

# Southern Inshore Fisheries and Conservation Authority

## OFFICER'S REPORT

### FIVE YEAR LEGISLATIVE FORECAST

ITEM E
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### ESTABLISHING PRIORITIES FOR THE MANAGEMENT OF INSHORE WATER IN THE SOUTHERN IFCA DISTRICT

Report by Chief Executive

#### A. Purpose of the Report

The purpose of the report is to inform a debate by members so as to establish priorities for the management of inshore waters in the Southern IFCA District for the forthcoming five-year period (FY's 2019/20 to 2023/24). The report describes, in outline, the legal duties of the Authority and provides sources of information which provide context to the areas of work which the IFCA is engaged. This context provides the opportunity for members to identify the key fisheries management priorities to be taken forward by the Authority over a five-year planning period. The members of the TAC have scrutinised the paper, noted the progress of the Authority in delivering its agreed priorities. It is recognised that other fisheries management issues will emerge in this period; the ability of the Authority to remain responsive to these challenges whilst proactive in its planning is acknowledged. In this regard the plan is not a rigid assessment of interventions. Excluded from the report is an assessment of the prioritise for Compliance.

#### B. Recommendation

That members note the progress of the IFCA in delivering its agreed priorities

That members note the legal duties of the Authority with regard to the emerging issues identified in the report

That members agree the prioritised plan for delivery of IFCA duties.

That members agree the timetable for delivery for the forthcoming five-year period.

#### 1. Background

##### 1.1 2015/16 Strategic Review of Fisheries

In 2015/16 Southern IFCA developed a Strategic Review of Fisheries - mapping the future of inshore management. The purpose of the plan was to strategically review existing regulatory measures and consider the need for additional management measures to support sustainable fishing activities. This process involved three distinct stages.

- a) The first stage was a public engagement stage; members of the Southern IFCA community were consulted on a series of key objectives and focus areas. A series of four public engagement events were held at locations throughout the Southern IFCA District. The meetings were well attended by in excess of 140 members of the public and a total of 53 written responses to the consultation were received.
- b) The second stage of the Review of Management Measures process involved the evaluation of community feedback against the duties and objectives of the Authority. A plan was then developed and agreed to outline how and where the IFCA will prioritise future management.
- c) For the final stage the Authority developed a timeline for those management themes that have scored as a high or very high priority.

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### 1.2 Progress against the agreed plan

The timeline was 2015 to 2020 and the following table assesses the progress made against the priorities. The following priorities were established and resourced according to the annual plans developed by the Authority:

To implement a Poole Several Order	<b>COMPLETE</b> Order Introduced	see <a href="http://www.legislation.gov.uk/uksi/2015/1346/contents/made">http://www.legislation.gov.uk/uksi/2015/1346/contents/made</a> and <a href="http://www.southern-ifca.gov.uk/the-poole-fishery-order#Poole_Order">http://www.southern-ifca.gov.uk/the-poole-fishery-order#Poole_Order</a> .
To implement Poole Harbour bivalve fishery management	<b>COMPLETE</b> Byelaws introduced	see link <a href="http://www.southern-ifca.gov.uk/the-poole-fishery-order#Dredge_byelaw">http://www.southern-ifca.gov.uk/the-poole-fishery-order#Dredge_byelaw</a>
To manage fishing in the District's MPAs effectively	<b>PHASE COMPLETE</b> Byelaws introduced for EMS / t1 and t2 MCZs	see link <a href="http://www.southern-ifca.gov.uk/mpas">http://www.southern-ifca.gov.uk/mpas</a>
To review near-shore netting & nursery areas.	<b>ONGOING</b> Informal consultation phase	see link <a href="http://www.southern-ifca.gov.uk/consultations">http://www.southern-ifca.gov.uk/consultations</a>
To review minimum legal sizes	<b>ONGOING</b> Policy development phase	Mullet MCRS considered as part of the netting review. Skates and Rays byelaw review to comply with the Landings Obligation. <b>Further policy development is required to complete this priority.</b>
To develop effective management in the whelk fishery	<b>ONGOING</b> First informal consultation complete	see link <a href="http://www.southern-ifca.gov.uk/consultations">http://www.southern-ifca.gov.uk/consultations</a> An informal consultation phase has completed. A summary of responses has been produced and a Byelaw Working Group has been established.
To overhaul the management of the Oyster fishery & Temporary fishery closure byelaws	<b>ONGOING</b> Formal consultation phase	see link <a href="http://www.southern-ifca.gov.uk/consultations">http://www.southern-ifca.gov.uk/consultations</a> Informal consultation phases have been completed. A byelaw has been made and it is in the formal consultation phase.
To develop a system of inshore vessel monitoring (iVMS)	<b>ONGOING</b> Formal Consultation phase	Initially it was envisaged that individual IFCA's would implement individual byelaws. This was not the chosen policy option and this project has been taken up as part of a national partnership with Defra, MMO and IFCA's. Defra has held a consultation seeking views on introducing I-VMS for all UK licenced fishing boats under 12 metres that are fishing in English waters.

