



Inshore Fisheries and
Conservation Authority

Solent Dredge Permit Byelaw Pre-consultation Document

January 2018

Overview

Intended Audience	This is a public consultation and is open to anyone to respond
Coverage	This consultation is primarily focussed on those with an interest in shellfish dredging within the Solent.
Purpose	This consultation seeks views on introducing new management measures for shellfish dredging within the Solent.
Duration	This consultation will run for 21 days from 1 st January 2018 to 21 st January 2018.
Contact	For further information please contact the Southern IFCA office. Email: enquiries@southern-ifca.gov.uk or telephone 01202 721373
Access	This consultation is available online at www.southern-ifca.gov.uk

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Section 1 - About this consultation

1.0 Introduction

The principle purpose of this consultation is to seek your views on proposals which aim to enhance the sustainability of bivalve shellfish within the Solent area through a proposed development of a new Dredge Permit Byelaw.

Through this consultation Southern IFCA would like to gather further information on dredge fishing practices within the Solent and seek suggestions for potential measures which seek to improve the sustainability of the area's bivalve shellfish fisheries.

The overall objectives for the management of the Solent bivalve fishery are to:

- i. ensure that bivalve shellfish populations are being exploited in a sustainable manner;
- ii. promote a viable inshore shellfish fishing industry;
- iii. support and promote a healthy marine environment.

Stakeholders invited to take part in this consultation include registered and licensed fishers, recreational fishers, Non-Government Organisations (NGOs), recreational users, harbour authorities and local councils. Other interested parties are welcome to submit comments.

This consultation will start on 1st January 2018 and will last 21 days until 21st January 2018.

1.1 IFCA Role under the Marine and Coastal Access Act 2009

IFCAs were established to sustainably manage sea fisheries resources, to support a viable industry and to protect marine ecosystems from the impacts of fishing. Southern IFCA leads the management of the exploitation of sea fisheries resources in the inshore areas of Dorset, Hampshire and the Isle of Wight.

Section 153 of the Marine and Coastal Access Act, 2009 (MaCAA) requires that, for the management of inshore fisheries:

(1) *The authority for an IFC district must manage the exploitation of sea fisheries resources in that district.*

(2) *In performing its duty under subsection (1), the authority for an IFC district must:*

(a) *Seek to ensure that the exploitation of sea fisheries resources is carried out in a sustainable way,*

(b) *Seek to balance the social and economic benefits of exploiting the sea fisheries resources of the district with the need to protect the marine environment from, or promote its recovery from, the effects of such exploitation,*

(c) *Take any other steps which in the authority's opinion are necessary or expedient for the purpose of making a contribution to the achievement of sustainable development, and*

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

As such, in this document we are seeking your views as to how best we can ensure the sustainable management of the bivalve shellfish fishery within the Solent, in order to support a viable industry, whilst protecting the marine ecosystem from the impacts of dredge fishing.

Section 2 - Background information

2.0 Solent Bivalve Fishery

The Solent clam fishery has experienced a 59% decline¹ in catches between 2010 and 2015. In a similar manner, the Solent oyster fishery has experienced a significant decline since 2003, resulting in a decrease in incomes for inshore fishers in the Solent area.

Current trends and historic patterns indicate that intervention is necessary to protect the spawning stock biomass of bivalve shellfish populations in the Solent area thus enhancing the sustainability and economic viability of these fisheries.

2.1 Existing Management Measures

Fishing dredges are used to exploit a range of bivalve shellfish fisheries throughout the Solent area. Since 2013 Southern IFCA has introduced a series of temporary fishery closures for the Solent oyster fishery in order to support the recovery of this fishery. It is the IFCA's intent to move away from the application of the Temporary Closure of Shellfish Beds Byelaw, and incorporate a more holistic and evidence based approach to managing these fisheries.

There are a number of ongoing projects and strategies which are underpinning our understanding of the Solent Bivalve fishery, such as The Solent Oyster Restoration Project, which is "working to restore the native oyster to the Solent". These such initiatives, aim to address the fishery declines identified.

There are a number of existing regulations currently in place in the Solent which manage the bivalve fisheries, including Southern IFCA legacy byelaws², the Solent Dredge Fishing Byelaw and Bottom Towed Fishing Gear Byelaw 2016 and the Solent European Marine Site (Prohibition of Method of Dredging) Order 2004³. Southern IFCA intends to review this existing legislation and harmonise these with the development

¹ Marine Management Organisation Landings Data

² <http://www.southern-ifca.gov.uk/byelaws>

³ http://www.legislation.gov.uk/uksi/2004/2696/pdfs/uksem_20042696_en.pdf

of new management measures for the dredge fisheries, under one umbrella byelaw, ensuring that the exploitation of sea fisheries resources is carried out in a sustainable way whilst meeting the needs of the local community.

2.2 Proposal under consideration

The principle purpose of this consultation is to seek your views on the proposal to introduce a new byelaw to permit the use of dredges within the Solent area.

Under this proposal, it is the intent that any person wishing to store, transport, retain on board or use a dredge from any vessel must first obtain a permit to do so and then comply with the conditions of the permit.

It is proposed that conditions will be attached to permits in order to flexibly manage the following:

- a) Catch restrictions and reporting;
- b) Gear types;
- c) Gear construction and restrictions;
- d) Spatial and temporal restrictions;
- e) The fitting of specified equipment to vessels;
- f) Temporary closure restrictions.

Permit conditions will be developed to reflect the needs of local users whilst recognising examples of best practice in similar bivalve shellfish fisheries locally and around the world.

It is proposed that measures will consider the design and construction of dredges used, together with devices for the sorting of shellfish (riddles). The Authority will also consider the daily and seasonal timing of the fisheries with the potential for harmonisation with existing measures to be explored. Permit holders may also be required to submit monthly data describing their fishing effort and catches in order to support the management of fisheries.

Flexible permit conditions, coupled with the best available evidence, will provide the opportunity to temporarily close fisheries, if required, to support sustainable exploitation and maximise economic value. Temporary closures may be introduced, for example when stocks are depleted, populations are mostly juvenile, when catch densities fall below a pre-determined threshold, or when water quality restrictions reduce the value of catches.

Under current proposals there will be an option for the Authority to charge a fee for permits. It is anticipated that this fee will contribute towards the cost of administering permits and the data they generate as well as those costs associated with managing the fisheries, such as the completion of stock assessments and Marine Protected Area assessments, relevant to the Solent area.

Permit conditions will be reviewed every three years or sooner in accordance with a defined procedure. This procedure will first require a consultation meeting with

stakeholders to present available data and discuss options. The Authority will then decide what changes, if any, are required, having regard to relevant legislation and evidence.

The proposed byelaw would not apply to fisheries within Chichester Harbour or over any right to the seashore that is enjoyed by a person under a local or special Act, a Royal Charter, letters patent, or by prescription or immemorial usage.

Section 3 – Your response

3.0 How to take part

This consultation document is available online at: www.southern-ifca.gov.uk. Electronic or paper copies of this consultation are available from the Southern IFCA office. To request additional copies please contact the office on 01202 721373 or email enquiries@southern-ifca.gov.uk.

Throughout the consultation period stakeholders are invited to meet with Southern IFCA officers. To arrange a meeting with Southern IFCA officers please contact the office on 01202 721373 or email enquiries@southern-ifca.gov.uk.

Respondents are requested to specifically answer the consultation questions outlined in Section 3 of this document. Consultation responses can be submitted in one of the following ways:

Email – You may email responses to us at: enquiries@southern-ifca.gov.uk. Please state the email subject as: **Southern IFCA Dredge Permit Consultation**.

Paper – responses can be posted or delivered to the Southern IFCA office: Southern IFCA, 64 Ashley Road, Poole, Dorset BH14 9BN.

Responses should be received by 21st January 2018. Responses received after this date may not be considered.

3.1 After the consultation

At the end of this consultation period a summary of feedback and the Authority's responses will be published. If you do not consent to this, you must clearly request that your response be treated as confidential. Any confidentiality disclaimer generated by your IT system in email responses will not be treated as such a request. Respondents should also be aware that there may be circumstances in which the Authority will be required to communicate information to third parties on request, in order to comply with its obligations under the Freedom of Information Act 2000.

Following this consultation, the feedback received will be considered by Southern IFCA officers and Authority Members so that the most effective management measures can be developed and introduced as part of an Authority byelaw. If the need arises additional consultation will be carried out prior to a byelaw being made. Once made, a

new byelaw and management measures will be advertised on the Southern IFCA website and in local and national publications for two consecutive weeks before a statutory 28 day consultation begins.

3.2 The consultation questions

Please complete all the questions that are relevant to you. It is important that you provide evidence to support your answers where possible. Whilst recognising that some information will be commercially sensitive, it is preferable that your evidence is quantified in monetary terms or in the proportion of impact where possible. In all cases it would be helpful if you explain your answers and provide examples.

- 1. Please tell us your name and your interest in dredge fishing within the Solent.**
- 2. Do you agree that intervention is necessary to enhance the sustainability and economic viability bivalve shellfish fisheries in the Solent?**
- 3. Do you agree that the introduction of a new dredge permit byelaw is the best way to manage the recovery of these fisheries?**
- 4. If you do not agree with the dredge permit byelaw, what other measures do you believe could be taken?**
- 5. Are our proposals likely to have a financial effect on your activities and how?**
- 6. Do you have any additional evidence on the impacts of a dredge permit byelaw, both positive and negative, that could inform the development of an impact assessment to accompany this byelaw?**
- 7. What do you feel would be an appropriate maximum cost to pay for a permit to use a dredge in the district?**
- 8. What restrictions do you believe should be applied to the design and construction of clam dredges under the proposed byelaw?**
- 9. How would you like to see temporary closure restrictions applied to dredge fisheries in the district?**
- 10. Do you think there are any issues that we have not identified in this consultation document?**