

Success Criteria: 4, 5 and 6

By: Chief IFC Officer

To: Kent and Essex Inshore Fisheries and Conservation
Authority – 19 May 2015

Subject: **SEA BASS MANAGEMENT**

Classification: Unrestricted

Summary: to update Members on the progress made on the management of
bass stock

Since our last meeting a bass technical panel was held in Gravesend to discuss in more detail KEIFCA's part in developing bass management measures in a response to ICES advice. Notes of the technical panel meeting are provided as Appendix 1. The issue of bass management is ever evolving and on 25th March 2015 a 3 bag limit on recreational fishing was introduced. The introduction of a recreational bag limit raises a number of issues that need to be clarified and we are working with Defra and the MMO to help provide clear advice for all those that could be affected by this new management measure. The technical panel discussed the proposed approach by KEIFCA and recommended that officers develop draft consultation documents for one site for the Authority to discuss and approve, before documents are developed for the rest of the sites.

As you will see from the technical panel notes representations were made by local fishermen. We have since the meeting received a letter from Mr Paul Gilson wishing to make comment which is provided as Appendix 2

Since the technical panel meeting IFCAs and the MMO have met with Defra on 7th May 2015 to discuss bass management measures. One of the outcomes of this meeting was the possibility of Defra reviewing and updating the current bass nursery area Statutory Instrument (SI). Although no firm commitment could be made as to this position, there would be significant benefits of an updated SI as this would enable some of the current loopholes to be addressed, create the possibility of new sites being designated along the English east coast (in the KEIFCA district) and help achieve a consistent coordinated approach across the geographic extent of bass stocks.

In the light of this possibility, the work and emphasis of KEIFCA changes from one of leading the process with Eastern IFCA, to one of helping support the process and working with Defra to develop an evidence base and an appropriate consultation. As requested by the technical panel we have developed the consultation documents, however we need to be clear on what we would be consulting people about and the possible management measures that could be introduced. A bass nursery area under an SI would potentially ask different questions and have different management options and emphases to those we have scoped out in our work. For this reason it is suggested that we try and synchronise our efforts with Defra and use the work we have completed so far to influence and scope this process.

Evidence pack

The evidence pack is split into two with an easy to read flyer/handout that communicates the main points and a more detailed site by site scientific summary on our website. The flyer/ handout aims to try and raise the profile of this issue and encourages interested parties to attend a local meeting or to visit the website for more information and to fill in the questionnaire and take part in the process.

Questionnaire

The questionnaire (Appendix 3 and 4) aims to try and gather as much information as possible about the fishing that takes place on each of the sites from both anglers/ recreational and commercial fishermen and assess any possible impacts management might have on them. As well as giving a voice to local views and developing evidence for any potential impact assessment, the questionnaire also helps create a two way dialog for fishermen to engage with the IFCA.

Web resources

Efforts will be made to try and develop an easy to use but comprehensive web resource.

Medway nursery area proposal

Background to the fisheries management in the Medway

Rochester Oyster & Floating Fishery (ROFF) is a trade guild in the Medway Unitary Authority which exercises rights in the Medway for floating fish, and dredging for oysters. In effect, ROFF can exercise rights to control the trawling and netting activities in the river as well as fishing of oysters.

Every year ROFF hold an Admiralty Court where 'Presentments' (management proposals) are then considered and approved by the court. The Registrar and the Mayor with the Councillors are a committee of the Council and they undertake and enforce the decisions of the Court. Each year water bailiffs are appointed and receive warrants from the Mayor.

KEIFCA and ROFF working together on nursery areas

Since the issue of bass management has started to gather urgency, KEIFCA officers have started to have discussions with ROFF about nursery areas and the importance of intertidal margins and saltmarsh for small fish and wider stocks as well as the current decline in bass stocks. The result of these discussions has

led to a proposal to work together to create a no-take nursery area on the north side of the river Medway (Fig.1- area in blue North of the buoyed channel) where no fishing would be permitted to take place thus creating a very effective nursery area. This area is prime nursery habitat for a wide range of small fish. Creating a nursery no-take area would not only provide a valuable nursery ground for bass but it would also help a wide range of other KEIFCA key species.

