

Devon and Severn IFCA Response to MLA/2020/00249

Seaweed Farm Torbay



D&S IFCA has read the Marine Licence Application 2020/00249 and associated documents and wishes to make a response to the application. Under Marine and Coastal Access Act S.153, D&S IFCA has a duty to 'take any steps which in the Authority's opinion are necessary or expedient for the purpose of making a contribution to the achievement of sustainable development'. Supporting Mariculture is part of this duty and D&S IFCA supports mariculture developments where appropriate in its District. Tor Bay has several mariculture developments already in situ – Brixham Sea Farms, a rope grown mussel farm at Elberry Cove, and a scallop ranch towards the north of the Bay. The seaweed farm under this marine licence application lies just north of the mussel farm and this is mentioned in the application and associated document.

The application is comprehensive and areas of concern, such as the implications to the designated habitats and species of Torbay Marine Protected Area (MPA) (i.e. Torbay MCZ and the Torbay part of the Lyme Bay to Torbay SAC) have been considered. D&S IFCA is reassured that Natural England, as the Statutory Nature Conservation Body, will comment on these aspects, as the proposed site lies within both the SAC and MCZ. The location of the farm is to the north and east of designated seagrass beds within the Torbay MCZ. Figure 1 shows the areas of seagrass. The proposed location is over 500m away from the nearest bed at Elberry Cove. The proposed location is within the subtidal mud habitat, but the applicant has discussed ways to mitigate the impact of the reef cube anchors on this designated feature.

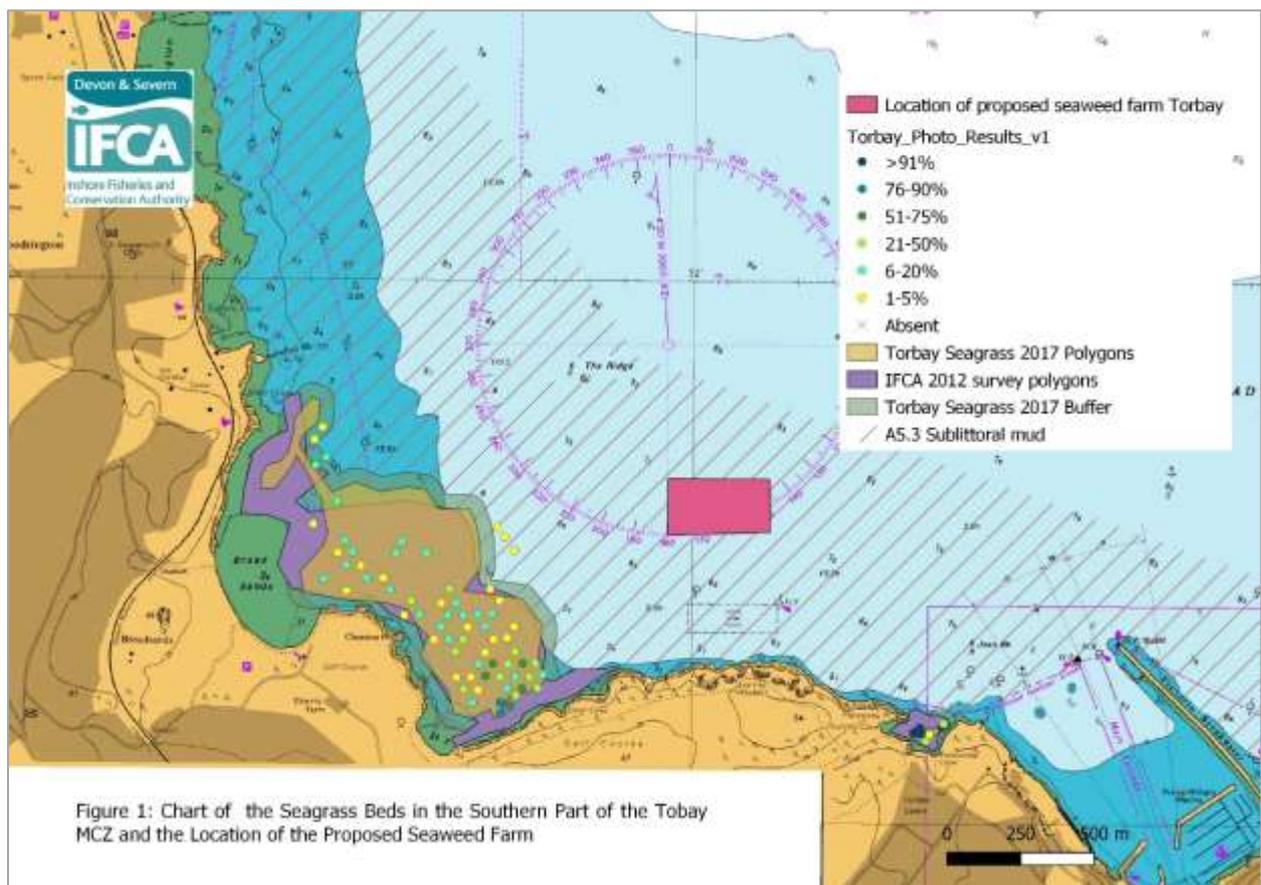
The areas, where D&S IFCA can provide further comment, are on the exhibiting uses, in terms of fishing, of the proposed site. D&S IFCA manages fishing activities, both commercial and recreational, in its District through Permitting Byelaws. There are four Permit Byelaws in operation – Mobile Fishing, Potting, Netting and Diving. Permits are issued to fishers wishing to undertake these fishing activities in D&S IFCA's District. As of October 2020, there are 36 commercial potting vessels which have permits and operate out of the ports in Torbay. However not all these permit holders will pot within the Torbay area. Twenty six of these are based in Brixham. There are 23 permitted commercial netting vessels operating out the Torbay ports, 16 of which are based at Brixham. Again, not all these vessels will net in Torbay.

