



Review of Management Measures in the Solent Bivalve Fisheries

Position Paper

&

Summary of responses to public consultation

May 2018

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Introduction

This document provides a summary of responses to the public consultation on the review of management measures in the Solent Bivalve Fisheries, which was carried out between March 16th and April 13th 2018.

The scope of the public consultation was underpinned and directed by responses received during the pre-consultation phase, which took place in January 2018.

Background – how we got here

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 philippinarum/Venerupis philippinarum*) suggest that within Solent waters there has been a decline.

In order to ensure that these fisheries recover (oysters) and remain viable (clams and other bivalve fisheries) in years to come, Southern IFCA held a pre-consultation in January 2018 to seek views on the sustainable exploration of stocks and measures that could be introduced to enhance the sustainability of the Solent bivalve fisheries.

The objectives of the pre-consultation were to:

1. Explore potential ways to harmonise and amalgamate existing management measures in the Solent bivalve fisheries,
2. Seek views on the proposal to introduce a permit byelaw to enable Southern IFCA as regulators and the fishing industry as direct stakeholders to achieve bespoke and tailored governance of the Solent bivalve fisheries
3. Seek views on the sustainable exploration of stocks and measures, which could be introduced to enhance the sustainability of the Solent bivalve fisheries.

In response to the pre-consultation the majority (63%) of respondents who expressed an opinion, supported the Southern IFCA's proposals for a review of existing management measures currently governing the Solent bivalve fisheries and additionally, supported (56%) the possible development of a permit byelaw to enable a flexible approach to the management of these fisheries.

As such, between March 16th and April 13th 2018 Southern IFCA undertook a period of public consultation, the scope of which focussed on the following areas:

1. The proposed introduction of a permit byelaw: with specific regard to eligibility and costs.
2. The proposed introduction of new management measures within the Solent dredge fishery, with specific regard to the development of a minimum bar spacing on a box dredge.
3. The proposed review of existing measures with specific regard to:
 - a) The temporal measures under Section 2(a) of the Solent Dredge Fishing Byelaw 2016¹
 - b) The provisions laid out under the Temporary Closure of Shellfish Beds Legacy Byelaw²

¹ '...in that a person must not use a dredge within Southampton water, Portsmouth harbour or Langstone Harbour between 17:00 hours and ending at 07:00 hours on the following day...'

² '...Where in the opinion of the Committee, in any fishery, any bed or part of a bed of shellfish is so severely depleted as to require temporary closure in order to ensure recovery, or any bed or part of a bed contains mainly immature or undersized shellfish which in the interests of the protection and development of the fishery ought not to be fished for the time being, or any bed of transplanted shellfish ought not to be fished until it has become established, and where the bed or part thereof has been clearly defined in notices displayed in the vicinity prohibiting the removal of the shellfish, or where the display of notices is not

Responses

Seventy-seven relevant fishers (those registered and licensed for commercial fishing as per Southern IFCA records), three merchants, two harbour authorities and one conservation body were approached directly in writing via a public consultation document. In total eighty-four letters were posted. In addition, the public consultation document was advertised on social media platforms. The specific questions posed within the consultation document are presented in Annex A.

Twenty-eight individual responses were received during public consultation (Annex B), 26 came from the commercial fishing sector, 1 from the fish processing and retail sector and 1 from a Conservation Body. A full summary of the responses by sector is provided in Annex C.

The purpose of this document

This document presents a summary of responses to the recent public consultation. Where relevant and to ensure full capture of feedback, these responses have been combined with those responses received during the earlier pre-consultation.

In addition, this document presents Southern IFCA's current position with regard to the undertaking of the Solent Bivalve Fisheries Review. This position stance has been directly informed by the feedback received during both the pre and public consultations.

practicable notice has been given by publishing a notice in a weekly newspaper circulating in the District in which that shellfish bed or part of bed is situated. No person shall, while the bed or part thereof is so defined, take away any shellfish without the consent of the Committee...