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It can be seen that significant progress has been made against the priorities. Where complete Southern IFCA has developed world leading management measures and made a significant contribution to sustainable development of fisheries. It is however also acknowledged, that there will be slippage in delivery for the completion of all activities by 2020. This delay will be c. one year. This delay can be ascribed, principally, to Defra and MMO policy advice on a Regulatory Notice Byelaw. Southern IFCA made such a byelaw in pursuit of its objective 'To manage fishing in the District's MPAs effectively' but the byelaw was, in the event not confirmed, because of change in advice from MMO and Defra. This essentially reset the clock for IFCA byelaw making in that policy area causing a delay in delivery. This issue was noted by the Authority when it emerged. It is also of note that since the plan was developed significant external environment changes have occurred, principally the policy changes that are emerging as a consequence of the UK's exit from the EU. These factors, and others are considered in developing this report.

### 1.3 Establishing Priorities for the 2019 to 2024 period.

The following report details the fisheries management interventions identified as issues to be addressed. The legal duties of the IFCA are identified and the nature of these issues are described. A series of recommendations for action are highlighted, which are summarised in the table in section 3.0

### 1.4 Legal Duties

The following extract is a summary of the legal duties of the IFCAs. It is not a definitive list of duties, instead it is a summary of the main legal duties. In addition, this list should be read in conjunction with the general duties on statutory bodies that arise from a variety of sources including for example the duty to have regard to the marine plan, policy statement and the source of primary legislation such as (and not limited to), the Countryside and Rights of Way Act, 2000 and delegated legislation such as (and not limited to) The Conservation of Habitats and Species Regulations, 2017.

Under the Marine and Coastal Access Act 2009, the IFCA duties are:

- managing the exploitation of sea fisheries resources within their districts
- ensuring that the exploitation is carried out in a sustainable way
- ensuring effective management of marine habitats in the district. This includes activities such as recreational sea angling and bait digging which were not previously regulated by Sea Fisheries Committees
- balancing the social and economic benefits of exploiting the sea fisheries resources of the district with the need to protect the marine environment from, or promote its recovery from, the effects of exploitation - which by virtue of s. 186(1) includes features of archaeological or historic interest - from the effects of such exploitation.
- taking steps which are necessary or expedient to make a contribution to sustainable development
- balancing the different needs of persons engaged in the exploitation of sea fisheries resources

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### 1.5 **Layout of this report.**

Section 2.0 of the report details the identified prioritise, recommended actions and indicative timescales for actions and activities by the IFCA. A very brief note on the policy context of the activities is included at the start of each section. The prioritise are listed, but their order does not indicate their relative importance to one another.

The following priorities are listed in the following sections;

- 2.1 Management of Marine Protected Areas
- 2.2 Review of Legacy Byelaws
- 2.3 Implementation of iVMS
- 2.4 Managing Aquaculture Sustainably
- 2.5 Review of Nearshore Netting
- 2.6 Managing Potting Sustainably
- 2.7 Managing Bivalve Shellfishery

Each of the priorities is accompanied by details of the legal duties conferred on the IFCA relating to the issue. The legal duty is detailed in the text box in the relevant section.

### 1.6 **Resource Implications and implementation**

Implementation of management measures is delivered in accordance with the Authorities commitment (and where applicable) duties, to engage in extensive community engagement. Details of this process are included as Appendix C Southern IFCA Management Review Process. It is recognised that delivery is contingent upon externalities; these are managed through the risk management process of organisation.

Resources: the timescales for delivery of the identified priorities, assume availability of resources and capability. The working assumption is that these will remain stable. On the basis of this assumption the timescales for delivery are proposed. The validity of the resource assumption is to be tested; the funding agreement with Defra (for New Burdens) ends in 2020, and their renewal subject to the outcomes of the Spending Review 2019 process. It is noted that there are significant changes in the way local authorities are funded and there are very significant pressures on local government funds. The planning process is therefore iterative; the development of a 5-year legislative forecast plan informs the development of a 5-year resourcing plan; the delivery of one is contingent on the adoption of the other. The recommendations for management and their timescale for implementation will be subject to available funding.

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### 2.0 Identified Prioritise, recommended actions and indicative timescales

#### 2.1 Management of Marine Protected Areas

There are 15 Marine Protected areas in the Southern IFCA District of which 12 are European Marine Sites and 3 are Marine Conservation Zones. 51% of the District is within an MPA.