D&S IFCA has collected information from local fishers, through surveys, on their fishing activities within Torbay for 2014 and 2019. Figures 2 and 3 shows the netting and potting activity in the Bay and in the vicinity of the site for 2014. Five netters and seven potters responded to the netting and potting survey in 2014. In 2019 a follow up activity survey was undertaken, and six potters and two netters completed survey forms and returned them to D&S IFCA. The responses can be seen in Figures 4 and 5. Whilst potting and netting is active within Torbay the fishers have adapted their operations to take into account the mariculture already located within Torbay. Mariculture, such as a seaweed farm, provides an additional ecosystem for fish species to utilise and the proposed use of the reef cubes as anchors should provide niche habitats for crustacean species. It is likely that fishers will be able to operate close to the proposed seaweed farm. However, as the netting and potting are existing uses of the area there may be some resistance to the proposal by these sectors, although the applicant has indicated he has been in contact with fishers in the area to mitigate their concerns.

Figure 6 shows the chart of the areas closed to demersal fishing gear under D&S IFCA's Mobile Fishing Permit Byelaw. Annex 3 of the Permit contains charts that show the closed areas and

areas open under time restrictions, from 1st April to 30th June each year. This access was introduced to allow for a cuttlefish trawl fishery. The proposed seaweed farm lies within the area open to demersal gear for these three months. However, the number of vessel prosecuting this fishery during the open access period is small. Under a Monitoring and Control Plan (M&CP) for Torbay, MCZ D&S IFCA officers monitor the number of vessels operating in the area open to demersal gear for part of the year. Access restrictions came into force in 2017 following survey work to inform the M&CP. At that time four otter trawl vessels were known to fish for cuttlefish within the open access area of the Torbay MPA. In 2018 this reduced to a couple of vessels. In 2019 only one vessel was recorded entering the open access areas on 24th April 2019. All mobile gear vessels, over 6.99m, operating in the D&S IFCA's District must be fitted with an operational vessel monitoring system. Figure 5 shows the track of the single vessel recorded inside the Torbay MCZ in 2019. Therefore, the current level of demersal trawling is low, and a sustainable development of a seaweed farm is unlikely to significantly impact the existing use by demersal fishing gear.

The proposed seaweed farm has small footprint and, as already indicated, it is unlikely that it will have a significant impact on the demersal fishing activity within this area of Torbay. Conflicts between the seaweed farm and existing users, in particular mobile gear, is always possible. This has occurred within the scallop ranch in Torbay, which lies outside of the Torbay MPA and not subject to the same time restrictions on demersal gear activity. It is important however for the applicant to liaise with fishers working out of the ports of Torbay and keep them informed of the proposal. The Harbour Authority, through its Notice to Mariners, will help this process. D&S IFCA would be able to circulate information to its Permit holders should the applicant wish to disseminate further information to the fishers. D&S IFCA currently displays Notice to Mariners on its website.