Summary of responses to public consultation

The views provided by respondents to the public consultation covered the following main areas:

- The potential introduction of a permit byelaw;
 - Permit byelaw eligibility;
 - Permit byelaw cost implications;
- Introduction of a minimum bar spacing for a box dredge;
- Consideration of the introduction of any other gear specifications;
- Changes to the current temporal restrictions under the Solent Dredge Byelaw 2016;
- Future threshold management of bivalve fisheries.

The summary of responses below reflect both the feedback received in response to the questions posed in the public consultation document, as well as an account of the less structured written responses and the verbal responses received during consultation engagement. Relevant responses captured during the pre-consultation are also included to ensure full coverage of feedback to date.

The potential introduction permit byelaw

The majority of commercial fishermen (79%) who stated an opinion during the public consultation do not support the proposal for Southern IFCA to introduce a permit byelaw to regulate the Solent bivalve fisheries.

Table 1 provides a breakdown of the responses during the public consultation, as well as those received during the previous pre-consultation period. In total, the majority of respondents (63%) who expressed an opinion are not in favour of a permit byelaw.

Table 1: Summary of responses to both stages of consultation

Summary of responses				
	pre-consultation	public consultation	Total*	
In favour	9/16	5/24	14/40	35%
Not in favour	7/16	19/24	25/40	63%

*Where opinion was stated, all responses were counted regardless of whether stakeholders provided a feedback to both stages of the consultations, as a request for responses were based on different questions and document scope.

Permit byelaw eligibility

If a permit byelaw were to be introduced:

Seventy-one per cent of commercial fishers (20/28) would like to see eligibility based on having a Southern IFCA fishing permit. Thirty two percent (9/28) would like to see eligibility based on track record as an active fisher operating within the Solent. Of these, seven fishers, representing two separate Solent ports suggest that a reference period (specific to the clam fishery) should be based on fishing activity within the 2016-2017 season, where a minimum of 3 days per week were fished during the season. Six fishers representing one port would like to see access to the fisheries based on the location of a vessel mooring.

Eight fishers feel that permitted access to the Solent oyster fishery is not required at present as this fishery isn't viable enough to warrant a permit.

There are concerns from six representatives of one Solent port that the introduction of a permit will encourage fishermen currently not active in the Solent bivalve fisheries to forge track records. As such, there is a general desire to cap the number of permits available.

Seventeen commercial fishers who expressed an opinion stated that if a permit were introduced, then there shouldn't be a restriction to apply for it on an annual basis based on a 'use it or lose it' restriction, as per Poole Harbour Dredge Permit Byelaw conditions. The rationale being that, unlike the Poole fishery, the current Solent oyster fishery is not presently viable enough to support regular fishing; and further, if track records were introduced for the oyster fishery they would need to take into account the temporal restrictions which have been in force since 2013, as per the Temporary Closure of Shellfish Beds Byelaw.

The majority (79%) of fishermen (22/28) support the need to encourage new entrants into the Solent bivalve fisheries, of these, (7/22) suggest that eligibility should be aligned with the sustainability of the fishery.

Permit byelaw cost implications

If a permit byelaw were to be introduced:

The majority (55%) of respondents who expressed an opinion (15/27) do not think there should be a cost involved unless Southern IFCA demonstrate that they are giving something back to the fishing industry. Of these, 86% of commercial fishers would like to see a greater Fisheries Protection Vessel (FPV) presence during the Solent dredge seasons. Other suggestions included spatial management initiatives and progress on classification projects to help support the oyster fisheries.

If a cost were introduced, then (20/26, 77%) commercial fishers feel that the initial cost (to cover administration only) should be fixed until the first period of consultation with permit holders. At this point, in line with permit byelaw procedure, a review of the sustainability and viability of the fishery could then be undertaken, with the cost of a permit reflecting these parameters.

Thirty per cent of fishers believe that an introductory cost should be directly linked to the monetary value of the fishery.

Introduction of minimum size bar spacing in dredge

If a permit byelaw were to be introduced:

Following on from the feedback received during the pre-consultation (where the overwhelming majority of respondents (70%) proposed the introduction of minimum size bar spacing on clam dredges to limit the number of undersize organisms being caught), where preference was provided, 62% (15/24) of respondents would like a 17 mm bar spacing to be introduced, and (9/24) 38% would like to see an 18 mm bar spacing.

