

SOUTHERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

TECHNICAL ADVISORY COMMITTEE – 6 FEBRUARY 2020

Minutes of the Technical Advisory Committee held in Unit 3 Holes Bay Park, Poole at 1300 on Thursday 6 February 2020.

Present

Dr A Jensen (Chairman, MMO Appointee)
Mr R Stride (Vice Chairman, MMO Appointee)

Dr S Cripps	(MMO Appointee)
Mr N Horsman	(MMO Appointee)
Prof J Humphreys	(MMO Appointee)
Mr S Kershaw	(MMO Appointee)
Mr G Wordsworth	(MMO Appointee)
Ms R Irish	(MMO Appointee)
Mr G Black	(Natural England)
Dr K Sims	(Environment Agency)

The Chief Officer, Deputy Chief Officer Bateman, Finance and Administration Officer and IFCOs Birchenough, Cooper, Pengelly and Smith were also present. Members of the public in attendance were Mr S Matthews (Warsash Inshore Fisherman's Group), Dr T Ferrero (H&IW Wildlife Trust), Mr M Salter (Angling Trust) and Mr L Bennett (Loch Duart)

Apologies

1. Apologies for absence were received from Ms L MacCallum (MMO Appointee), Mr T Legg (MMO Appointee) and Dr R Morgan (NE)

Declarations of interest

2. Members declared the pecuniary and non-pecuniary interest in the following Minutes: Mr Stride (8, 10, 12, 18), Mr Horsman (8, 10, 12, 16, 18), Dr Sims (6, 10, 12) Mr Wordsworth (8, 10, 12, 14, 20), Dr Cripps (20), Mr Kershaw (6)

Minutes

3. Members considered the Minutes of the meeting held on 7 November 2019 and these were then confirmed and signed.

Chairman's Announcement

4. Prof Humphreys notified Members of an issue raised by the Poole and District Fisherman's Association concerning sewage release into Poole Harbour from Wessex Water combined sewage overflows (CSO). They had tried to discuss the issue with Wessex Water who had replied that they were working within legal consents issued by the Environment Agency. Prof Humphreys highlighted the issue for Members because of the Authority's interest in the several ground, the lease beds and important shellfisheries within the Harbour. He hoped to arrange a meeting with EA representatives.

Public Participation

5. Mr Salter from the Angling Trust (AT) read to Members a joint statement from AT, Game and Wildlife Conservation Trust, the Salmon and Trout Conservation and the Wild Trout Trust relating to the review of netting regulations currently being undertaken, proposed minimum size regulations and bass legislation. He reported that each

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organisation would be submitting comments before the close of the consultation period and he thanked Members for giving him the opportunity to read out the statement.

Progress Report

6. a. **Solent Dredge Permit Byelaw.** DCO Bateman briefed Members on the progress of the byelaw which would provide management measures for the Solent bivalve fisheries. The byelaw had been through rigorous MMO legal scrutiny and had been forwarded to the Secretary of State. She explained that the next stage for officers would be to continue engagement with the stakeholders through the spring/summer to prepare for the introduction of the permit scheme in October 2020.

Resolved

7. That the report be noted.

Minimum Conservation Reference Size (MCRS) Byelaw

8. IFCO Pengelly updated Members on the development of the MCRS byelaw. Following changes made to European legislation under Regulation (EU) 2019/1241, it is necessary to introduce minimum size regulations under an IFCA Byelaw in order to establish an effective management regime for fisheries in the Southern IFCA District, whereby MCRS regulations are applied to all fishery participants. The byelaw includes proposed MCRS increase for grey mullet species and crawfish. IFCO Pengelly informed Members that, during the drafting process, legal advice had been provided through the Marine Management Organisation byelaw team. IFCO Pengelly outlined how the Authority's 5-year legislative forecast sets out a timeline for the review of management measures and includes a timeline for the review of minimum size regulations between 2021 and 2023. The making of the proposed MCRS byelaw would not prejudice the recommended review which was expected to consider the performance of existing measures, together with a review of MCRS for all species across the District.

Members discussed and debated the proposals, suggesting the addition of further species to the list, the inflexibility of this style of byelaw, amending the terminology in the Impact assessment, how to measure fish, detailing the economic implications, gathering more evidence. There was an extended debate on the importance of setting suitable minimum conservation reference sizes for species and the relationship this had with evidence for size of sexual maturity. The Chief Officer summarised that the intention of the byelaw was to close a gap in the existing legislation so all fishers would be treated equally under the regulations. Members asked if the intention to raise minimum sizes in the future review be made clear for the full Authority to consider at their next meeting. Dr Sims proposed and Mr Kershaw seconded the proposals. One Member voted against, one Member abstained and the remaining Members agreed the proposals to be tabled for the Full Authority.

Recommended

9. a. that a Minimum Conservation Reference Size byelaw be made

b. that the Minimum Fish Sizes, Skates and Rays – Minimum Size, American Hard shelled Clams – Minimum Sizes and Grey Mullet – Minimum Size legacy byelaws be revoked.

