

# WASH MANAGEMENT SUB-COMMITTEE

Minutes of the Wash Management Sub-Committee meeting held on **Wednesday 24<sup>th</sup> June 2009**, at 1030 hours.

## PRESENT

Councillor A Turner	Lincolnshire County Council	
Councillor S Williams	Lincolnshire County Council	
Councillor R Ward	Suffolk County Council	
R Brewster	DEFRA Appointee	
R J Garnett	DEFRA Appointee	
N A Lake	DEFRA Appointee	
C Southerland	DEFRA Appointee	
S Williamson	DEFRA Appointee	
M Yates	DEFRA Appointee	
M R Mander	Clerk & Chief Fishery Officer	
Conor Donnelly	Natural England	)
Duncan Vaughan	Deputy Clerk & Fishery Officer – ESFJC)	)
Collette Clarke	Defra - IFCA Implementation Officer	)
R W Jessop	Senior Research Officer - ESFJC	) Present by Invitation
J C Stoutt	Marine Environment Officer	)
I G Dye	Fishery Officer - ESFJC	)

## APOLOGIES

No apologies for absence were received.

## CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Dr Clarke to the meeting. She advised members that she had worked for Defra for the previous 10 years, her current role being to assist the IFCA Implementation Team by working with specific Sea Fisheries Committees to ensure a smooth transition from SFC to IFCA.

## DECLARATIONS OF MEMBERS' INTERESTS

Messrs Brewster, Lake, Garnett, Southerland and Williamson declared interests in the items on the agenda as they were WFO Entitlement holders.

## WM09/12 MINUTES OF THE WASH MANAGEMENT SUB-COMMITTEE MEETING HELD 27<sup>th</sup> MAY 2009

There were no matters arising. Members agreed to sign the minutes as a true record of proceedings.

## WM09/13 PRESENTATION ON THE SPRING COCKLE SURVEYS BY THE SENIOR RESEARCH OFFICER AND TO CONSIDER AND AGREE THE MANAGEMENT MEASURES FOR THE 2009/2010 COCKLE FISHERY IN THE WASH.

The Senior Research Officer presented the results of the cockle surveys which had been carried out to assess the stock for the 2009 cockle fishery. Members were advised that the surveys had been started one month later than usual in order to reduce the potential

difference in stock levels between the time of survey and the commencement of the fishery. There were concerns that growth during this interim period could significantly affect the results, but analysis of the data indicated that there had not been a significant increase to the stock biomass that could be attributed to this delay.

During the course of the 2009 spring cockle surveys, 1,314 sample stations were visited over a total of 21 beds. In summary, the total stock of adult and juvenile cockles within the surveyed areas had been calculated as:-

Total Adult Stock ( $\geq 14$ mm width)	8,395 tonnes
Total Juvenile Stock ( $< 14$ mm width)	14,024 tonnes
Total Stock (all sizes)	22,419 tonnes

These figures were lower than those found in 2008, when the total stock was 29,283 tonnes, but were higher than had been anticipated following a large die-off of cockles during the summer of 2008. This was partially due to a good settlement of 2008 year-class spat on some of the higher sands and the inclusion of a dense patch of cockles located on the Dills sand in an area falling outside of previous surveys.

The only area identified during the surveys that could potentially support a dredge fishery, without causing significant disturbance to juvenile stocks, was the northern part of Black Buoy sand, including the area known locally as the Dills. This bed was found to support 2,280 tonnes of marketable sized adult cockles ( $\geq 14$ mm width) and 1,142 tonnes of smaller cockles ( $< 14$ mm width). Of these, 1,775 tonnes of the marketable cockles and 919 tonnes of the smaller cockles were on the Dills sand. Foot surveys on this bed found the smaller cockles were present in high densities in the middle of the bed, whilst the larger cockles were present around the edges in lower densities. This area had already supported a handwork fishery over the previous few months, with as many as 29 vessels exploiting the stocks at any one time.

The Clerk then advised members on the consultation process which had taken place regarding the management measures. Consultation on all key measures took place with all Wash Fishery Order (WFO) Entitlement Holders. This was followed by an industry meeting attended by representatives from local fishermen's associations.