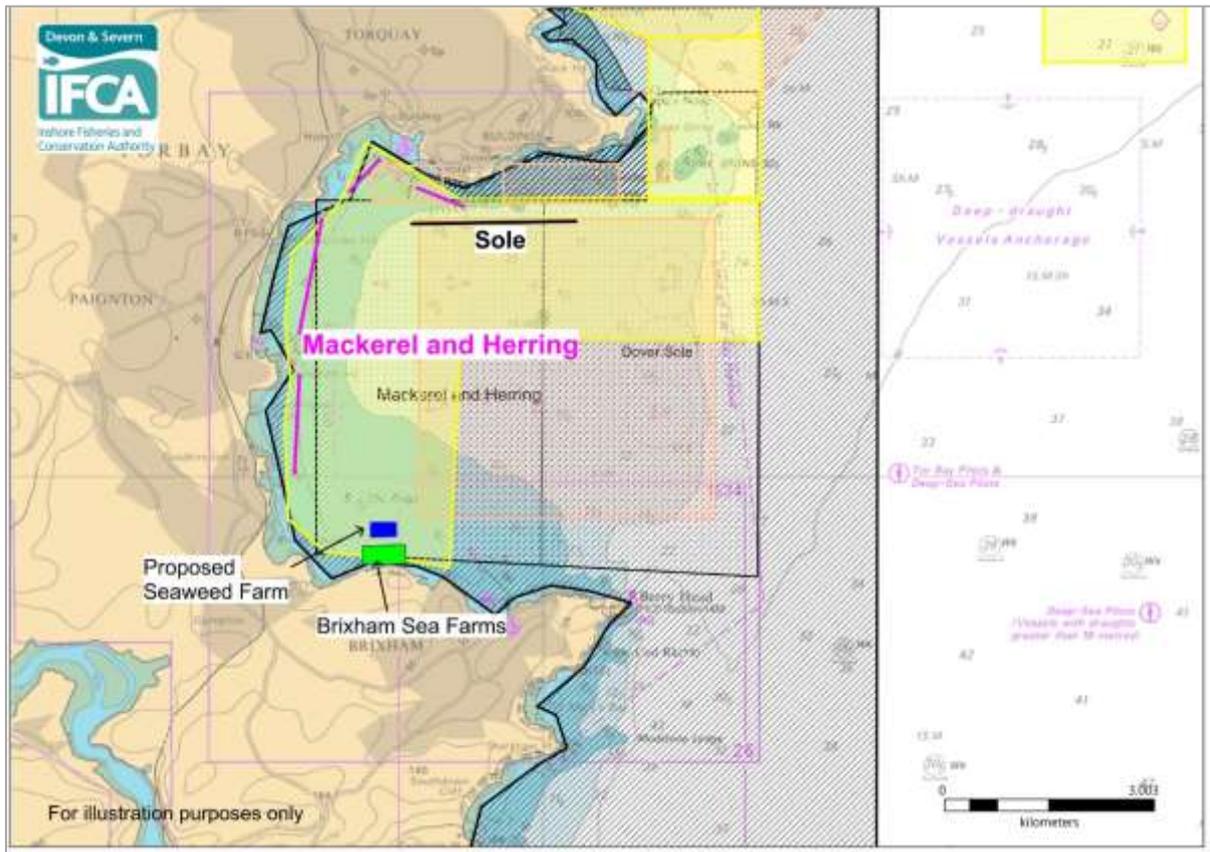


Figure 21 Netting Activity Survey - Torbay 2014

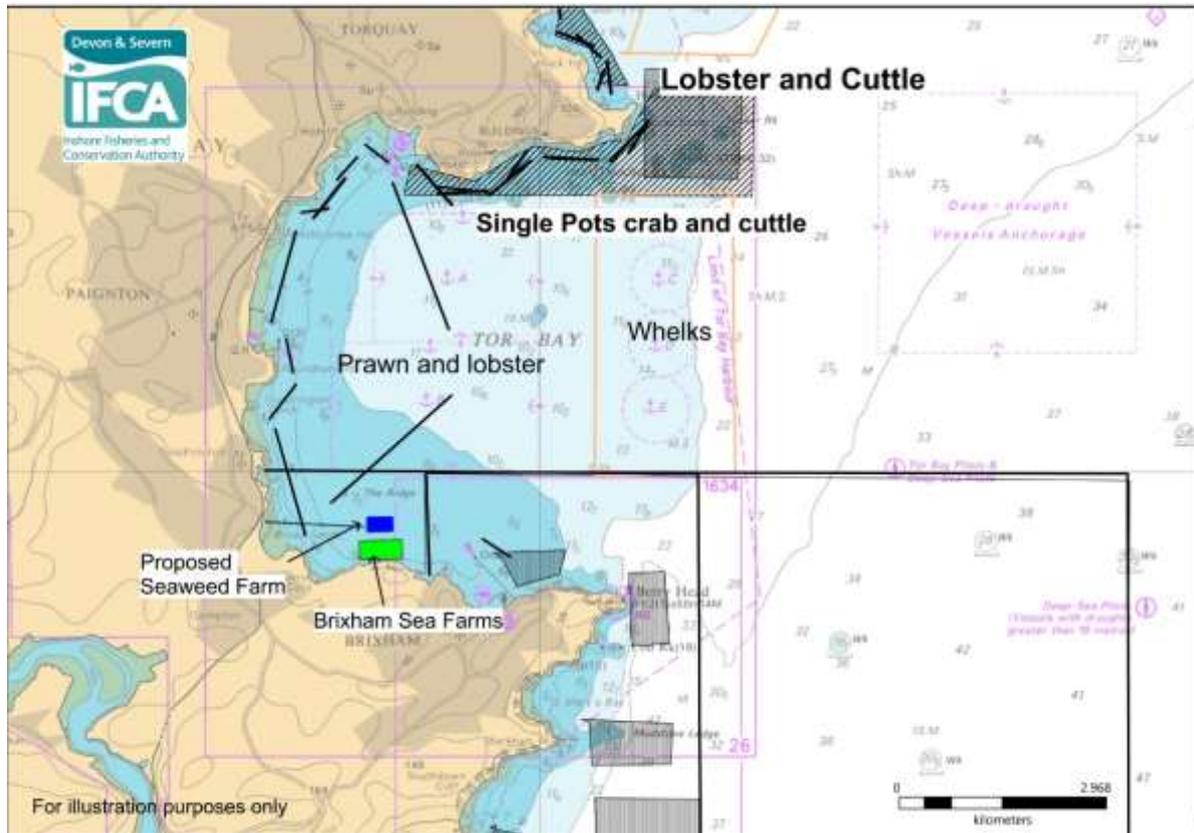