Consideration of the introduction of any other gear specifications

If a permit byelaw were to be introduced:

The majority (78%) of respondents do not see a need to introduce any other gear specific regulations in the Solent bivalve fisheries.

Changes to the current temporal restrictions

If a permit byelaw were to be introduced:

Following on from the feedback received during the pre-consultation (where the overwhelming majority of respondents asked for a review of the current temporal (89%) and seasonal restrictions (76%) on the harbour dredge fisheries), 52% of respondents support a change to the current temporal and seasonal arrangements under the Solent Dredge Byelaw 2016. Forty eight percent would like to see how the implementation of the Solent Dredge Byelaw 2016 will impact stocks moving forward, and thus would like stability in management of this area to enable any positive impacts to the fisheries to be realised.

Future threshold management of bivalve fisheries

Fifty two percent of fishers believe the bivalve fisheries to be self-regulating, and as a result do not see a need for threshold management of the stocks.

If threshold management were to be introduced then eight fishers suggest the use of quota systems (which may include bag limits, weight limits, sales note auditing, CPUE). One fisher suggested the use of a proxy vessel to monitor stocks whilst a fishery in question is open.

Two fishers and one representative of a conservation body would like to see consideration of spatial management initiatives to manage the fisheries moving forward, using bivalve bed rotations.

Southern IFCAs current position

Based on the responses received from stakeholders during both the pre and public consultation on the Solent Bivalve Fisheries Review, Southern IFCA have decided to postpone the introduction of the permit byelaw during 2018. This will enable continued and considered engagement with industry during May and June 2018 in order to ensure that any future management measures introduced into these fisheries are in keeping with the objectives of the Solent Bivalve Fisheries Review. The outcomes of this evidence gathering phase will feed into the evolution of management measures during Summer 2018. It is the intention to undertake formal consultation during early 2019.

Following on from the pre and public consultation, stakeholders have called for the introduction of new management measures (specifically the development of a minimum bar spacing-on a box dredge) and consideration for potential amendments to the existing temporal measures under Section 2(a) of the Solent Dredge Fishing Byelaw 2016. In addition, a number of fishers have expressed an interest in the possibility of exploring the reintroduction of a pump scoop fishery in the Solent.

In order to consider the introduction of any of the above measures (which includes the potential to revoke the existing Statutory Instrument No. 2696 [The Solent European Marine Site [prohibition of dredging] Order, 2004]³; a suitable management platform will need to be put in place. A permit byelaw will provide a framework upon which management measures can be introduced into the Solent. As such, Southern IFCA will continue to work alongside industry to develop and work towards the introduction of a flexible permit byelaw in the future which will facilitate the introduction of these measures.

What this means for the Solent fishers

Over the oncoming months Southern IFCA intend to undertake further engagement with stakeholders focussing on the control and technical measures that have been identified for introduction or review following the first two stages of consultation. These areas will need careful and considered discussion. In addition, Southern IFCA will continue to work with Defra to discuss the opportunity of revoking Statutory Instrument No. 2696. It is likely that this will require a review of the regulatory provisions in the Solent, to ensure that there is adequate protection provided to the Solent European Marine Site through existing regulation and through the introduction of the proposed Solent Bivalve Fisheries Permit Byelaw.

Southern IFCA will continue to undertake stock assessments in the Solent bivalve fisheries, the results of which feed directly into the management of the stocks. Following assessment, if the shellfish beds are deemed to be depleted then under the Temporary Closure of Shellfish Beds byelaw, temporary closures can be invoked. It is the intent for Southern IFCA to work alongside industry to explore innovative ways of managing the oyster fisheries moving forward and integrate best practice into any provisions which may be laid out under the future Solent Bivalve Fisheries Permit Byelaw.

