

# WASH MANAGEMENT SUB-COMMITTEE

Minutes of the Special Wash Management Sub-Committee meeting held on **Wednesday 25<sup>th</sup> February 2009** at 1030 hours.

## PRESENT

Councillor S Williams	Lincolnshire County Council	
Councillor Baxter	Norfolk County Council	
Councillor D Rye	Norfolk 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	
M Yates	DEFRA Appointee	
M R Mander	Clerk & Chief Fishery Officer	
Judith Stoutt	Marine Environment Officer	)
Ron Jessop	Senior Research Officer – ESFJC	) Present by invitation
Andrew Harwood	Research Officer - ESFJC	)
Duncan Vaughan	Deputy Clerk & Fishery Officer - ESFJC)	

## APOLOGIES

Apologies for absence were received from Councillors Bakewell (LCC) and Turner (LCC) and Mr Williamson (Defra Appointees).

## DECLARATIONS OF MEMBERS' INTERESTS

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

### **WM09/01 MINUTES OF THE WASH MANAGEMENT SUB-COMMITTEE MEETING HELD ON 3<sup>RD</sup> DECEMBER 2008**

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

### **WM09/02 CLERK'S REPORT ON NATURAL ENGLAND'S RESPONSE TO THE RG3 & 4 LAY APPLICATIONS AND CONSIDERATION TO GENERAL LAY INTENSIFICATION CONCERNS**

Members were reminded that at the previous meeting of the Wash Management Sub-Committee they had agreed to grant the application of two lays, subject to a favourable response being received from Natural England. Having received the Appropriate Assessment relating to the two lays Natural England had responded that they believed the lays would have an adverse affect due to the effects of smothering. ESFJC Officers considered the area in question and did not believe that smothering would be an issue, they therefore wrote to Natural England stating they did not believe smothering was a reasonable argument to oppose the creation of the lays. Natural England's further response was to object to the lays on the grounds that the general intensification of lays in the Wash, particularly in areas such as the Roger / Toft sand created a number of potential adverse impacts. These included potential smothering, and reduced food availability. Officers agreed that if the amount of shellfish in the area was high then food availability may affect

the lay mussels as well as other naturally occurring bivalve stocks.

*At this point Mr Southerland arrived.*

Having received the unfavourable advice from Natural England, the Clerk had to enquire whether the Committee now wished to change their decision with the regard to lays RG3 & 4. Cllr Ward expressed concern that Natural England could dictate what the Committee did with regard to the fisheries and questioned who was in charge. The Clerk responded that as Grantees of the Several Order the Committee was responsible but it was important to ensure conservation advice from Natural England had been taken into consideration. It was acknowledged that it may not always be possible to agree with Natural England. Councillor Williams felt that as the Committee had no evidence to refute Natural England's advice then the advice must be taken on board and acted upon until such a time as evidence was available to dispute Natural England's advice.

**It was Resolved to support the advice received from Natural England and the lay applications for RG3 & 4 should not be granted.**

**Proposed: Councillor Williams**

**Seconded: Councillor Baxter**

**3 votes in favour**

**1 abstention**

**4 members declared an interest and could not vote**

Mr Lake acknowledged that he had previously raised concerns about the level of food supply available in the Wash, however he did not believe lays were at fault, he felt the numbers of razor fish in the Wash were causing the problem. He advised members that a significant number of cockles had died on Daseleys sand where there was no lay ground, but razor fish were present. Mr Lake felt a razor fish survey should be carried out to calculate the amount of stock in the Wash. He believed that rather than putting effort into processing lay applications, which could be turned down by Natural England, the resources should be spent on carrying out razor surveys.

The Clerk felt it was a possible that lay mussels contributed to the overall in-combination effect and effort should be put in to working out a solution to the problem. The Clerk acknowledged processing lay applications was resource intensive but he felt it may not be necessary to suspend all lays. It may be possible to make shorter lease arrangements so that lays which could be deemed to be affecting the food supply could be taken back at the end of the lease term. It was also possible that Officers could consider lay applications on arrival and using their knowledge of stock levels could decide whether NE were likely to turn down a lay on the grounds of smothering or over population in which case they may take the decision not to proceed with the lay application.

