

# **Southern Inshore Fisheries and Conservation Authority**

## **Technical Advisory Committee - Thursday 24 May 2012**

Minutes of the of the Technical Advisory Committee held in the Dorset Room, Colliton House, Dorchester at 1300 on Thursday 24 May 2012.

### **Present**

Mr R Stride (Vice Chairman)

Mr I Davies, Dr A Jensen, Mr S Kershaw and Mr E Riordan.

The Chief Executive, Deputy Chief Executive, IFCOs Birchenough, Pengelly and Meek, Office Manager, Dr S Burton (NE), Mr D Bates and Ms A Lowe (Eneco), Ms E Rance (DWT), Mr N Horsman (BASS) and Mr D Mitchell (Angling Trust) were also present.

### **Apologies**

28. Apologies for absence were received from: Mr J Chesworth, Mrs S Dean, Dr W Fojt, Mr D Gibson, Mr P Johnson, IFCO Jury, Mr H Leman and Mr B Melin.

### **Declaration of Interests**

29. Members declared their pecuniary and non-pecuniary interest in the following minutes: Dr Jensen (31, 32a, 36, 44), Mr I Davies (47, 48), Mr E Riordan (36, 42).

### **Minutes**

30. Members considered the Minutes of the meeting held on 9 February 2012 which, having previously been circulated, were confirmed and signed.

### **Presentation from Eneco**

31. Mr Daniel Bates and Ms Angela Lowe, representing Eneco, gave Members an update on the Navitus Bay Wind Park project. They would be consulting the commercial sector for the second time throughout the summer; these workshops would be more interactive, with working groups and questionnaires, rather than presentations. Their planned timetable included having the Environmental Impact Assessment completed this year, the licence application being submitted to the MMO in 2013, predicted licence decision in 2015, construction starting in 2017 and operational by 2020.

Members were concerned how fishing activity would be affected during construction and once the turbines were in place. Mr Bates explained that these concerns would be taken into account but it was too early in this particular project to comment. Ms Lowe confirmed that in other developments fishing activity was able to continue. Part of the marine licence would include a condition for a 500m exclusion zone whilst construction was taking place. Mr Riordan asked whether ecological assessments had identified any sensitive spawning grounds and Mr Bates said he would check with CEFAS. Ms Lowe explained that there had been extensive sampling, photographs and underwater video data taken, in accordance with CEFAS guidelines. IFCO Pengelly asked if funding for research would be available and though keen to look at any proposals, Mr Bates explained that at this stage it was too early to comment on what type of funding may become available.

Dr Jensen asked if research had been conducted regarding artificial reefs and Ms Lowe confirmed this was something that may be looked at later in the project. Dr Jensen suggested that Eneco consult previous surveys including papers by Jensen and Collins. The Vice Chairman asked what effects the electro magnetics from the cables would have on the fish, especially rays and cuttlefish and Ms Lowe confirmed

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that research showed that there was an effect although it was not known yet if it was positive or negative. Mr Kershaw asked what criteria was used to select the chosen site and Mr Bates explained that many factors were taken into account including the geology of the area, the shipping channel, water depth, and the proximity of the MOD land. He further explained that the cable route to shore at Mannington near the New Forest, was chosen from three sites offered by the National Grid. Mr Kershaw asked would there be post scheme appraisals planned and Ms Lowe confirmed that this would normally be required as a condition of the planning consent and they were currently looking at possible conditions with the MMO. Southern IFCA would be consulted as part of the marine licence process. The Vice Chairman enquired how far into the six mile limit the scheme would encroach and although Mr Bates was unsure, he offered to provide a chart.

The Vice Chairman thanked Mr Bates and Ms Lowe for their time and he looked forward to the further consultations later in the year. IFCO Meek, as the IFCA liaison officer would be in contact with Eneco throughout the project and would keep the Members informed of any developments.

Mr Bates and Ms Lowe left the meeting and took no further part in the debate.

### **Progress Report on Outstanding Matters**

32. **a. EMS Risk Update.** The Deputy Chief Executive informed Members that there had been an increase in patrols of Poole Harbour including two multi agency operations. The new IFCA vessel would initially be used in Poole Harbour.

**b. Wreck to Reef.** Dr Jensen explained that he had hoped the new figures would give more clarity but the Vice Chairman had expected an idea of costs spread over each year. Mr Davies felt the proposal to set up a 'mock up' of the conditions required in a merchant's tank could be explored and he further reported that talking with local fishermen, they had not all been positive about the project, and one felt that a better form of conservation would be the introduction of escape gaps in pots. If the IFCA wanted their co-operation monitoring the juvenile lobster reef, they would need to be persuaded of the benefits. The Vice Chairman felt that local fishermen were not needed immediately for the project to start and Dr Jensen confirmed it could be five years before they would be required to assist. He offered to consult the local fishermen as Mr Davies suggested that W2R was not high priority for the IFCA and local support would be required. Some Members felt that the IFCA did not need to be involved at this early stage; once the wreck was in place and monitoring was established, the IFCA could contribute.

