

# SPECIAL MEETING OF THE WASH MANAGEMENT SUB-COMMITTEE

Minutes of the Wash Management Sub-Committee meeting held on **Tuesday 4<sup>th</sup> July 2006**, at 1030 hours.

## PRESENT

Councillor A Turner	Chairman - Lincolnshire County Council
Councillor D Baxter	Norfolk County Council
Councillor R Bellham	Suffolk County Council
Councillor D Rye	Norfolk County Council
Councillor R Ward	Suffolk County Council
Councillor S F Williams	Lincolnshire County Council
R Brewster	)
R Garnett	)
N Lake	) DEFRA Appointees
C Southerland	)
S Williamson	)
M Yates	)
M R Mander	Clerk & Chief Fishery Officer
D Vaughan	Deputy Clerk & Fishery Officer
J C Stoutt	Environment Officer ) Present by Invitation

## APOLOGIES

Apologies for absence were received from Councillor Bakewell (LCC).

## CLERK'S ANNOUNCEMENTS

The Clerk advised that as the Special Meeting had been called at short notice, but in line with the Committee's Standing Orders, background papers had been provided but some aspects may have been omitted due to the timescale involved.

## DECLARATIONS OF MEMBERS PERSONAL INTEREST

Messrs Brewster, Garnett, Lake, Southerland and Williamson declared an interest in agenda item No 3 on the agenda.

## **WM06/04 MINUTES OF A MEETING HELD ON WEDNESDAY 24<sup>TH</sup> MAY 2006**

Mr Lake disputed having suggested that the Committee should contact English Nature, however, the Clerk advised that the minute did reflect the context of the conversation. These minutes were signed as a true record of proceedings.

## **WM06/05 MATTERS ARISING**

Whilst Mr Lake wished to raise a matter regarding new evidence with regard to the cockle fishery this would have to be discussed at the next scheduled meeting of the Wash Management Sub-Committee as only the matter in question should be discussed at a 'Special' meeting.

**WM06/06 DISCUSSION RE OUTSIDE VESSELS COMING INTO THE WASH TO PURSUE THE DREDGE COCKLE FISHERY AND MEASURES TO DEAL WITH THE SITUATION**

The Clerk gave members a brief summary of the situation. There were two issues to be discussed, firstly correspondence received from the MOD regarding possible contravention of Health & Safety by vessels fishing on the bombing range. Secondly the matter raised by three committee members regarding the issue for Wash Fishery Order licences.

Members chose to consider the matter of fishing with the bombing ranges first. Whilst members acknowledge that if MOD refused to permit fishing on the ranges it would be necessary to identify an alternative source of cockles for dredging they also felt the Health and Safety issue lay with the MOD and they were responsible for monitoring the situation and enforcement of it not ESFJC.

**It was Resolved that the Clerk should write to the Commander of the Range and request an 'urgent' meeting at which the Clerk, Chairman of the Sub-Committee and Chairman of full Committee would be present, in order to put forward the case that fishing had been taking place for centuries, dredging had been taking place on the ranges since 1986 and no problems had occurred in that time, in the hope that the decision regarding fishing on the ranges could be reviewed.**

**Proposed: Councillor Williams**

**Seconded: Councillor Bellham**

Mr Lake requested that Appropriate Assessments be carried out on other areas of the Wash which could potentially be used for the dredge fishery in the event of the MOD refusing access to the bombing range.