The Government is committed to implement a coherent network of MPAs and significant progress has been made towards this objective. MPAs protect some of our most important habitats and species and have a role in supporting sustainable fisheries.

#### Legal Duty

IFCAs have a duty, under Section 154 of the Marine and Coastal Access Act, 2009 to further the conservation objectives of MCZs and will be expected to introduce byelaws regulating fishing activity where necessary.

IFCAs will have a wide range of duties and, for the purposes of performing those duties, the power under section 155 of the 2009 Act to make byelaws for their district. IFCA duties include developing management measures to support and further the conservation objectives of MPAs including SSSIs, EMS and Ramsar Sites.

#### 2.1.1 Marine Protected Areas – KEY CONSIDERATIONS

#### 2.1.2 Marine Conservation Zones - Tranche 3 Marine MCZs

Southern IFCA has a duty to assess the interactions between fishing activities and site features for all Marine Conservation Zones within the District. These MCZ assessments will generate a monitoring and control plan for each site and may indicate the requirement for the development of management options, such as codes of conduct and byelaws. Southern IFCA will prioritise developing appropriate management options for these sites through a risk-based approach. It is anticipated that there will still need to be a resource allocation even where sites indicate that no management options are currently required, as this decision will need to be evidenced. It is anticipated the 'tranche three MCZs' will be designated in June 2019. Whilst no decisions have been made on which sites will be taken forward to designation, 6 of the 41 sites recommended as MCZs are within the Southern IFCA, the majority of which it is anticipated will require some form of active interventions. Furthermore additional, and complex features have been considered as possible 'additional' features, within existing MCZs. The following sites are being considered;

**Bembridge** recommended Marine Conservation Zone (MCZ) is an inshore site that covers an area of approximately 75 km<sup>2</sup>. The site lies adjacent to the east coast of the Isle of Wight from Nettles Point in the north to Ventnor in the south. The site encompasses the intertidal and subtidal areas extending to the edge of the deep-water channel approach into the Eastern Solent.

**Purbeck Coast** recommended Marine Conservation Zones (MCZ) is an inshore site that covers an area of 282 km<sup>2</sup>. The site stretches from Ringstead Bay in the west to Swanage Bay in the east along the Jurassic Coast World Heritage Site, and is located in the Eastern channel. The site overlaps with the eastern section of the Studland to Portland Special Area of Conservation (SAC). The site encompasses the intertidal

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features that were originally proposed within the Broad Bench to Kimmeridge Bay Regional Project MCZ, the footprint of which falls within the Purbeck Coast site option and is the only intertidal part of the site.

**The South of Portland** recommended Marine Conservation Zones (MCZ) is an inshore site which covers an area of 17 km<sup>2</sup>. It is located off Portland Bill on the South Coast in the Eastern Channel region.

**Southbourne Rough** recommended Marine Conservation Zone (MCZ) is an inshore site that covers an area of 5 km<sup>2</sup>. The site is located in an area of patchy reefs to the east of Poole Rocks MCZ in Poole Bay, slightly further offshore and deeper than Poole Rocks MCZ.

**Studland Bay** recommended Marine Conservation Zone (MCZ) is an inshore site that covers an area of approximately 4 km<sup>2</sup>. The MCZ is located on the south coast of Dorset in the eastern English Channel. The site encompasses Studland Bay stretching from the edge of Shell Bay in the north to Old Harry Rocks in the south.

**Yarmouth to Cowes** recommended Marine Conservation Zone (MCZ) is an inshore site that covers an area of approximately 16 km<sup>2</sup>. The site runs along the north-west coast of the Isle of Wight. The site stretches along the coast from Yarmouth Harbour in the west to the village of Gurnard in the east.

**RECOMMENDATION: That the Implementation of Tranche Three Marine Conservation Zones is prioritised for management**

**TIMESCALE June 2019 to June 2021**

### 2.1.3 European Marine Sites and MPA management generally – 25 Year Environment Plan

The government has committed to a 'whole-sites approach' to MPA management as outlined under Defra's 25 Year Environment Plan. As a consequence, such a change in policy may lead to changes in the law and consequently changes in the way in which our management in some or all of the MPAs is delivered. Furthermore, the government is exploring the adoption of Highly Protected Marine Areas. These may affect the management by Southern IFCA. The timescale for both these issues (other than being within the 25-year plan) is as yet unclear.

**RECOMMENDATION: That the Governments MPA delivery policy is noted and the implementation plan is revised according to government policy as it emerges.**

**TIMESCALE Not yet established**

### 2.1.4 Sites of Special Scientific Interest – SSSI's

#### Legal Duty

Amongst other things Southern IFCA must take reasonable steps to conserve and enhance the special features of sites of special scientific interest (SSSIs) when:

- carrying out statutory duties
- giving others permission for works, such as reviewing planning applications.

