

7 January 2016

Appendix 2 to Agenda item B3

NOTES of a Technical Panel meeting of the **KENT AND ESSEX INSHORE FISHERIES AND CONSERVATION AUTHORITY** held in the Council Chamber Gravesham Borough Council, Civic Centre, Windmill Street, Gravesend, Kent on 7 January 2016 at 11am

Present: Cllr J Lamb (Southend BC), Mr J Nichols (MMO), Mr A Rattley (MMO), Mr P Wexham (MMO), Cllr P Channer (Essex CC), Cllr H Tejan (Medway Council), Ms S Allison (MMO), Ms B Chapman (MMO), Mr E Hannam (MMO), Cllr M Harrison (Kent CC)

Apologies: Dr L Fonseca (MMO), Cllr A Wood (Essex CC), Ms I Chudleigh (NE)

In Attendance: Mr P Wickenden (Clerk), Dr W Wright (CIFCO), Dr J Heywood (LSCO), Mr A Senechal (IFCO), Mrs K Woods (Admin Assistant), Mrs D O'Shea (Office Manager)

By Invitation: Mr D Palmer (Cefas), Mr P Hollyman (Bangor University), Ms M Jack (Queen Mary University/NE), Mrs M Hackett (Defra), Mr L Godwin (EIFCA), Dr S Ashworth (SxIFCA), Mr C Hubbard (SxIFCA)

Also Present: Mr M West (West's Seafoods), Mr M Smith (MWS Ltd/SBT Ltd), Mr M Gosman, Mr L Turner

The meeting opened at 11.05am, chaired by the Vice Chairman Mr Nichols as the Chairman had been delayed. Cllr Lamb joined the meeting at 11.10am and took over Chairmanship.

The Technical Panel met to review the technical specifications of the KEIFCA Whelk Permit Byelaw that was introduced in 2013. The 3 year review required under the terms of the Byelaw would consider the number of pots allowed to be set, the number of escape holes in these pots, the size of the escape hole diameter and the size of the riddle. These decisions would take into account new research into whelk populations that had been undertaken and analysis of the KEIFCA whelk fishery. Data would be presented from industry, scientists and regulators to enable options for management to be discussed and to make recommendations to the full IFCA

Declaration of Interests:

Mr J Nichols declared a personal interest as Chairman of Thanet Fisherman's Association

Documents were laid around the table:

- an email together with photographs from Mr Graham West
- summary of results of whelk permit questionnaire

Key Points considered by the meeting

The Panel were provided with a number of presentations:

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Dr Jane Heywood (Lead Scientific and Conservation Officer (KEIFCA)) on the background of the Whelk Permit Byelaw and research undertaken by KEIFCA and Queen Mary's University on whelks.

- The current number of pots allowed on one permit stood at 300 for a commercial permit and 10 for a recreational one. Two escape holes were required to be placed in the pots at a size of 22mm and all whelks were required to be passed through a riddle set at 22mm.

In 2013, when the Byelaw was made, little had been known about the stocks and biology of whelks in the district. Since 2013 the IFCA had been working with partners to gain evidence to support management decisions. Stock management assumed losses from natural mortality, predation from other species and by being fished. The IFCA knew the proportion that were fished by reference to the catch returns submitted monthly by permit holders but did not know the quantity of the other losses.

Research carried out by a Masters student from Queen Mary University showed that Whelks were genetically different in Essex and Kent and that the size they matured at ranged from 42mm to 64mm. The panel were reminded that the current EU Minimum Landing Size (MLS) for whelks was 45mm. This suggested that a lot of whelks that had been fished had not had the chance to spawn. Cefas had ran some models which showed the current fishing effort was not sustainable. Whelks had been taken from the fishery that had not had the chance to reproduce which would affect the future fishery.

Phil Hollyman (PhD student Bangor University) on the development of new aging methods for common whelks.

- Aging of whelks was important if age based stock assessments needed to be conducted. Whelks were difficult to age as unlike most shellfish they did not show annual growth rings. Previous studies had used the operculum to age them but these were difficult to make out and only about 20% could be seen. It had now been established that the statolith within the whelk could be used to age it as it had banding patterns within it showing annual growth lines. This could allow the assessment of population structure to be undertaken.

Dave Palmer (Cefas) on the work carried out on whelk stock assessments

- Three years ago Cefas had begun a research and development project, funded by Defra, to look at the size of first maturity in whelks. This has been divided into two parts with one to look at fishery assessment methods for data limited species. Whelk potting was widespread outside of IFCA districts with concern that if an area where beam trawlers operated in the North Sea was designated could result in those vessels increasing the amount of pots they set. Cefas staff were being trained to work with IFCA's to allow them to age samples on their behalf. A workshop held in October 2015 looked at stock separation together with use of statoliths for age and growth. They believed that they now had a method where they could confidently age whelks. Cefas have also been looking at a method of measuring natural mortality.