Figure 3 Potting Activity Survey - Torbay 2014

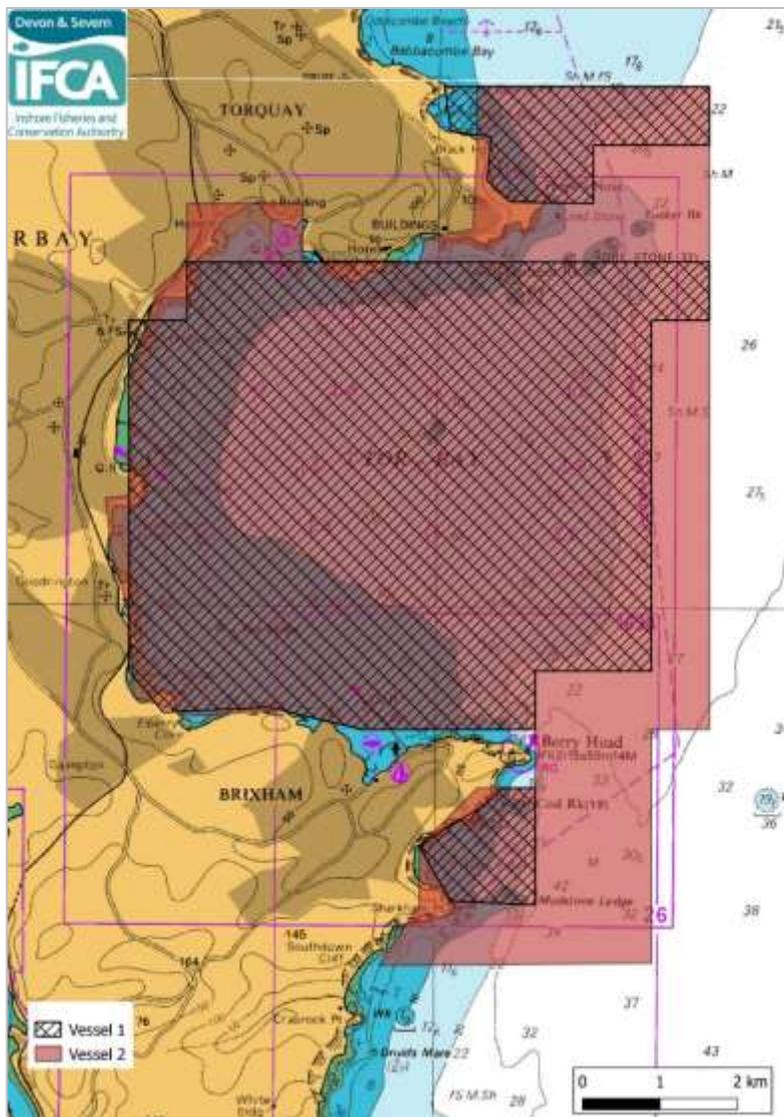


Figure 4 Netting Activity- Torbay 2019