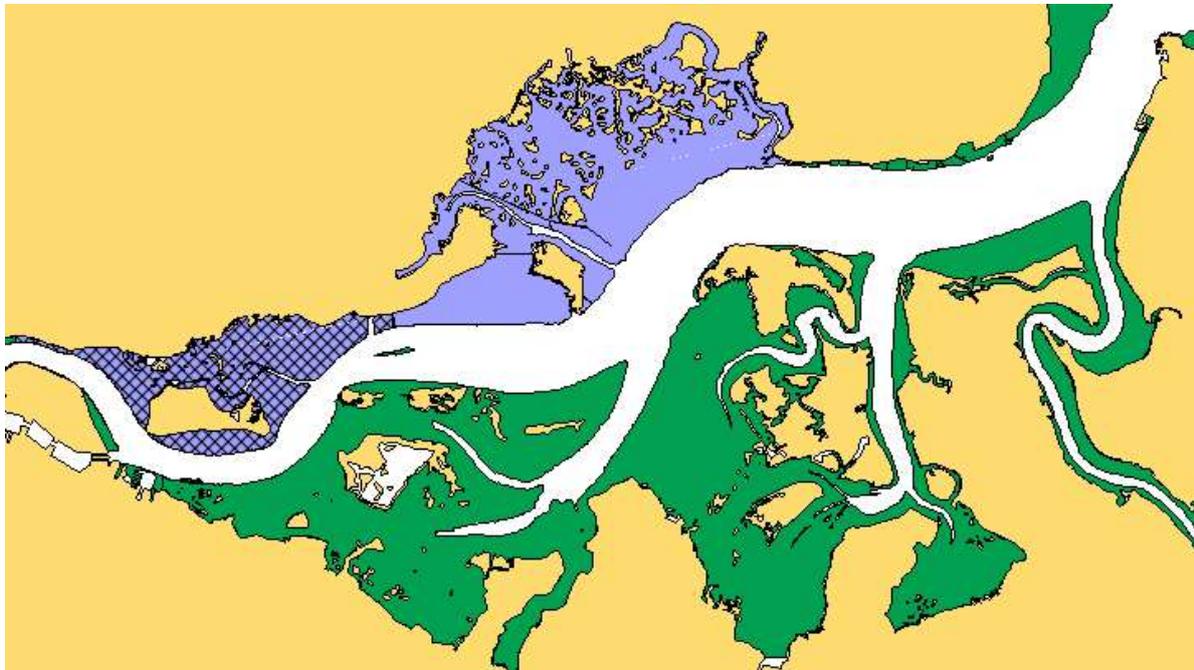


Fig.1 Chart highlighting potential no-take nursery area in the Medway in blue. The exact coordinates would need to be discussed in more detail with ROFF. The hatching is the equivalent area of Lundy, currently the other no-take area in the UK.

The proposal would be for ROFF and KEIFCA to use our powers and resources to work together to manage and patrol this site. ROFF have agreed in principle to use their powers (by making a presentment at their court) to stop fishing in this area, and under a byelaw KEIFCA could use its slightly wider powers to do the same. One of the areas identified for immediate collaboration is to help the Environment Agency continue their small fish surveys of the Medway with ROFF and KEIFCA both offering their support and manpower to keep this annual survey going.

Potential byelaw wording for managing the nursery area

In developing a byelaw it is suggested that KEIFCA would have an annual review of the nursery no-take area byelaw with ROFF. This process would help legislate and work with the rights of ROFF as well as tie-together a long-term management partnership for the site. The potential proposed wording for managing this area would be:

- No person shall fish for sea fish within any specified area of the River Medway (Fig.1- area in blue).

- No person shall have in their possession any fishing gear within a specified area (Fig.1- area in blue) unless that gear is stowed or stored in a manner in which it may not easily be deployed.
- Any sea fish which is found in the possession of any person within a specified area shall be deemed to have been taken from that specified area (Fig.1- area in blue).
- This byelaw does not apply to a person performing an act which would otherwise constitute an offence against this byelaw, if that act was carried out in accordance with a written permission issued by the Authority permitting that act for scientific, stocking, breeding or fisheries management purposes.
- The provisions of this byelaw are without prejudice to any right of Several Fishery, Act of Parliament, Royal Charter or other rights that exist within the District as referred to in Section 6 of the Sea Fisheries Regulation Act 1966.

Timing for introducing management

ROFF intend to make this presentment at their next Admiralty Court meeting on 20 June 2015, with the site receiving their protection from then onwards. If the Authority was minded, KEIFCA officers could prioritise this work and aim to present a byelaw to the Authority as soon as possible. The steps involved in developing such a byelaw would be:

1. Hold a meeting/work with ROFF to discuss possible byelaw, wording and an effective fisheries management partnership.
2. Hold a meeting with anglers and other users to discuss their thoughts, possible byelaw options and wording.
3. Discuss byelaw and wording at technical panel (mid-July 2015).
4. Depending on the recommendation of the Technical Panel and timing either bring to the next quarterly Authority meeting or hold an extraordinary meeting to make the byelaw.

Summary

In the light of the possible review of the Bass nursery area SI and the opportunity to develop a no-take nursery area in the Medway, it is proposed that we prioritise the Medway nursery area work and look to work with Eastern IFCA and Defra to develop an evidence base and consultation material for any review.

We are thus suggesting to hold a technical panel meeting in late June/ July 2015 to discuss and agree wording of a Medway nursery area byelaw and invite Defra and Eastern IFCA to discuss how IFCA's could be involved in a bass nursery area SI consultation and give feedback to any possible evidence and consultation material.

Recommendations:

- Agree and accept the technical panel notes
- Prioritise work on a nursery area in the Medway
- Work with Eastern IFCA and Defra to develop an evidence base and consultation material
- Hold a technical panel meeting by July 2015 to:
 1. Discuss and agree the wording of a Medway Nursery Area byelaw;and
 2. Discuss with Eastern IFCA and Defra how IFCA's can be involved in any SI consultation in relation to bass nursery area and give feedback to any evidence and consultation material