Net Fishing Byelaw HRAs

10. IFCO Birchenough explained for Members that revised versions of the Habitats Regulations Assessments for the SAC and SSSI rivers in the district. These were now ready to submit to Natural England. She asked Members to approve the documents that

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would be sent to Natural England for formal consultation. Members felt that the documents required further details to include effects on birds, long term economic effect for commercial and recreational uses, in combination assessments, water temperature and the SSSI papers updated to include further species. The Working Group would be continuing discussions for the netting review and these reports would be included in that discussion. The proposals were agreed under general consent.

Recommended

11. that revised version of the HRA and SSSI Assessments be forwarded to NE following the Byelaw Working Group.

Net Fishing Byelaw

12. IFCO Pengelly updated Members on the progress of the netting review to develop regulations to support the use of estuaries and harbours as nursery and refuge areas, provide protection for migratory fish species and balance the social and economic benefits for the different users of the fisheries. He continued that the working group, comprising of TAC Members, had recommended the introduction of a byelaw which required an Impact Assessment and the HRA and SSSI assessments in the previous item. He reported that further consultation had been carried out, beginning in January, and significant concerns had been raised by stakeholders. The Chairman thanked officers for continuing to gather evidence through engagement with the stakeholders. Members agreed the recommendation by general consent.

Resolved

13. That a byelaw working group convene to look over the evidence.

Poole Harbour Dredge Permit Review

14. IFCO Birchenough updated Members on the responses received from permit holders following the consultation phase of the review. Responses received indicated that the majority of permit holders were not in favour of changing the timing of the dredge season. They were also asked if there were other conditions, they would like reviewed and there was little support for any other changes. Therefore, the recommendation before Members was that no changes should be made at this time. All Members agreed under general consent.

Resolved

15. That no changes be made to Poole Harbour Dredge Permit conditions for the 20-21 season.

Wrasse Fishery Monitoring and Control Plan

16. IFCO Smith asked Members to approve the monitoring plan and discuss future management of the Wrasse fishery. She talked Members through the document and reported on the trigger points to be reviewed. Members discussed whether guidance to fishers was sufficient or if further regulation was required? Officers, through consultation with the TAC Chairman, would meet with industry buyers to outline the importance of these measures and seek assurances on their future engagement in the fishery. A report with the findings of this consultation would be tabled for the next TAC meeting, outlining future management options. Mr Horsman asked if TAC Members could be given a copy of the report before it was formally sent out to Members.

The Chairman was tasked with approving the final report. All Members agreed under the recommendation under general consent.

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Resolved

17. That the Wrasse Fishery Monitoring and Control Plan be approved.

Draft MCZ Assessments and Bottom Towed Fishing Gear.

18. IFCO Smith reminded Members that the tranche three MCZs had been designated in 2019. This designation included six new sites within the district and 2 new features in existing MCZ sites within the district. She reported that officers had completed the initial screening of fishing activities within the MCZ sites, part A and the more detailed part B assessments had been completed. IFCO Smith asked Members to agree the part B assessments that would then be sent to Natural England for formal advice.

IFCO Cooper added that, where required, further management measures could be introduced by revoking and remaking the Bottom Towed Fishing Gear 2016 byelaw to include protection for the sensitive features determined by the Part B assessment. Members agreed the recommendations through general consent.

Resolved

19. a. that the part B assessments for Bottom Towed Fishing Gear be forwarded to NE.

b. that a byelaw working group consider the NE advice and management options.

Poole Harbour Lease Bed Reallocation Programme

20. DCO Bateman reported that 9 companies had been allocated the first Tranche lease beds in 2015 when the Poole Fishery Order was made. In 2018 the Poole Harbour SSSI was extended to include some areas currently leased. These changes were included in the Site Management Statement and would be incorporated in the lease bed reallocation programme that coincides with the second Tranche (T2) of lease bed allocation under the Order for the period July 2020 to June 2025. Seven of the existing lease beds require either full or part closure and therefore reallocation will be offered. Existing lease bed holders were invited to submit an expression of interest, informal meetings were held with Natural England and Poole Harbour Commissioners and current lease holders were consulted regarding potential areas for proposed reallocation of lease beds. She explained the next processes for T2; each lease holder will be asked to submit an application, a working group will discuss these and decide on a draft allocation, management plan and lease conditions. Formal consultation will follow once plans have been agreed at the next TAC and the Full Authority will approve the final documents in June, ready for the allocation in July. Mr Horsman asked if the closure areas (as a result of the extension of the SSSI) would be opened for the public fishery and DCO Bateman explained that these areas would not be open for fishing and instead protected under an extension to the Bottom Towed Fishing Gear Byelaw – as per the Site Management Statement agreed with NE in 2018. Mr Black asked if monitoring had been built into the plans. The Chief Officer explained that monitoring had been included. The Chairman thanked DCO Bateman for the work involved in meeting the deadlines.

Resolved

21. That the report be noted.

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Date of Next Meeting

22. That the next meeting of the TAC would be held on 7 May 2020 in the office.

23. There being no further business the meeting closed at 16:15

Chairman:

Date: