decreased from an average of 15lb per fish with some 20lb fish caught to the heaviest fish being caught being at 12lb following the lifting of the commercial ban.

Members of the group indicated that they had observed a similar pattern with the size decreasing over the last three years. It was noted that the same pattern had not been observed by the Charter fleet but that this could be a function of different fishing areas. It was commented that no undulate ray had been caught in the Poole area yet this year whereas it would be expected to have seen a few by now. Prior

to the Pandemic, angling clubs had written to the Angling Trust to ask that the specimen weight be increased from 14lb to 16.5lb due to large numbers of ~14lb rays being caught. It is now rare to catch an undulate ray at that weight. The University of Plymouth stated that the Angling for Sustainability Project would be looking at undulate ray and that whilst the focus would be in the Solent for this species there could be some benefit to tagging some Dorset individuals on the basis of this discussion.

6. Any Other Business

None.

7. Date of the Next Meeting

To be confirmed.

Dorset, Hampshire and Isle of Wight Marine Conservation Group

MARKED N

AGENDA

Wednesday 26th April 2023

14:00 – 16:00

Meeting location:

Virtual meeting on MS Teams

Attending: Peter Tinsley (DWT), Megan Roberts (Langstone Harbour), Jess Taylor (Natural England), Vicki Gravestock (Environment Agency)

1. Welcome and Apologies

Lin Baldock, Sue Hawley, Louise MacCallum

2. Minutes of the Last Meeting

There were no points raised on the minutes of the last meeting.

3. Specific Project Updates

A presentation was given by Peter Tinsley (DWT) on a seabed photogrammetry project titled the Dorset 3 Deeper Project. It was outlined that the project has been running for a couple of years now, using photogrammetry to bridge the gap between images taken from remote sensing, multibeam, side scan sonar and individual photographs of small areas of the seabed.

The presentation gave clear examples of what a diver could produce in a single dive at a scale of a 10m area with examples from Lyme Bay, Lulworth Banks and Worbarrow Bay. The images provide are very detailed and provide a good indication on the nature of the seabed. The method allows for the production of high resolution, accurately scaled and rectified images similar to an aerial photograph that can then be inputted into a GIS program to allow for the plotting of other data over the top i.e., species location data. The distribution of various species in each location could be mapped and used to determine if there were any particular patterns to that distribution, for example in Worbarrow Bay, species tended to avoid the reef eroding edge and at the Lulworth Banks site, a more complex topography, species distribution showed some spatial preference.

The method also allowed for the identification of differences in size frequency distribution for ross corals and pink sea fans between the surveyed sites. It was postulated that this could have resulted from storm damage in the past decade. The site at Lulworth Banks was revisited and showed the expansion of individual ross corals by 2-3cm in diameter in a year.

It was noted that the seabed tended to look different between autumn and summer surveys with more obvious red algae in the summer and colonising sea squirts. In the autumn, bryzoans had overgrown what was predominantly a sponge dominated environment. It was noted that in one corner of the reef, several well-formed ross coral colonies disappeared between autumn 2021 and summer 2022 with the localised impact suggesting an anthropogenic effect of some kind. The method also allowed for natural processes to be noted, for example the necrosis of older colonies of ross coral with the centre of a community, approx. 15 years old or more, having died out between autumn 2021 and summer 2022.

A question was asked on the longevity of the project. It was stated that the project started in October 2021 with the Lulworth Banks site surveyed in 2022. The project aims to return to all three survey sites, if possible, this year but help is requested on ideas around resourcing to continue to undertake this work annually.

It was questioned whether the species identification was done by eye or whether machine learning was employed. At this time, it is all done by eye, but machine learning would be useful in the future and there is the potential to introduce a Citizen Science element to help with reviewing images and species ID. On the question of what species had been identified, it was commented that the resolution of the images is sub-mm pixels therefore many species can be identified but there is a point where distinguishing between species becomes more difficult, an example was provided that individual cup corals could be identified using the images.

The specific methodology was queried and an explanation provided that two images are taken from the same camera with an overlap of approx. 60%. Points are matched up between the two images and once enough points are matched up, the program can work out exactly where those two images are in relation to one another. This is then multiplied across thousands of images to give 3D models.