**c. Graham Pickett – Bass.** Dr Jensen had been in touch with Dr G Pickett regarding his views on bass recruitment. Dr Pickett felt that the ICES Study Group report dated November 2011 had relied on 1990s data when recruitment had generally been good as winters had been 'warm'; a key feature in the survival and so successful recruitment of post larval/juvenile bass to estuaries, many of which are designated as bass nursery areas. The 'colder' winters of the 2000s had affected the recruitment significantly, but as DEFRA and CEFAS had ceased surveys due to funding cuts there would be no continuation of survey data to learn from. Dr Pickett felt that the population was now in similar recruitment conditions to that of the 1980s when the minimum landing size (MLS) was raised to reduce recruitment overfishing and nursery areas were introduced. In 2007, there had been a proposal to increase the MLS nationally but that proposal got withdrawn at the last minute, allegedly by

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successful trawl fishery lobbying of the fisheries minister of the time. Dr Pickett was of the opinion that, given the changes in winter temperatures through the 2000s and the strength of the science behind the 2007 proposals, increasing the minimum landing size (MLS) to 40/45cm would increase the numbers of fish recruiting into the Channel fishery. Dr Pickett was of the opinion that with the current situation and MLS the commercial sector would see a decline in landings next year, linked to a reduced recruitment caused by 'cold' winters. Dr Pickett suggested encouraging the commercial sector to assist in a tagging program to identify local populations as it was his opinion that some 'site loyalty' could be seen in bass, some fish may return to the same summer feeding grounds each year.

Dr Jensen offered to research the previous papers used when the MS was to be increased in 2007. He hoped that in the future the IFCA environment team would be able to take on a simpler version of the CEFAS Solent bass survey which ended with the 08/09 survey. This could be taken forward, by initially contacting CEFAS for information and briefing notes. Members were of the opinion that increasing bass MLS be a national measure but were happy for Dr Jensen to make further enquiries.

**d. Southern IFCA Byelaw Working Group.** The Deputy Chief Executive reported that there had been two byelaw working group meetings, a south coast IFCA meeting and an MMO national meeting since the last TAC. IFCO Pengelly had summarised the recommendations required before the first tranche of stakeholder consultations could be confirmed. The first group of byelaws to be reviewed contained a range of byelaws to be revoked, ones that needed no alteration, minor alteration of wording, those needing major alteration, new draft byelaws and legacy byelaws inherited from Sussex SFC. They would all have different timelines that IFCO Pengelly would monitor on behalf of the BWG. Six stakeholder consultation workshops had been arranged across the district in June and he hoped to invite all marine users, via the website, through emails and post. The Deputy Chief Executive reported that the workshops would take the form of noticeboards, questionnaires and informal dialog and he hoped that BWG Members would attend their nearest consultation meeting to work with the IFCOs to inform the stakeholders of the review and answer any questions raised. NE had confirmed they would send a representative to each meeting.

**e. Southern IFCA Vessel Update.** Dr Jensen confirmed he had received the keys for the new vessel that week and it would be delivered that evening. The Chief Executive confirmed that the vessel '*Endeavour*' had been finished on time with no holdups. Being a shallow draft vessel it would be very useful in the difficult to reach parts of Poole Harbour. He further reported that Devon and Severn IFCA and the local MMO were interested in collaborating to purchase another vessel that all three organisations would be able to utilise. Further enquiries would be made to see if this would be possible.

### Recommended

33. a. That Dr Jensen contact commercial fishermen to gauge their opposition to the W2R project.
- b. That Dr Jensen continue to investigate the optimum bass minimum size.
- c. That the first tranche of byelaws to be reviewed be confirmed.

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d. That the first round of stakeholder consultations be advertised.

### **Minutes – Poole Harbour Commissioners Liaison Meeting.**

34. The Chief Executive informed Members that the liaison meeting convened once a year but could meet more frequently if required. The Minutes were tabled for those who were unable to attend to view.

### **Resolved**

35. That the PHCLM minutes dated 8 March be received.

### **Bait – Poole Harbour**

36. IFCO Birchenough updated Members on the bait study. The next phase required stakeholder involvement in a working group, made up from bait diggers, draggers, anglers, harbour users and TAC Members. Dr Burton added that she had several contacts already. Some Members felt that the working groups should be divided into east and west or different types of bait collection but IFCO Birchenough stressed that these could come later; initially a larger, nonspecific working group was required to start looking at the general issues. Dr Jensen suggested Members email IFCO Birchenough if they were prepared to participate. Mr Riordan felt that too much legislation and licencing may encourage poaching and IFCO Birchenough explained that this was one reason to include stakeholders in the decision making process.