Southern IFCA supporting workstreams

As part of the Solent bivalve fisheries review, Southern IFCA are committed to continue the following areas of work, which are seeking to support the future sustainability of the Solent bivalve fisheries, these include:

³ Southern IFCA are currently in discussion with DEFRA legal. Defra will need to undertake a review of the regulatory provisions in the Solent to ensure that adequate protection is provided to the Solent European Marine Site through existing and proposed byelaws. As such, it is highly likely that a permit byelaw will need to be in place before the SI can be revoked.

- Ongoing work with the Food Standards Agency and CEFA's in order to coordinate, assess and review the current status of shellfish bed classifications in the Solent;
- To continue working with the Environment Agency to provide a robust evidence base to enable evaluations and valuations of socioeconomic and environmental benefits of improving water quality in the Solent;
- To work with the oyster fishers to explore possibilities for innovative spatial management strategies to support the oyster fisheries moving forward.

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Annex A: Public consultation questions

Question 1: Please provide your name and interest in the Solent bivalve fisheries

Question 2: Who should be eligible for the permit

Points for consideration when responding:

- a) Geographic considerations (e.g. mooring in relevant area).
- b) Economic consideration (track record within fishery and the associated length of reference period).
- c) Consideration of a New Entrant Policy.
- d) Should there be a restriction on number of permits available?

Question 3: What is an appropriate cost for the permit byelaw

Points for consideration when responding:

- a) It is proposed (in line with the Poole Harbour Dredge Permit) that a maximum threshold of cost would be capped under the Byelaw.
- b) It is suggested that the cost should (1) reflect the administrative costs associated with the permit byelaw (2) reflect the expenditures directly related to the management of the Solent Bivalve Fishery to include considerations of evidence gathering to include the bi-annual stock assessments for the bivalve fisheries (which are used to directly to inform and underpin management which will enable flexible and adaptive management of the fisheries).

Question 4: What is an appropriate minimum bar size for a box dredge?

Points for consideration when responding:

- a) The overwhelming majority of respondents to the pre-consultation (70%) requested an introduction of minimum size bar spacing on clam dredges to limit the number of undersize organisms being caught.
- b) It is proposed for conservation objectives to introduce a minimum bar spacing to restrict the occurrence of undersize clams being removed from the sea.
- c) It is hoped that the introduction of a minimum bar spacing will help fishermen to be more efficient when sorting catch through a reduced likelihood of catching clams below the Minimum Conservation Reference Size⁴ (MCRS).
- d) Do fishers feel a need to introduce a bar spacing requirement on the riddle in addition to the box dredge?

Question 5: Are there any other box dredge gear specifications, which need to be considered a part of this consultation?

- a) Please provide rationale

Question 6: What changes would you like to see with regard to the current temporal restrictions (07:00-17:00) under the Solent Dredge Byelaw 2016?

- b) Please provide rationale

Question 7: How would you like to see shellfish beds managed in future, with regard to threshold management⁵?

Points for consideration when responding:

- a) Consideration of Catch per Unit Effort⁶ (CPUE)
- b) Bag limits/quota

⁴ *Ruditapes Philippinarum*: 35 mm

⁵ The closure or opening of shellfish beds to reflect the density of target species within a specified area

⁶ CPUE is an indirect measure of the abundance of target species.

Annex B: Responses by sector

Summary of responses by sector

QUESTION 1			
Commercial Fishing	Written	5	26
	Face to face engagement	21	
Merchants, fish processing and retail	Written	0	1
	Face to face engagement	1	
Marine Science	Written	0	0
	Face to face engagement	0	
Harbour Authorities	Written	0	0
	Face to face engagement	0	
Conservation Bodies	Written	1	1
	Face to face engagement	0	
		Total*	28

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Annex C: Transcript of responses to the Public Consultation