Luke Godwin (Eastern IFCA) on the Eastern IFCA whelk permit byelaw

- An emergency byelaw had been in place for one year following a significant increase in effort. Landings had increased in 2013 up from 200 tonnes to 1900 tonnes. In 2013, 22 vessels were fishing for whelks and this had increased in 2014 to 39 vessels. Eastern IFCA considered the MLS too low and had set their MLS at 55mm. Formal consultation had just finished for their permanent byelaw. Their technical requirements were set as
 - 500 pots
 - MLS 55mm
 - Escape holes set at 24mm
 - Catch returns
 - Riddle set at 24mm

Sean Ashworth (Sussex IFCA) on the Sussex IFCA shellfish permit byelaw

- SxIFCA had introduced a shellfish permit byelaw that incorporated regulations for whelks. Catch per unit effort (CPUE) had declined resulting in an increase in effort to provide the same returns. In 2013, 22,000 tonnes had been landed indicating a downward trend; in 2007, 35,000 tonnes were landed. Sussex IFCA covered an area from Eastbourne to Southsea, a distance of approximately 80 miles. At Eastbourne whelks were mature at 56mm but at Southsea this was 60mm for males and 58mm for females. Their technical requirements were set as:
 - 300 pots within 3nm; total of 600 pots within 3-6nm
 - Catch data returns
 - Riddle set at 25mm

Alex Senechal (IFC Officer (KEIFCA)) on the management of the Normandy and Jersey whelk fishery

- In 2001 total landings for this fishery had been 12,000 tonnes. Because of an increase in effort CPUE dropped and legislation was introduced to reduce the quantity that could be landed to 900 kilos per day and to reduce the number of licences issued. Current landings are 6000 tonnes pa. This fishery is managed by areas with a current limit on vessels involved of 70. Under 12m vessels only are allowed to fish with up to 3 crew for which pots are assigned and 900 kilos per day landed. The fishery is opened Monday to Friday with no bank holidays and closed in January as it is believed this is when the whelks reproduce. This allows for a maximum of 220 days possible working each year. For the Normandy area, all whelks are riddled at 22mm with a 45mm MLS, although the French authorities have agreed that this did not allow for maximum sustainable yield (MSY) and for sexual maturity to be reached. For Jersey the MLS is set at 50mm.

Katie Woods (Administration Assistant KEIFCA)) on the Kent and Essex whelk fishery

- During the period 2014/15, 332,000 pots had been set in the district and 1000 tonnes of whelks landed, an increase from 2012/13 when 570 tonnes were landed. However there was huge latent capacity in the number of pots that could be set with only 18% of the potential number of pots that could be set being used. Details of where pots were set were provided showing

that the majority (61%) were set in North Kent and the most days fished (50%) were also in this area. The lowest catches of whelks were consistently in Essex. There were 4 distinct business models spread throughout the district; of these 13% fished for more than 100 days but caught 54% of the total whelks landed in the district.

Matthew Smith (MWS Ltd) advised the Panel that he was concerned about the lack of data and science. The Maplin Area contained a large amount of dead shells which would eat each other if there were no cockles to predate on. He had never known an area to be wiped out and that only two to three boats fished north of the Thames. He did not consider that there was sufficient data to bring in an increase in size. If the riddle size were to be changed then it was likely that the boats that fished the Essex coast would leave and fish in the south of the district. He stated that boats that fished outside the 6 mile limit used a 19 to 20mm riddle.

Lee Turner (a fisherman from Ramsgate) advised the Panel that different sized/shaped whelks were found in different areas. In some areas whelks were more abundant but smaller. He was concerned that if the size limit was raised then the area south of Ramsgate to Dungeness would no longer be fished and fishermen would concentrate effort on the North Kent coast. He was already throwing back whelks that were above 50mm when using a 22mm riddle.

Malcolm Gosman informed the Panel that his riddle set at 22mm still allowed whelks to fall through up to 55mm. He asked for a riddle that was set to the MLS so that the Industry would know that if they did not drop through then they would be of the correct size.

The Chairman reminded the Panel that the issue was not necessarily about the size but about the maturity of the whelk. If stock was taken that had not had a chance to breed then the fishery would crash. The fishery had to remain sustainable.

In respect of a question relating to the existing size of escape holes, the Panel were advised that research undertaken with Cefas had shown that a size of 22mm optimised a catch of 45mm and above (EU MLS). The Panel were also advised that, unlike cockles, the shape of whelks did not lend itself to being riddled. An increase to 25mm would still not be sufficient to match the size of maturity in some areas of the district.