Since the Wash Fishery Order had been in place it had been necessary to hold a Licence Entitlement before it was possible to apply for a licence to fish for prescribed species in the Wash. As a matter of course the level of Licence Entitlements had been capped at 68. Over a matter of time some vessel owners had moved away from the industry but managed to maintain their licence by taking out a nominally priced licence once every two years. Others were maintaining multiple Licence Entitlements but only owned one vessel, which was completely legal by swapping the licence between Licence Entitlements when it was due for renewal. Licence Entitlements of this nature which were merely being 'maintained' rather than actively used had in the past not caused a problem to the fishery. However, with the opening of the cockle fishery in July there had been a number of vessels from outside the district brought in to be used against these 'sleeping entitlements'. This was a cause of concern to local industry members who were concerned that these outside vessels could be securing a history of fishing and would qualify for future Licence Entitlements rather than local individuals. The Clerk acknowledged that the arrival of vessels from outside the area was occurring but the licences which were being issued met with all the criteria laid out in the Wash Fishery Order, namely the Licence Entitlement holder was a majority shareholder of the vessel and the vessel had a valid Defra fishing licence.

Whilst the Clerk was satisfied that all laid down criteria were being met he still felt there were issues within the Wash Fishery Order regarding the maintaining of licence entitlements which needed to be addressed. For example he felt it should not be possible to hold two entitlements but only own one vessel, this was effectively stopping someone else taking part in the fishery. The Clerk also felt there was some merit in the concern amongst local industry members, regarding fishermen from outside the area fishing on these vessels and gaining pre-qualification to apply for an entitlement to fish within the Wash.

Members considered various aspects of the Wash Fishery Order but were unable to

identify an area which could prevent these vessels and their crews being brought into the Wash when the paperwork for these vessels met the criteria laid down by the Order.

Councillor Rye questioned why these vessels wanted to fish in the Wash and considered it a failing on the part of the Committee in the way they were managing the fishery. Mr Lake agreed with this and expressed his concern that the Committee had only listened to one section of the industry when they were setting management measures for the cockle fishery. He felt this section were now displaying a selfish approach to those vessels unable due to their shape, to be able to take part in the handwork fishery. Mr Lake also added that the reason these entitlement had been reactivated was due to the Committee only permitting one small corner of the Wash to be available to dredging which contained small cockles. This took away the fishermen's ability to hunt for sizeable cockles. This had meant that the only way to be able to sell the small cockles was with a trade off with larger cockles from outside the district. This trade off involved use of the sleeping licences being given to the outside vessels in exchange for a guaranteed sale of the smaller cockles. He also advised that the reduced quota meant the cost to the processor was increased, as lorries were traveling half full and cleaning costs remained the same for one tones of cockles as for 100 tonnes. Mr Lake also questioned those members who had called this meeting being critical of outside vessels when they, themselves, fished in other districts. Mr Brewster responded to this by advising that he was issued with a permit to fish in the Thames but he did not fish inside the regulated fishery. He also emphasised that the Committee were responsible for maintaining a sustainable fishery not for ensuring the processing costs were viable.

Mr Bellham became concerned that the members, rather than hearing the views of the industry as a whole were being given a display of two sections of the industry arguing.

Councillor Williams questioned whether it was possible to limit the number of licences issued in any one season. The Clerk acknowledged this was possible, although it had never been done before, he was also concerned at how the Committee would decide who could and who could not have a licence.

Having discussed the matter further it became obvious that some form or review of the Wash Fishery Order Regulations was necessary. The members, who had specifically called the Special Meeting, acknowledged that it was unlikely to have any revised management measures in place during the current cockle season.

Mr Williamson asked the Clerk what was meant by a 'sleeping' licence. The Clerk advised this was a matter of terminology but referred to licences which had only been maintained in recent years not those which had simply not fished for a season.

**It was Resolved that the Sub-Committee instruct the Clerk to undertake a review of the administration process by which, Wash Fishery Order 1992 licences and entitlements are managed. The industry's views would be sort with regard to the review.**

**Proposed: Councillor Williams  
All Agreed**

**Seconded: Councillor Bellham**

#### **WM06/07 MATTERS ARISING**

Mr Lake informed members that the Public Inquiry regarding eider ducks on the lays had taken place over four days, and he wished to congratulate the ESFJC team for their profession approach. He felt sure the lay holders would not have got so far without the input of ESFJC.

There being no other business the meeting closed at 1145 hours.