The Public consultation

Points raised	
The potential introduction of a Permit Byelaw	<p>Stakeholders who are against the introduction of a permit byelaw:</p> <p>Of those who expressed an opinion during the Public Consultation:</p> <ul style="list-style-type: none"> • Twelve commercial fishers representing two separate ports feel that a fishing vessel licence should enable them to fish for any species except those under quota restrictions, and therefore do not feel that there is any need to introduce a permit; • Eleven commercial fishermen believe that the introduction of a permit byelaw will prevent fishermen to diversity across species and stocks through increased restrictions; • Nine commercial fishermen representing one fishing port are not in favour of a permit byelaw, as think believe that Southern IFCA will use it to restrict their fishing activity further. These fishermen do not think a permit or further regulations are necessary; • Three fishermen (based on their experience as permit holders under the Poole harbour Dredge Permit Byelaw) believe permits conditions are too restrictive and the grounds are not policed adequately by Southern IFCA. As such, do not agree to a permit when they are not getting anything back. • Six representatives from one fishing port believe that there is no need to permit the oyster fishery, as it is a hypothetical fishery at present; • One fisher would have liked to see a voluntary approach first before the suggestion of bringing in restrictions. • One fisher compared the proposal to introduce a permit byelaw, to that of the previous Solent Regulating Order (Solent Oyster Fishery Order 1980), which the fisher felt failed as a result of mismanagement and the fact that it was a permit.
	<p>Other:</p> <ul style="list-style-type: none"> • A number of fishermen feel that the consultation process has not captured all relevant fishers, as such to achieve an accurate account of fishermen’s viewpoints, two fishermen suggest the need for a ballot system at each Solent port to vote for whether they would like a permit byelaw and associated conditions; • Seventeen fishers believe if a permit is introduced it should be split geographically, to displace effort across the grounds.
	<p>Petition:</p> <ul style="list-style-type: none"> • Received 16th April: <ul style="list-style-type: none"> • 30 responses (Warsash: 7, Lymington: 10, Mudeford: 2, Poole: 10, Weymouth:1). • Summary of petition: To postpone the Solent bivalve fisheries review based on the following rationale: <ul style="list-style-type: none"> • To contest that a majority of stakeholders are in favour of the permit byelaw (based on pre-consultation responses) • To request a definitive answer regarding the revocation of SI 2696 before the permit byelaw is progressed further.

The Public consultation

Points raised

Q3: What is an appropriate cost for the permit?

Eligibility: *If a permit byelaw were to be brought in:*

- A number of commercial fishers think there **should be a restriction on eligibility**; of these:
 - Twenty-one commercial fishers think it should be based on having a Southern IFCA fishing permit;
 - Nine commercial fishermen would like to see eligibility based on track record;
 - Eight fishers think that eligibility for a permit should be based on whether you are an active fisherman;
 - Of these, six fishers think a reference period should be the 2016-2017 season, with those eligible having worked a minimum of 3 days per week during the clam season. These fishers believe that if the reference period is longer than 1-2 years then a number of vessels which have operated illegally in the past will gain eligibility;
 - One fisher would like to see a reference period based on active fishing, not one or two days at sea.
 - One fisher would like to see a 5-year reference period.
 - Two fishers do not agree with track record as this will provide a monopoly to vessels who have illegally exploited the fishery in the past.
 - Eight fishers would like to see a restriction on entry but support the need for a new entrant's policy.
 - Six members from one fishing port think access to permit should be based on where the vessel is moored/berth holder. As such, these fishers would like to see Southampton water to be a restricted fishery supporting 10-15 vessels who are moored within Southampton Water only, using the geographic delineation of the existing Southern IFCA byelaw 2016 line to restrict access to other vessels. These fishers are concerned that the introduction of a permit byelaw will encourage an influx of fishers who will try and create a track record, and thus increase effort within the fisheries.
 - One fisher thinks access to a permit should be granted to those without previous convictions in the fishery;
 - One representative from a Conservation Body feels that the Introduction of the permit should be designed in such a way as to not significantly change the current levels of activity in the fishery, and thus supports a restriction on the total number of permits made available.
- A number of commercial fishers think there **shouldn't be a restriction** on obtaining a permit; of these:
 - Thirteen fishers feel every licenced fishing vessel has a right to apply for a permit;
 - Eight fishers feel that the oyster fishery is not currently viable enough to (limited number of vessels operating) to warrant a permit, or the need to cap access at the present time.
 - One fisher thinks there shouldn't be a limitation by geographic location, historical track record or otherwise.