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Generally, of particular relevance to commercial licensed fisheries, there is a coincidence of SSSIs with areas designated as SPAs (there are notable exceptions). The coincidence of commercial fisheries, which pose a risk to the conservation objectives of SPAs, are addressed by way of the revised approach to the management of commercial fisheries in European Marine Sites.

The key issues for the management of fisheries in SSSIs, which are significant ongoing management issues, relate to bait collection and aquaculture, in particular in intertidal soft sediments. As regards to the collection of bait, though management is in place for these activities, namely; through the single scheme of management in the Solent, the Prohibition of hang gathering in Seagrass beds byelaw and the Poole Harbour voluntary agreement, further work is required (with partners who also have a responsibility for the management of these activities). In particular the policy framework is emergent.

Furthermore, the recent extension to the designation of Poole Harbour as a SSSI requires management by the IFCA in relation to the Poole Harbour; this matter is picked up in the aquaculture section of this report.

See Annex A for a map of the SSSIs in the Southern IFCA District.

**RECOMMENDATION:** That the IFCA reviews the management of bait collection within the District

**TIMESCALE** 2019 to 2025

### 2.2 Review of Legacy Byelaws

IFCAs inherited byelaws made by predecessor Sea Fisheries Committees. The Marine and Coastal Access Act 2009 (Transitional and Savings Provisions) Order 201117 said that if any local fishery committee byelaws (i.e. SFC byelaws) were in force immediately before the transfer date; had effect in an area covering all or part of the IFC district; and were within the remit of a byelaw that could be made by an IFCA, then it had effect as if it were an IFCA byelaw.

To ensure that the byelaws made by the Sea Fisheries Committee are fit for purpose, remain relevant and optimal for effective inshore fisheries management, these byelaws should be reviewed.

#### Legal Duty

Under the Marine and Coastal Access Act 2009, the IFCA duties include:

- managing the exploitation of sea fisheries resources within their district
- ensuring that the exploitation is carried out in a sustainable way

Each IFCA has an objective to review its suite of byelaws in the first years of operation, aiming to have completed the exercise by April 2015 and to have removed duplicate or redundant byelaws making sure, where necessary, that gaps are covered.

It remains necessary to formally review the following byelaws, which otherwise fall outside of commitments already made to review the minimum landing size byelaws (see note below).

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Fishing Under Mechanical Power – Closed Area

Poole Harbour – Prawns Close Season

Periwinkles

Vessels Used in Fishing for Sale

Foul Hooking

Electric Current

Scallop Fishing

**RECOMMENDATION:** That the legacy byelaws of the Southern Sea Fisheries District Committee are formally reviewed

**TIMESCALE** 2021 to 2023

### 2.2.1 Review of byelaws made by Southern IFCA

Within the review period the following byelaws will be required to be formally reviewed

Vessels Used in Fishing 2012

Prohibition of Gathering (Sea Fisheries Resources) in Seagrass Beds

**RECOMMENDATION:** That the vessels used in fishing byelaw and the Prohibition of Gathering (Sea Fisheries Resources) in seagrass beds are formally reviewed

**TIMESCALE** 2021 to 2023

### 2.2.2 Review of Minimum Fish Sizes

The protection of juvenile fish from exploitation is an important part of fisheries management. The main role of protecting juvenile fish from exploitation is to avoid the impact of growth over fishing; whereby fish are removed before they have an opportunity to reproduce and thus contribute to the stock biomass. Furthermore, larger fish can be associated with more value – to the spawning stock biomass, to the recreational fishing community in terms of sport and in markets.

#### **Legal Duty**

ensuring that the exploitation is carried out in a sustainable way

balancing the social and economic benefits of exploiting the sea fisheries resources of the district with the need to protect the marine environment from, or promote its recovery from, the effects of exploitation.

balancing the different needs of persons engaged in the exploitation of sea fisheries resources

The 'Minimum Fish Sizes' is a legacy byelaw of the Southern Sea Fisheries District Committee, which states that "No person shall take from the fishery any fish of the following species that measures less than the size listed when measured from the tip



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of the snout to the end of the tail.” Creates minimum sizes for the following species; Black Seabream 23 cm, Brill 30 cm, Dab 23 cm, Conger Eel 58 cm, Flounder 27 cm, Lemon Sole 25 cm, Red Mullet 15 cm, Shad 30 cm, Turbot 30 and Witch Flounder 28 cm. Furthermore the Skates and Rays – Minimum Size byelaw states that “No person shall take: (a) any skate or ray that measures less than 40cm between the extreme tips of the wings; or (b) any wing which measures less than 20cm in its maximum dimension and which is detached from the body of a skate or ray. Except that (c) this byelaw does not apply where the landing obligation under Article 15 of Regulation (EU 1380/2013) requires the fish to be landed.” Finally, the “Grey Mullet – Minimum Size byelaw states that “No person shall take from the fishery any grey mullet that measures less than 30 cms when measured from the tip of the snout to the end of the tailfin.”