Members were concerned that a voluntary agreement would not work and Dr Burton explained that the previous voluntary agreement had not engaged stakeholders and this emphasised the need for consultation. She reported that the local council had initiated a draft byelaw but this had not been pursued and NE had concerns regarding the decreasing number of birds and the condition of the European Marine Site. She continued that NE hoped to regulate rather than extinguish bait collection. IFCO Birchenough confirmed that following the working group meeting she would report back to the next TAC meeting.

### **Resolved**

37. That IFCO Birchenough organise a Stakeholder Bait Working Group.

### **Studland Bay – MMO meeting**

38. The Chief Executive informed members that the MMO were the lead authority for the issue of boats mooring in seagrass beds and that the IFCA would offer support where necessary.

### **Resolved**

39. That the report be noted.

### **Seagrass Working Group**

40. Members considered the Seagrass Working Group report produced by IFCO Jury. Dr Jensen praised the quality of the work and the charts produced and Members agreed that IFCO Jury should be thanked for the detailed report. Dr Jensen confirmed that the issue of buffer zones had been decided therefore Members had only to agree the wording for the consultation letter. Members felt that the penalties for breaking the voluntary code should be emphasised in the letter and the Chief Executive suggested adding a paragraph to spell out the consequences of incursion into the protected area. He added that there was a seagrass survey planned for July.

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### **Resolved**

41. That Members approve the changes to the voluntary agreement letter, as set out minute No. 40 above, before it is sent out to stakeholders.

### **Sandown Bay Fishing Activity**

42. The Chief Executive informed Members that IFCO Jury had contacted IOW commercial fishermen for their views following the correspondence from Sandown Bay Protection Society and recreational sea anglers. The Vice Chairman thought the responses had been very candid, detailed and sincere responses. Mr Riordan asked if recreational and commercial stakeholders could be given their own fishing space but the Chief Executive reminded Members that it was not illegal to net in Sandown Bay but the accusations of illegal selling could be investigated with the assistance of the MMO. He offered to continue to monitor the situation. He had received an email from Mr Deeming enquiring if marking of gear could be investigated as the Angling Trust was pushing for each IFCA to introduce pot and net marking similar to that adopted by Northumberland IFCA. Mr Deeming hoped if this was introduced it may avoid false reporting of nets in restricted zones. The Chief Executive said he would contact Northumberland IFCA for feedback. The Vice Chairman reported that commercial sector already mark their gear outside of 12 miles.

### **Resolved**

43. That the Authority's officers continue to monitor the situation and continue patrols of the area.

Mr Mitchell left the meeting.

### **Manila Clam Size**

44. The Chief Executive informed Members that Mr McLeod had copied a letter addressed to the Minister, to the IFCA. Mr McLeod hoped one day to get the minimum size of manila clams reduced to 25mm. The Vice Chairman reminded Members that the EU minimum size was 35mm so no IFCA could bring in a byelaw lower than that size anyway.

### **Resolved**

45. That the correspondence be noted.

Mr Davies, Ms Rance and Mr Horsman then left the meeting and took no further part in the following three items.

### **Exclusion of the Public**

#### **Resolved**

46. That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 4 of Part 1 of Schedule 12(A) of the said Act.

### **Poole Clam Licences**

47. The Chief Executive reported that 21 entitlements for a licence had been offered for the 2011/12 season. Clam returns had been received from all licensees. Six people still needed to take their licence by 30<sup>th</sup> June or they would forfeit their entitlement. They had all been sent reminders. To bring the number of licences back

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to 25, interviews would be held to offer entitlements to the next people on the waiting list.

### **Recommended**

48. a. That those stakeholders that do not take out their licence by 30<sup>th</sup> June forfeit their entitlement.
- b. That Licence Interviews be scheduled for 19 July 2012.

### **Poole Clam Waiting List**

49. The Chief Executive informed Members that the waiting list was still open and now stands at 48. The biennial check had been completed and four people had not replied despite being sent reminders and telephone messages left. Members decided that these people should be removed from the waiting list.

### **Recommended**

50. That Messrs: G Conroy, G Eveleigh, M Stimson and P Stanley be removed from the waiting list.

### **Date of Next Meeting**

51. The next meeting of the TAC would be held on 13 August 2012 in Dorchester.
52. There being no further business the meeting closed at 1630.

Chairman

Date