Other:

Seventeen commercial fishermen do not support a 'use it or lose it' approach to annual eligibility of permits. The rationale is that the current Solent fisheries are not viable enough to fish. If in the future a fishery returns then a track record shouldn't restrict the application for a permit.

New Entrants Policy:

- Twenty-one fishers would like to see new entrants encouraged into the fisheries; of these
 - Twelve commercial fishers have concerns that if access to a permit byelaw is based on a track record then this would block new entrants coming into the fishery in future;
 - Six members from one Fishermen's Association think that eligibility for new entrants should be aligned with the sustainability of the fishery which should be assessed on an annual basis;
 - Four fishers from one port are concerned about how a waiting list for new entrants would be managed (using Poole as a model of reference);
 - One fisher thinks new entrants should pay a lower price for a permit to encourage them into the fishery;
 - One fisher suggests that crew or hand pickers operating within the Solent on harvesting bivalves should also be able to build a track record;
- One representative from a Conservation Body supports the need to consider a new entrants policy in order for the fishery to survive and develop and to avoid a 'closed shop' situation.

The Public consultation

Points raised

Question 3: What is an appropriate cost for the permit?

Costs:

If a permit byelaw were to be brought in:

- Four commercial fishermen think that there **shouldn't be a cost** involved with a permit as they haven't asked for it;
 - Of these, one doesn't understand why fishers should pay for a fishery if they don't fish the species.
 - Of these, two noted that the Solent fishery is a public fishery and therefore should not be used for profit. Further, one fisher raised the issue that, given the historical management failures surrounding the Solent Oyster fishery, it would be inappropriate to burden the fishermen with the costs of IFCA's planning and implementation policies.
- Fourteen commercial fishermen think that there **shouldn't be a cost involved with a permit unless:**
 - Southern IFCA give something back to the industry, e.g., rotation schemes or classification projects.
 - Twelve fishers would like to see a compliance/FPV presence during the relevant seasons like they do in Chichester harbour;
 - Four fishers believe that there has been no management by Southern IFCA of the Poole Harbour Dredge Permit Byelaw, raising the question as to how Southern IFCA will be able to enforce a permit byelaw in a wider geographic area.
- Two commercial fishermen think that there **should be a cost** involved with a permit as they recognise the need to regulate the fishery.
- If there is a cost associated then;
 - Twenty fishers believe that a cost should be minimal (administration fee) to begin with and then take a phased approach based on the viability of the fishery, with a consultation at the three-year mark;
 - Eight fishers believe costs should be based on the monetary value of the fishery; of which,
 - Six fishers think this should be based on a percentage of the value of the catch;
 - One fisher thinks this should be based on value of an average of one days catch on top of a £20 admin fee;
 - Six fishers think the cost should be species dependant. If an oyster fishery returns then fishers should be able to apply and pay for a permit.
 - One fisher would like to see the price capped (no price specified);
 - One fisher suggests £200-250, but on the proviso that the grounds are being patrolled at night by Fisheries Protection Vessels;
 - One representative from a Conservation Body believes that the cost should represent a significant investment and commitment for any person wishing to engage in the fishery. The level should be sufficient to discourage nomadic, casual or opportunistic activity and the potential loss through losing the permit should be significant enough to provide a strong incentive to comply with the relevant byelaws and conditions attached for the purposes of managing the fishery effectively. The £500 upper limit (as per Poole Harbour Dredge Byelaw) is reasonable and may represent a suitable introductory rate.

Other:

- One commercial fishermen would like to see a requirement to buy and commit to a permit pre-season;
- There is a general consensus across industry that if costs are introduced then Southern IFCA need to justify these to industry (stock assessments and costs associated with rotation projects etc.).