Progress has been made with regards to the review of minimum sizes, other than by way of a review of the byelaw. For example Southern IFCA supported the national (and international) increase in the Minimum Conservation Reference Size of Bass, from 36cm to 42cm. Black bream management will likely occur as a consequence of the management of the forthcoming Marine Conservation Zones. The Grey mullet byelaw is currently being review as part of the review of nearshore netting, and recognising that there are changes (already accommodated by way of revisions) as a consequence of the landing obligation, members have agreed to review fish minimum sizes, in pursuit of the objectives of the organisation.

**RECOMMENDATION: That the minimum sizes of fish byelaws of the Authority are formally reviewed.**

**TIMESCALE 2021-2023**

### 2.3 Implementation of iVMS

We recognise that there is more we can do to improve data gathering and sharing and gain an enhanced understanding of the activities of under 12 metre fishing vessels operating in English waters. We need to create sustainable fisheries for the future through more effective enforcement and better-informed management.

#### Legal Duty

ensuring that the exploitation is carried out in a sustainable way

Defra has recently finished the public consultation on the proposed inshore vessel monitoring (iVMS) statutory instrument. This will if enacted, make it a legal requirement for all UK vessels under 12m to carry a device that records and transmits, using mobile phone technology, data on the vessels position, heading and speed. Currently all European fishing vessels over 15m in length must carry vessel monitoring systems using satellite technology, and since 2013 a VMS using satellite and mobile technology was introduced in the UK for all vessels 12m and over. The consultation stated that the SI would be implemented in a phased approach.

April 2019 – September 2019 all vessels 9 - 11.99m  
October 2019 – June 2020 all vessels 6m – 8.99m  
July 2021 all vessels under 6m in length

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The data generated through the roll out of the iVMS system would provide unprecedented amounts of information relating to fishing activities within the Southern IFCA District, greatly enhancing the current data sets we hold, which will provide an excellent basis for the work to develop the future management in the priority areas, herein identified. Without access to this effort data, the resources burden and length of time required to build the level of information needed on the fishing sectors would be far higher. The timing of the introduction of the iVMS system would also allow for the UK to have established a new overarching management structure for the UK fisheries with the anticipated end of the EU Exit transition period in 2021. It is likely that any new systems to manage stocks, quota and legislative areas such as the landing obligations will have a direct impact on the management of the wide and diverse fisheries within the Southern IFCA District.

iVMS Boiler Plate byelaw: The proposed national statutory instrument (as currently drafted) has some discrepancies with pre-existing legislation applied to over 12m vessels, so it has been proposed that a byelaw be produced which can duplicate across each of the 10 IFCAs. This byelaw would be drafted by the MMO, and would follow the SI, reducing the resource burden on Southern IFCA for its development. It must be noted that Southern IFCA will still need to conduct a formal consultation on this byelaw, but that the number of vessels effected will be limited by virtue of the vessel length byelaw of the Authority.

**RECOMMENDATION: That the IFCA continue to support the implementation of iVMS in accordance with the Defra statutory instrument.**

**TIMESCALE To be established in accordance with the s.i.**

### **2.4 Managing Aquaculture Sustainably**

Aquaculture is an important industry in the Southern IFCA District, with the potential to increase supply, contributing to food security in the UK. The South Marine Plan states that "Proposals for sustainable aquaculture in identified areas of potential sustainable aquaculture production will be supported." The IFCA will have an important role in this process.

#### **Legal Duty**

The Shellfish Act (1967) made provision for 'the establishment or improvement, and for the maintenance and regulation, of a fishery for shellfish.' Under this Act, members of the public or agencies, including local authority bodies, may apply for 'several' or 'regulating' orders. These allow the management of private and natural fisheries.

The Marine and Coastal Access Act, 2009 ensuring that the exploitation is carried out in a sustainable way

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

Further to the provisions in the 1967 Act, there is conferred on the Authority for a period of 20 years commencing on 1st July 2015 the right of several fishery for shellfish in the fishery area in Poole Harbour. The area within which the right is conferred ("the fishery area") is, for illustrative purposes only, shown hatched on the map Appended as 'B' to this report.

Initial leases for aquaculture were established in 2015 and are due to expire in 2020. Furthermore, Southern IFCA has committed to expand the areas of aquaculture

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production, where appropriate within the provisions of the Order. The natural expiry of the first tranche of leases offers the opportunity to identify and offer additional areas for development. In order to do so there is a need to establish a revised fisheries management plan and associated contracting provisions.