4. Current Focus and Activities

To receive updates from each of the Members of the group.

Peter Tinsley (DWT) updated the group that an F-Pod (a passive acoustic monitoring device) was being deployed off Durlston to monitor small cetacean species. Volunteers will also be conducting shore-based observations to aim to match identified species to acoustic recordings.

Vicki Gravestock (EA) updated the group that the EA were in the process of putting together a delivery plan in response to the 2022 salmon run data which will include how engagement with stakeholders will be conducted. One of the actions in the plan aims to focus on estuarine water quality monitoring, although this is not yet confirmed. It is hoped that a water quality monitoring sonde could be deployed in the upper

reaches of the River Itchen near to Wood Mill where salmon hold up before upward migration.

Jess Taylor (Natural England) updated the group that the Remedies project in the Solent is undertaking additional dives to fine tune the next stages of restoration at the mouth of the Beaulieu and that the project is visiting an area for a potential new bed at Sowley which divers will also look at. NE are starting to plan their condition assessment work for the year with a focus on Special Protection Areas (SPAs). The Yarmouth to Cowes MCZ conservation advice is being reviewed with updated advice anticipated in autumn 2023.

5. Southern IFCA Update

An update was provided for Southern IFCA.

The proposed Southern IFCA Net Fishing Byelaw and Pot Fishing Byelaw remain in the MMO Quality Assurance phase. There is no timeline at present for when these byelaws will pass to the next phase for consideration by the Secretary of State.

The Bottom Towed Fishing Gear (BTFG) Review is progressing with the delivery being split into a phased approach in line with meeting Government targets for MPA management by 2024. The approach to MPA management over the coming year is outlined in the Annual Plan for 2023-2024 and the team strategy for the Research and Policy Team, both of which will be available on the Southern IFCA website in due course. A draft byelaw package for the BTFG review will be provided to the Southern IFCA Technical Advisory Sub-Committee meeting in May 2023 for consideration.

The MCRS byelaw is also outlined in the RPT team strategy for 2023-2024 and will continue throughout the coming year with priority species groups identified and reviewed by Southern IFC Authority Members with a subsequent informal consultation with stakeholders on those species. Once the full list of species has been reviewed, consideration will be given as to how to proceed with any updates to management measures.

Southern IFCA have completed their spring survey program, weather issues necessitated that the surveys occur within quick succession, but the Solent Bivalve, Solent Scallop and Poole Bivalve surveys were all completed. A new survey of whelk populations across the district was also undertaken for the first time this spring, developed in line with the development of the proposed Southern IFCA Pot Fishing Byelaw, the survey aims to collect data on size frequency and CPUE for potting at four locations across the district to help inform whelk management going forward.

A question was raised on the Southern IFCA's shore gathering review and the extent to which that would include sub littoral habitats such as seagrass. The group was informed that the Southern IFCA would be looking to develop a definition for shore gathering as part of the review and a set of principles to help define management to ensure measures were applied equally and transparently across the district. The outcome of these discussions would inform the scope of the review.

6. Restoration Projects

There were no updates on planned or active marine restoration projects in Dorset, Hants and IoW.

7. Any Other Business

A question was asked about whelk fisheries and hermit crabs. It was raised that as the whelk fishery has expanded in the last couple of decades, it is less often that you see larger whelk shells having previously seen larger shells be utilised by large hermit crabs. If a significant proportion of whelk shells are being removed around the MCRS with the shells not being put back, there is no natural death route back into the marine environment for the shells for other animals to use, i.e., also for egg laying. It was questioned where the boundary is between dumping shells being seen as 'waste' versus an ecological resource. It was discussed that this might be an issue which will feature in the frontrunner Whelk FMP and that the upcoming formal consultation on this FMP would be a good place to raise this issue.

Natural England have commissioned a company to undertake a biosecurity plan review which identified key areas within England that could be helped by having a biosecurity plan. The Solent was one of these key areas. In March, biosecurity workshops were held to provide information on Invasive, Non-Native Species (INNS) in the Solent including what species occurred, what data had been collected and what the introduction pathways might be. The aim was to bring together stakeholders to produce biosecurity plans for Portsmouth, Chichester and Langstone Harbours, one for Southampton Water New Forest Coast, and one for the Isle of Wight. The intention is to have further workshops in June to develop these plans with meetings taking an online format so the different plans can interact with each other. There is an open invitation to attend these online workshops.