The Public consultation

Points raised

Question 4: What is an appropriate minimum bar size for a box dredge

If a permit byelaw were to be brought in:

- Fifteen commercial fishermen think the minimum bar spacing size for a box dredge should be: **17 mm**; of these,
 - One suggested that only the relevant third of the box dredge would need to comply with the bar spacing. This would reduce the financial burden on fishermen (estimated to be £1000 vs. £300 less);
 - Twelve fishers think a riddle is necessary in addition to dredge bar spacing; of these,
 - One fisher suggests a 19 mm riddle spacing and discussed the potential use of holes to reduce sorting period at sea;
 - One fisher deems there to be no need for a riddle as clams measured length not width ways, so would still require measuring afterwards;
- Nine commercial fishermen think the minimum bar spacing size for a box dredge should be: **18 mm**; of these,
 - Six think the bar spacing should apply to the whole dredge, to reduce compliance issues associated with having different requirements in different parts of the dredge.
 - One fisher deemed the need for a riddle as due to the nature of the grounds (mud), small clams will still come up in dredges;
- One fisher believes that there shouldn't be a need for gear specifications as the onus is on the fishermen to comply with minimum size regulations;
- One representative from a Conservation Body supports the proposed introduction of a bar spacing in order to reduce the catching and landing of undersize clams and ensure long term viability of target stocks and the economic viability of the fishery. Suggesting that the minimum bar spacing should be set large enough to ensure that a meaningful proportion of size sorting is achieved during the dredging operations, reducing the number of undersize individuals that are exposed to stress and potential damage by removal and subsequent riddling before being returned to sea;
- One fisher suggested that the cost to introduce a bar spacing restriction would be approx. £700 per dredge.

The Public consultation

Points raised

Question 5:
Are there any other box dredge gear specifications, which need to be considered as part of this consultation?

If a permit byelaw were to be brought in:

- Twenty-two commercial fishermen **do not see a need** to add any other gear specifications restrictions; of these,
 - Six fishers would like to continue to work both single and two dredge operations given the variability of ground in the Solent (hard ground requiring two, soft ground requiring one).
- Two commercial fishermen and one representative from a Conservation Body think that **there is a need** to add the following gear specifications restrictions:
 - One fisher would like to see a single use dredge for safety issues in clam fishery;
 - Two fishers would like to see restrictions to teeth added; of which
 - One fisher: teeth spacing on clam dredge to be larger than 18 mm, in order to reduce the number of small clams brought up;
 - One fisher: minimum depth 6-inch teeth as clams bury deeper during winter months;
 - One fisher would support the need for 40 mm strengthen bars for safety reasons (so dredge doesn't pop under pressure), and to prevent the use of a strengthening bar to act as a blinder;
 - One fisher would like to see a limit on the total size of the dredge;
 - One representative from a Conservation body believes that dredge design, including mode of operation, dredge depth, tooth or blade design and width should all be regulated in order to reduce damaging impacts on marine habitats and species; and within these parameters dredge design to be optimised to ensure long term viability of target stocks.

The Public consultation

Points raised

Question 6:
What changes would you like to see with regard to the current temporal and seasonal restrictions under the Solent Dredge Byelaw 2016?

If a permit byelaw were to be brought in:

- Twelve commercial fishermen and one representative from a Conservation Body think that there is **no need to make any changes** to the current temporal arrangements under the Solent Dredge 2016 Byelaw as would like the impact of the 2016 byelaw to be realised;
 - One representative from a Conservation Body feels that the current arrangements should be maintained until the impacts of other management measures can be assessed. If the current arrangements are reconsidered as part of this review, considerations of the safety of fishers would need to be taken into account (winter fishery).
- A number of commercial fishermen think that **there should be a change** to the current temporal arrangements under the Solent Dredge 2016 Byelaw; being:
 - Eleven fishers and one merchant would like the season extended to March; of these,
 - one fisher would like to see a reduction in the daily hour window (08:00-16:00) as is a winter fishery, but in exchange lengthen the season to include March (effort-based approach);
 - seven fishers raised the point that there is currently no active or reliable fishery in March (since the oyster fishery collapsed) as such they don't have an income for this month (and much of April).
 - Seven fishers would like more flexibility around the tides; of these,
 - Six fishers think that there should be a clause written into the condition which allows for 1-hour flexibility for tidal fluctuation either in the morning or afternoon.
 - One fisher would like a 24 hours fishery open for tidal working;
 - Six fishers would like to see the time width expanded to 06:00-18:00;
 - One fisher would like a 12-hour day, and would accept a 6-day fishery as a result if needed to reduce effort;

- One fisher would like to see the restrictions abolished completely or expand the season to 6 months to allow for tide and weather.
- One fisher thinks that trying to control the daily times of fisheries is one of the reasons that the previous Solent regulated fishery failed.
- One fisher would like to see a flexible season length, so the fishery can be closed if needed. A fixed season length to be avoided. In addition, the suggestion for hours worked in a day to be flexible.