### Legal Duty

Amongst other things Southern IFCA must take reasonable steps to conserve and enhance the special features of sites of special scientific interest (SSSIs) when:

- carrying out statutory duties
- giving others permission for works, such as reviewing planning applications.

Resources (cash) have been allocated in the 19/20 budget from the Poole Order Reserve to assist in establishing a policy for aquaculture expansion.

**RECOMMENDATIONS: 1) That the IFCA develops a lease allocation plan for the 2020 to 2025 under the Poole Harbour Fishery Order**

**2) That the IFCA develops an expansion plan for aquaculture under the Poole Harbour Fishery Order**

**TIMESCALE 2019 to July 2020**

### 2.4.2 Removal of Species for the purpose of aquaculture

#### Legal Duty

ensuring that the exploitation is carried out in a sustainable way

balancing the social and economic benefits of exploiting the sea fisheries resources of the district with the need to protect the marine environment from, or promote its recovery from, the effects of exploitation.

balancing the different needs of persons engaged in the exploitation of sea fisheries resources

A High Potential Opportunity for Aquaculture has been awarded to Dorset from the Department for International Trade. Consequently, Dorset will be promoted as a place where aquaculture may expand. Southern IFCA has a role in managing that expansion.

**RECOMMENDATION: That the IFCA develops framework strategy for aquaculture in the Southern IFCA District.**

**TIMESCALE 2021-2023**

### 2.4.3 Removal of species for the purpose of cleaner fish associated with aquaculture

#### Legal Duty

ensuring that the exploitation is carried out in a sustainable way

balancing the social and economic benefits of exploiting the sea fisheries resources of the district with the need to protect the marine environment from, or promote its

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recovery from, the effects of exploitation.

balancing the different needs of persons engaged in the exploitation of sea fisheries resources

The use of 'cleaner fish' (fish species that feed on ectoparasites) is of increasing focus to the salmon farming industry as an alternative to chemical (organophosphate) treatments. The preferred species of cleaner fish are various species of wrasse (*Labridae*), and there is also increasing interest in lumpfish *Cyclopterus lumpus*. As the use of wrasse (and lumpfish) as cleaner fish has increased, there is growing concern regarding the potential localised over-exploitation of wrasse populations around parts of the UK, and in relation to the potential impacts of transporting wrasse from one part of the country to another. Wrasse have biological characteristics (e.g. site fidelity, hermaphroditism in some species, nest guarding) that would make them susceptible to localised over-exploitation and potentially localised depletion.

Whilst there is the potential for localised depletion, wrasse fisheries can be an important economic element of the diversification of inshore fisheries. Hence, options for precautionary management measures have usefully be developed with IFCAs and the fishing industry to ensure the sustainability of these fisheries.

Southern IFCA has introduced precautionary management measures, by way of a code of conduct. The Code has produced helpful data. Amongst other things the code includes spatial management and seasonal restrictions (to minimise fishing impacts during the spawning season). Sizes are applied ensure an appropriate size range and sex ratio of fish in the wild.

As data has been gathered it is anticipated that a review of the code could, subject to Authority consideration, become the basis for a legislative response.

**RECOMMENDATION: That the IFCA develops regulation for the removal of fish for use as 'cleaner fish' in aquaculture**

**TIMESCALE 2019 to 2021**

### 2.5 Review of nearshore netting

Nearshore netting is a significant component of the commercial inshore fishery and there are numerous forms of netting undertaken. The IFCA has commenced a process of engagement with the community on the management of nearshore netting. Effective management of nearshore netting balances the needs of different persons engaged in the exploitation of fisheries and can avoid potentially negative interactions with the marine environment.

#### Legal Duty

ensuring that the exploitation is carried out in a sustainable way

balancing the social and economic benefits of exploiting the sea fisheries resources of the district with the need to protect the marine environment from, or promote its recovery from, the effects of exploitation.

balancing the different needs of persons engaged in the exploitation of sea fisheries resources

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Through the Authority's strategic review of management measures, the Authority identified that it was a priority to review the management of near-shore netting & nursery areas in the district.

Following Authority consideration, Members identified their objectives to review and, if necessary, develop netting regulations to:

- i. Support the use of estuaries and harbours by bass and other fish populations as nursery and refuge areas;
- ii. Provide protection to migratory fish species as they transit through our estuaries and harbours; and, within these areas
- iii. Balance the social and economic benefits and different needs of users in exploiting the fishery.