An update was provided on the Poole Harbour oil spill incident which occurred in late March. Southern IFCA have been working with partner agencies to provide support and are in the process of helping to deliver a sampling program for shellfish in the Harbour to inform aquaculture and wild harvest fisheries. Fishing and/or netting for fish in Poole Harbour was able to resume from Wednesday 5th April with those fishing advised to avoid any areas of the Harbour which were evidently contaminated with oil (spill site) and advice that any fish found to be dead, dying or visibly contaminated with oil residues should not be consumed or marketed. Southern IFCA continue to engage in this process with partner organisations.

A report looking at cruise ship anchoring indicated that at least two of the studied sites showed significant amounts of *Sabellaria spinulosa*. The BCP Council study found this to be the case in Southbourne Rough and it is likely to be spread in other areas of Poole Bay as well. It was questioned whether there was any opportunity for future work to identify where this species is occurring.

8. Date (and Location) of the Next Meeting

To be confirmed.

Southern Inshore Fisheries and Conservation Authority

OFFICER'S REPORT

Meeting Dates 2024

Report by the Chief Executive Officer

A. Purpose of the Report

To receive the Authority's instructions with respect to the draft dates for the future meetings for 2024.

B. Recommendation

a) That Members note the draft meeting dates and times for 2024.

b) That Members contact the CEO via enquiries@southern-ifca.gov.uk before the **30th June 2023** if they have any concerns with regard to the draft dates set.

1. Background

- 1.1 In the past Members have found it useful to know, well in advance, the dates of the Committee's meetings.
- 1.2 In accordance with Standing Orders (paragraph 2), the quarterly meeting of The Authority shall be held in the months of March, June (AGM), September and December.
- 1.3 In accordance with Standing Orders (paragraph 22), the quarterly meeting of The Executive Sub-Committee shall be held in the months of March, June (AGM), September and December.
- 1.4 In accordance with Standing Orders (paragraph 28), the quarterly meeting of The Technical Advisory Sub-Committee shall be held in the months of February, May, August (AGM) and November.
- 1.5 In accordance with Standing Orders (paragraph 37), the quarterly meeting of The Audit and Governance Sub-Committee shall be held in the months of March, June (AGM), September and December.
- 1.3 Members are invited to consider the proposed dates and times. Once the dates have been finalised, venues can be booked at venues across the District.

Southern Inshore Fisheries and Conservation Authority

OFFICER'S REPORT

SOUTHERN INSHORE FISHERIES & CONSERVATION AUTHORITY

PROPOSED DATES FOR FUTURE AUTHORITY MEETINGS 2024

Technical Advisory Sub Committee	1 February 2024
Audit and Governance Sub-Committee (virtual)	12 th March 2024
Executive Sub-Committee (virtual)	12 th March 2024
The Authority	14 th March 2023

Technical Advisory Sub-Committee	9 May 2024
Audit and Governance Sub-Committee (virtual)		11 th June 2024
Executive Sub Committee (virtual)		11 th June 2024
The Authority (AGM)		13 th June 2024

Technical Advisory Sub-Committee (AGM)	22 August 2024
Audit and Governance Sub-Committee (virtual)	17 th September 2024
Executive Sub-Committee (virtual)	17 th September 2024
The Authority	19 st September 2024

Technical Advisory Sub-Committee	7 November 2024
Scrutiny and Governance Sub-Committee (virtual)	3 rd December 2024
Executive Sub-Committee (virtual)	3 th December 2024
The Authority	5 th December 2024

The meeting of **The Authority** starts at 14:00 and will be held at various venues across the Southern IFCA District.

The **Executive Sub-Committee** starts at 14:00 and is held virtually

The **Technical Advisory Sub Committee** starts at 14:00 and is held at the Southern IFCA Office

The **Audit & Governance Sub-Committee** starts at 10:00 and is held virtually