The Public consultation

Points raised

Question 7:
How would you like to see the shellfish beds managed in the future, with regard to threshold management?

If a permit byelaw were to be brought in:

- A number of commercial fishermen (as below) and one representative from a Conservation Body **think a threshold** should be based on:
 - Three fishers and one representative from a Conservation Body: a **quota system**
 - Two fishers: **bag limits**; of these,
 - One fisher suggests a 100kg/day limit
 - One fisher would like a quota of (for example) 2 tonne per vessel for season (clam), which would allow for flexibility and self-management for the fisher.
 - Two fishers suggest a bag limit (e.g. limit 5 bags per day. When below this threshold then move to different grounds)
 - One fisher suggests that monitoring could be based on sales notes;
 - Nine commercial fishermen and one representative from a Conservation Body think that **CPUE** should be used for threshold management, as has worked in Chichester harbour;
 - Seven fishers recognise that CPUE is a proven tool to manage fisheries. If introduced they would like a provision put in place which would allow for fishers to have the ability to trigger bed closures, they would like consultation from the IFCA before a closure was put in place and plenty of warning.
 - One representative from a Conservation Body feels that CPUE can be successful if the baseline understanding of population dynamics and on-going populations monitoring is adequate. CPUE can be more flexible as long as data collection is accurate and robust to any reporting bias and misreporting. The response time for passing CPUE thresholds is also important to ensure that an understandable desire to fish up to the limit does not result in harvesting significantly overshooting the threshold.
 - One of commercial fishermen thinks that CPUE should not be used for threshold management, as believe this has failed in Chichester Harbour.
 - One fisher suggests the use of a proxy vessel when the fishery is open.
 - One fisher suggests the ability to reduce the number of dredges in use from 2 down to one if required
 - One fisher (oyster specific) suggests that only marketable oysters should be landed (a minimum and maximum size specified)

Spatial management:

- Two commercial fishermen and one representative from a Conservation Body think that a rotation system needs to be put into place
 - One fisher suggests the use of the existing Temporary Closure of Shellfish Beds Byelaw to protect broad stock, using areas of rotation (possible voluntary agreement for oyster fishery). After two years stocks will die, so re-harvest from these closed rotation areas;
 - One fisher suggests the use of species dependant box grids in the harbours. Each harbour will sustain different levels. Once a threshold has been reached then move onto next box grid;
 - One representative from a Conservation Body believes that the future management of the fishery should include the establishment of spatial management through 'go fish' areas, which would enable bed rotation and extended recovery periods;

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- Fourteen commercial fishermen think that the fishery manages itself (**self regulating** thresholds within industry) (esp. now there is a 4 month season) and therefore no need for threshold management.
 - Eleven fishers don't think there should be a TAC
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The Public consultation

Points raised

Other comments

Hand-gatherers

- Two commercial fishers and one merchant have asked for a need to consider a permit for hand gatherers.
 - One fisher and merchant estimate hand gathers can harvest approx.. 10-15kg per tide (£100).

Pump scoop

- Twelve fishers are against the suggestion to bring in a pump scoop fishery; of these;
 - One fisher thinks the Poole harbour fishery is too efficient (bringing up 36 mm clams);
 - One fisher suggests that you can't mix gears across the grounds (box and pump), as a pump scoop creates bunkers, which are dangerous to box dredge over.

Relaying clams

- One fisher would like to see relaying of Manila clams (as these are non native so able to flourish), this in addition would support the birds, as without clams there wont be birds.

Permit conditions

- If a permit is introduced, three fishers would like to see 'catch returns' to be returned at the end of season rather than monthly, and amended to remove merchant information, as the documentation is too onerous for fishermen.