The Chairman felt it might be more sensible to suspend all lay applications so that the Officers could spend more time carrying out a food availability study.

Members questioned how long it was likely to take to complete the study. The Clerk advised that in order to get sufficient data to use as a management tool it would take at least a year. Councillor Baxter questioned whether it would be possible to run a study of razor fish in parallel with the food availability study.

The Clerk advised that it would be possible to carry out surveys in line with the Food Availability Study, but he still felt lay applications could be considered, but survey work could be put first, meaning lay applicants would be told it may take 6 months to process their application. Councillor Williams felt it was likely NE would turn the lay applications down so it would be a waste of Officers' time working on the lay applications until the study was complete.

Mr Garnett was concerned that lay applications may be put on hold as he felt it seemed unfair to stop individuals having small areas when some fishermen already had large areas

of lay ground.

Mr Lake was concerned what action would be taken if it was proved that the lays were having an effect on the food supplies. The Clerk advised that all lays currently have a 10 year lease, if it was proved the lays were at fault it may be that at the end of that period that either a shorter term lease would be issued or it may be the situation was so bad the leases were not reissued.

Having discussed the matter in detail Councillor Williams put forward an amendment to the proposal put forward by the Clerk in the papers.

**It was Resolved not to process any more lay applications until such a time sufficient evidence was available to determine the impact of lay mussel cultivation on the naturally occurring shellfish stocks.**

**Proposed: Councillor Williams**

**Seconded:**

**Councillor Baxter**

**3 votes in favour**

**2 votes against**

**4 members declared an interest and could not vote**

It was clarified that any lays which were already being processed would continue but new applications would not be dealt with.

**WM09/03 SENIOR RESEARCH OFFICER'S REPORT ON THE PROPOSAL TO INVESTIGATE PRIMARY FOOD PRODUCTION IN ORDER TO ASSESS THE CARRYING CAPACITY OF THE WASH.**

The Senior Research Officer advised members on the stock levels and how the loss had been greater than expected through the natural 'ridging out' mechanism caused by competition for space as the cockle grew. Losses had continued throughout the summer and autumn of 2008 and Officers had noticed cockles even in low density areas were on the surface and gapping, they appeared to be in a weak condition with poor meat as though they were starving. Members were advised this condition could be caused by disease, starvation or a combination of factors which could be causing stress. However the Senior Research Officer wanted to assess the situation and proposed to begin by assessing the available food levels.

It was noted that the available food could have been affected by several factors, such as high stock levels, cleaner rivers, or coastal squeeze. The Research Team intended to begin by assessing the phytoplankton levels around the shellfish beds and further out to sea. This would be done by monitoring the levels of Chlorophyl *a*. It was anticipated that after one year seasonal trends would be detectable and it should be possible to pick up spatial problems where there may be deficiencies. Following the first year's study if problems were identified with the Chlorophyl *a* level, it may be possible to carry out further work and look in to the carrying capacity. This would be more complex and would require additional survey work to assess what feeds on what.

Councillor Williams questioned whether the samples which were already collected for DSP testing were also tested for agrochemical levels. Whilst they were not tested currently it was hoped that Cefas would provide some backing for the project and provide analysis of samples. It was also hoped that the Environment Agency would become involved.

Members expressed concern about having nothing to compare the results to as well as making sure the razor fish population was recorded. Mr Lake also requested that the water coming from the river near the new paper plant in King's Lynn be tested prior to the plant going on line as well as once it was fully operative.

**It was Resolved that the Officers should proceed with the study to investigate primary food production in order to assess the carrying capacity of the Wash.**

**Proposed: Councillor Baxter**  
**All Agreed**

**Seconded: Councillor Williams**

**WM09/04 CLERK'S REPORT ON THE TRANSFER OF A WASH FISHERY ORDER 1992 LICENCE**

**It was Resolved that the WFO Licence Entitlement should be passed from father to son as requested.**

**Proposed: Councillor Baxter**  
**All Agreed**

**Seconded: Councillor Williams**

**WM09/05 ANY OTHER BUSINESS**

Councillor Baxter advised that Norfolk County Council did raise a strategic objection to the proposed windfarm at Docking Shoal.

There being no other business the meeting closed at 1125 hours.