Consultation with the WFO Entitlement holders had resulted in representatives of 50 WFO Entitlements providing their views. 29 individuals, representing 40 WFO Entitlements had responded in favour of handworking only, compared to 2 individuals representing 10 WFO Entitlements who voted for a significant dredge fishery. In comparison, the industry meeting discussed the possibility of opening the dredge fishery on 1<sup>st</sup> August, the outcome was a vote of 5 in favour of a dredge fishery, 3 against and 1 abstention. Councillor Ward questioned what effect a dredge fishery would have on the quota. The Clerk advised that one of the reasons for the strong representation in favour of the handwork fishery was that the dredge fishery would quickly deplete the TAC whilst the handwork fishery would enable the industry to fish over a longer period. Mr Brewster agreed with this sentiment and added that a handwork fishery would also allow the smaller cockles a chance to grow, rather than dredging small cockles which there was no market for.

Mr Lake felt there was a problem. In his opinion Natural England had demonstrated their willingness to prosecute individuals engaged in fishing activities that caused damage to the Wash SSSI site. The ramification of which was that Mr Lake felt that his vessels could not risk involvement in the handwork fishery due to his fear of being taken to court again and were tied up. Mr Lake did not believe that his vessels currently involved in such litigation with Natural England had done any damage compared to that caused by 'blowing out' (which was the method he believed was being used in the handwork fishery). Mr Lake questioned Mr Donnelly on whether or not 'blowing out' was legal or not.

Mr Donnelly advised that blowing out was damaging to the site and was not allowed under the agreed Wash Fisheries Management Policies. He did not believe the Handwork fishery activities could be described as blowing out. He advised that it was his understanding that the ESFJC Officers kept a close eye on the fishery and the fishermen themselves knew that 'blowing out' was both damaging and wasteful. It was Mr Donnelly's belief that the fishery was closely monitored and he felt that it was distracting to raise this issue at this stage.

Mr Lake insisted that he needed the situation clarified. If his vessels went to sea and blew out cockles, leaving ridges of cockles, without using an anchor would he be fishing illegally? Mr Donnelly advised that blowing out was illegal.

The Senior Research Officer advised that there was no evidence anybody was using an anchor to blow out cockles as had been done in the past. The current method of fishing removed the top layer of sand from the cockle beds but did not result in significant ridging. The Clerk stated that in his opinion, 'modern' handworking did not cause excessive disturbance to the fishery, if this were the case the fishery would be closed. He also added that the agreed decrease in the daily quota dramatically reduced the incentive to 'blow out' a lot of cockle as only two tonnes could be taken. The Clerk believed the industry had adapted the practice to ensure they maintained a fishery with minimal damage.

Mr Donnelly advised that if there was concern then perhaps the method of fishing would have to be clarified in the Appropriate Assessment. The Clerk did not believe the disturbance was excessive or long lasting and by skimming the top layer of sand from the area to be fished resulted in fishermen spending less time on the beds.

Mr Brewster agreed with the Clerk's interpretation and advised that the layer of sand was back on the bed by the next day. He felt if there was any concern about this method of fishing then it would also be necessary to review the damage caused by dredging as that also removed the sand but covered a far greater area than a handworking vessel.

Mr Lake continued to dispute the legality of handworking and felt it was a spin off from the original blowing out, he felt there should be an Appropriate Assessment carried out for the new method of fishing. Mr Lake then asked Mr Donnelly whether his vessels could go to work if they blew out using the propeller. Mr Donnelly responded that providing the vessels obeyed the rules and regulations of the Committee, which had been through an Appropriate Assessment, then there would be no need to worry about being prosecuted by Natural England.

The Clerk added it was not carte blanche for fishermen to do as they liked but if everybody continued being responsible and minimised the disturbance to the seabed then there should be no problems.

Mr Lake questioned again whether his vessels could fish by doing what every other vessel was doing, to which the Chairman responded they could providing they were not bending the rules.

After further consideration of the issues and minded of the results from the consultation members agreed to following Management Measures for the 2009/2010 cockle fishery:

**Handworking Only**

**All Sands open to fishing.**

**TAC: 2,666 tonnes**

**Operating 7 days / week**

**Opening date 1<sup>st</sup> July – subject to Appropriate Assessment by Natural England**

**Proposed: Councillor Ward**  
**All in favour**

**Seconded: Councillor Williams**

Mr Lake requested that he be sent a copy of the Appropriate Assessment.

There were no other matters of urgency. Mr Yates congratulated the Senior Research Officer on the quality of the survey works and the presentation. The meeting closed at 1115 hours.