**RECOMMENDATION: That the IFCA completes the current review of management measures, in accordance with the objectives of that review.**

**TIMESCALE 2019 – 2021**

Further to the initial phase of developing management there is an opportunity to improve the sustainability of these fisheries by reviewing net fisheries more generally in coastal waters. The review will be informed by the results of the initial phases of the netting review, the implementation of the landings obligation in the UK and the reform of the current quota arrangements.

**RECOMMENDATION: That the IFCA reviews the management of netting generally following the initial phase.**

**TIMESCALE 2022 - 2024**

### **2.6 Managing Potting Sustainably**

Crustacea (lobster and crab) and whelk fishing are key fisheries in the Southern IFCA District. Building upon existing management effective management of these fisheries will deliver benefits to local communities and coastal ecosystems. In particular the ongoing review of management in these fisheries reveals opportunities in the whelk fisheries to improve management.

#### **Legal Duty**

ensuring that the exploitation is carried out in a sustainable way

balancing the social and economic benefits of exploiting the sea fisheries resources of the district with the need to protect the marine environment from, or promote its recovery from, the effects of exploitation.

balancing the different needs of persons engaged in the exploitation of sea fisheries resources

Through the Authority's strategic review of management measures, the Authority identified that it was a priority to review potting. Following a call for evidence Members have approved the establishment of a Working Group to enable the development of measures to manage potting in the IFCA District. Whilst the members of the Working Group will establish the prioritise for the management of these fisheries, this review is informed by the response to the call for evidence which has identified "Ninety four

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percent of respondents (17/18) would support a management intervention in the whelk fishery. Of these, four indicated a decline in catches; four raised concerns with regard to the larger boats and their use of up to 800 pots, three noted the abundance of undersize whelks, with one fisher's catch composition, prior to sorting, regularly in excess of 60% undersize. One fisher highlighted a significant reduction in the amount of whelk eggs seen."

In considering the biological characteristics of this species and their status as at risk because of localised depletion, it is probably that this is likely to be a priority work stream.

**RECOMMENDATION:** That the IFCA completes the current review of management measures in pot fisheries, in accordance with the objectives of that review.

**TIMESCALE**                      **2019 – 2021**

### **2.7 Managing the Bivalve Shellfishery**

The Southern IFCA District includes some of the most significant bivalve shellfish fisheries in the South Marine Plan areas. Their historic management has not been adequate to prevent collapse of certain stocks and there have been significant challenges in the way that these fisheries were managed in accordance with nature conservation legislation. Effective management of bivalve delivers significant economic and environmental benefits.

#### **Legal Duty**

ensuring that the exploitation is carried out in a sustainable way

balancing the social and economic benefits of exploiting the sea fisheries resources of the district with the need to protect the marine environment from, or promote its recovery from, the effects of exploitation.

balancing the different needs of persons engaged in the exploitation of sea fisheries resources

The Solent bivalve fishery is an important and valuable fishery. Stock assessments for oysters (*Ostrea edulis*) spanning the last five years have indicated that this fishery has been in decline, as such it has been subject to a series of closures via implementation of the Temporary Closure of Shellfish Beds Legacy Byelaw, to protect the stock. More recently landing trends for manila clams (*Ruditapes Phillippinarum* / *Venerupis philippinarum*) suggest that within Solent waters there has been a decline. The fishing for bivalves (including oysters, clams and scallops) in the Solent is currently managed through a number of measures. This includes the Southern IFCA Solent Dredge Fishing Byelaw and the Temporary Closure of Shellfish Beds Byelaw. The introduction of an overarching umbrella permit byelaw allows for the adaptive management of the fisheries, providing Southern IFCA with the ability to (1) introduce bespoke conditions under either a Category A or Category B permit, (2) to review the suitability of existing permit conditions and to (3) vary or revoke conditions (following an appropriate review procedure as described in paragraph (25) of the Solent Dredge Permit Byelaw, to ensure that the management measures in place are appropriate and relevant to achieving sustainable bivalve fisheries in the Solent.

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Southern IFCA is presently consulting on the introduction of a new byelaw for the Solent to manage these fisheries. The introduction of the regulatory framework will require administrative and policy support should the byelaw be carried forward to an implementation phase.

**RECOMMENDATION:** That the IFCA completes the current review of management measures in the Solent bivalve fishery, in accordance with the objectives of that review.