Four areas of the District were sampled (Essex coast, North Kent coast, Ramsgate to Dover, Dover to Dungeness). These showed that of all the samples taken only one area (Essex coast) had whelks that were mature at or below the EU MLS (and of this sample the whelks were male, the females were shown as mature at 47.80mm). Of the remaining areas the size at maturity varied from 55.81mm to 64.22mm

The Chief Officer informed the Panel that research had shown that the current MLS of 45mm did not protect the stocks. It was an issue that management was required over a large area with different stocks. However it was important that action was taken as if the whelks did not breed then there would be no stock.

Information in respect of the amount of stock in the different areas was difficult to calculate as whelks moved around to the baited pots. It was proposed that more research would be undertaken to understand density.

The Panel were advised that there was no benefit in using width as a measurement of maturity. Width was relevant to length.

In response to a question from the Panel, they were advised that Cefas were regularly meeting with Defra regarding this matter. It might be that a MLS was not the most sensible way of managing the fishery and a different management measure would be required.

The Panel were advised that whelks started to reproduce at the end of the summer, eggs were laid around Christmas and hatched in January, although this was dependant on the water temperature. The idea of a closed season had been discussed with fishermen at the original technical panel meeting held when the byelaw was introduced. Some value had been seen in this but the Industry had preferred a limit on the number of pots set.

The Chief Officer reminded the Panel that the technical requirements of this specific byelaw was required to be reviewed by them at this meeting. He was aware that there were a number of issues that the Industry faced with regard to this fishery and it was his intention to put together a future document; a ten year plan to give to businesses. This could include a maximum size that could be taken which would allow large adults to be returned to ensure they continued breeding.

The Lead Scientific Officer advised the Panel that five samples had been taken by one fisherman in the North Kent area in one day in December 2015. If the assumption was made that whelks matured at 60mm then only 43% of that total sample was mature. If the riddle size were to increase to 25mm then all whelks approximately 53mm and above would be kept. This would protect the Essex coast, but not the other areas, however it would be a step in the right direction. This increase would also bring KEIFCA line with in Eastern and Sussex IFCA's. Cefas had said that the current fishing effort is not sustainable. If all fishermen were to fish all their pots when possible, then the fishing effort would increase fivefold. If this were to happen then the population would crash. There were very few large adult whelks in the population which was a worry for sustainability. If the riddle size and escape holes were to be increased then the cost to fishermen had been estimated at between £200 and £800. It was proposed that the changes to the technical requirements took place effective from 1 April 2016 but with a three month period to allow permit holders to adapt their equipment.

The Panel were advised that Roger Cooper, a Whitstable fisherman had suggested that the requirements be amended so that the minimum number of escape holes were increased to four with an increased diameter of 25mm, the riddle size should remain at 22mm and pots decrease in number to 250.

The Panel discussed this matter and made the following pertinent comments:

- Without sufficient information on stock numbers it would be necessary to adopt a precautionary approach to allow the fishery to be managed. Biomass and size at maturity were important matters to discuss.
- It was important that Industry recognised that the IFCA was looking to manage the fishery for the future management of the stock
- If the latent capacity were used then there would be a very large increase in landings

- Scientific advice would suggest that keeping the number of pots at 300 would be sensible. Because there was not enough data on size and maturity, increasing the MLS would not necessarily improve the fishery. A closed period of 5 to 6 weeks when they reproduce would be sensible
- Unsure whether increasing riddle size to 25mm will help. There was currently many differences in the riddles being used. All had 22mm spacing but were not standardised. Unless they were standardised then riddling was not successful.
- It had been suggested by Graham West that extra and larger holes be required. Concern that the advice being received is that the fishery is at present not sustainable. Pot numbers and sizes need to be considered to allow a sustainable fishery for the future.

14:25 Cllr Harrison left

14:45 Cllr Channer left

15:15 Ms S Allison and Cllr Tejan left

Recommendations

The Panel made the following recommendations in respect of the review of the Byelaw technical specifications:

- Review of the 300 pot limit (technical requirements section (a) to (d))
 - ❖ The pot limit and number of tags issued are not increased and remain set at 300 for a category one permit and 10 for a category two permit
Members voted as follows:

In favour	5
Against	1 (on the basis that the pot limit should decrease)
- Review of the escape hole diameter and riddle size (technical requirements sections (e) and (g))
 - ❖ The minimum size of escape holes and the minimum riddle sizes are increased to 25mm
Members voted as follows:

In favour	4
Against	2 (one Member wishing to increase the minimum size to more than 25mm; one Member for it to remain at 22mm)
- Review of the number of escape holes (technical requirements section (f))
 - ❖ The number of escape holes remain at 2 per pot
Members voted as follows:

In favour	6
Against	0

Meeting closed at 15:25