**TIMESCALE**                      2019 – 2021

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### 3.0 Summary of Recommendations and indicative Timetable

	2019/ 20	2020/ 21	2021/ 22	2022/ 23	2023/ 24
Implementation of Tranche Three Marine Conservation Zones is prioritised for management					
A review of the management of bait collection within the District					
Develop a lease allocation plan for the 2015 to 2020 under the Poole Harbour Fishery Order					
Develop an expansion plan for aquaculture under the Poole Harbour Fishery Order					
Develop a framework strategy for aquaculture in the Southern IFCA District.					
The legacy byelaws of the Southern Sea Fisheries District Committee are formally reviewed					
the vessels used in fishing byelaw and the Prohibition of Gathering (Sea Fisheries Resources) in seagrass beds are formally reviewed					
the minimum sizes of fish byelaws of the Authority are formally reviewed.					
Develop regulation for the removal of fish for use as 'cleaner fish' in aquaculture					
Complete the current review of net management measures, in accordance with the objectives of that review.					
Review the management of netting generally following the initial phase.					
complete the current review of management measures in pot fisheries, in accordance with the objectives of that review.					
complete the current review of management measures in the Solent bivalve fishery, in accordance with the objectives of that review.					



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### Additional sources of information

IFCA Byelaw Guidance - [www.association-ifca.org.uk/Upload/About/ifca-byelaw-guidance.pdf](http://www.association-ifca.org.uk/Upload/About/ifca-byelaw-guidance.pdf)

The South Marine Plan - <https://www.gov.uk/government/collections/south-marine-plans>

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### Annex A SSSIs in Southern IFCA District.

MAGIC

Magic Map



**Legend**

- SSSI of Special Scientific Interest (England)

Projection = OSGB36  
units = 400000  
year = 2010  
datum = 477000  
spcs = 45000

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MAGIC

Magic Map



**Legend**

- SSSI of Special Scientific Interest (England)

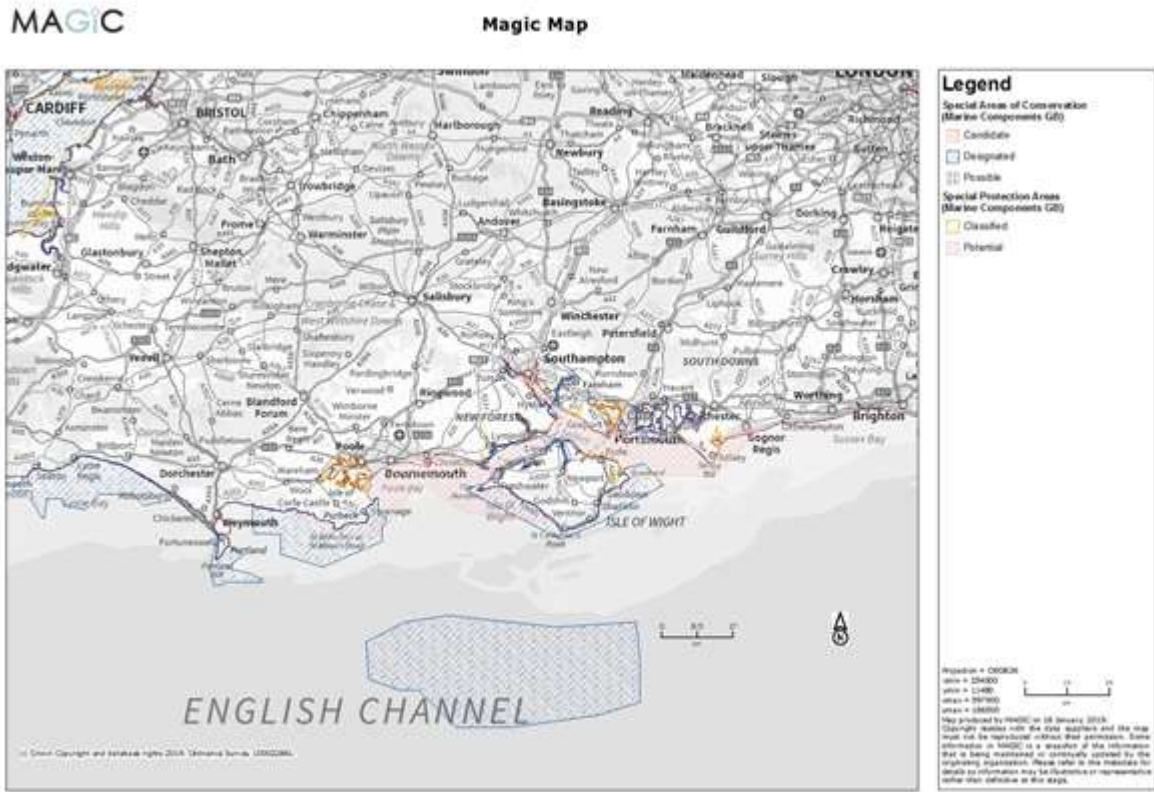
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units = 400000  
year = 2010  
datum = 477000  
spcs = 45000

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### Annex A1 Marine Protected Areas in the Southern IFCA District.



### Appendix B The Poole Harbour Fishery Order 2015 'Fishery Area'