MLA/2020/00249

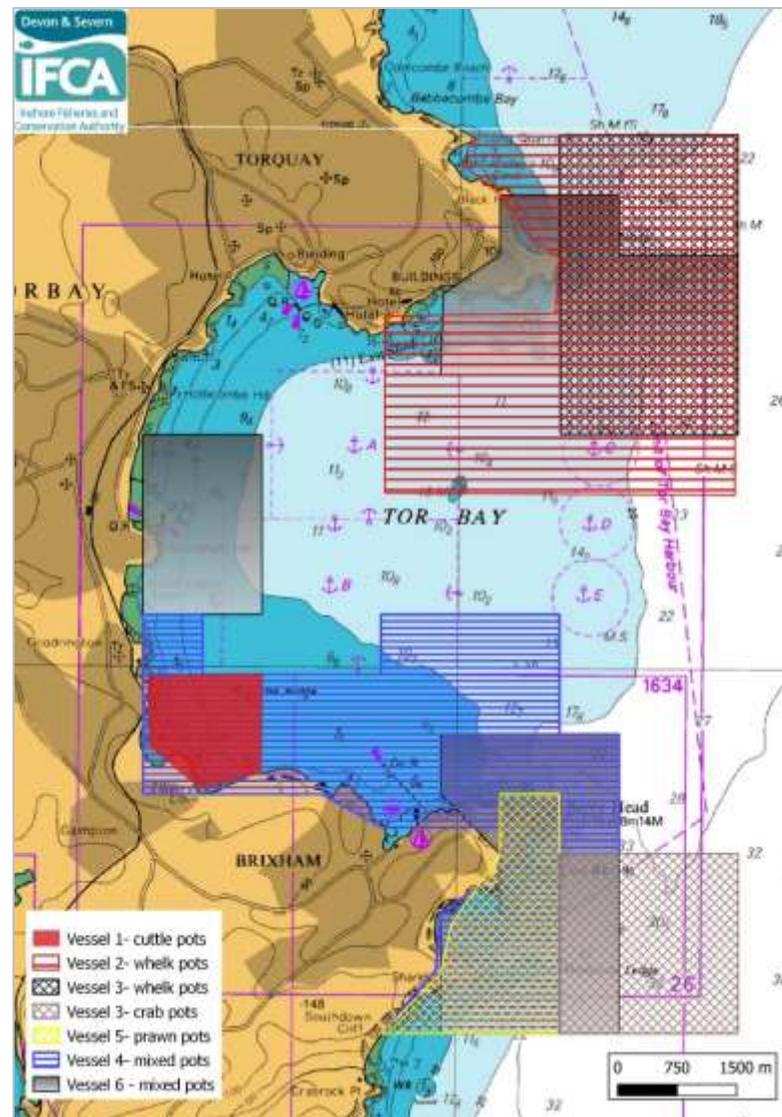


Figure 5 Potting Activity Survey - Torbay 2019

6th October 2020

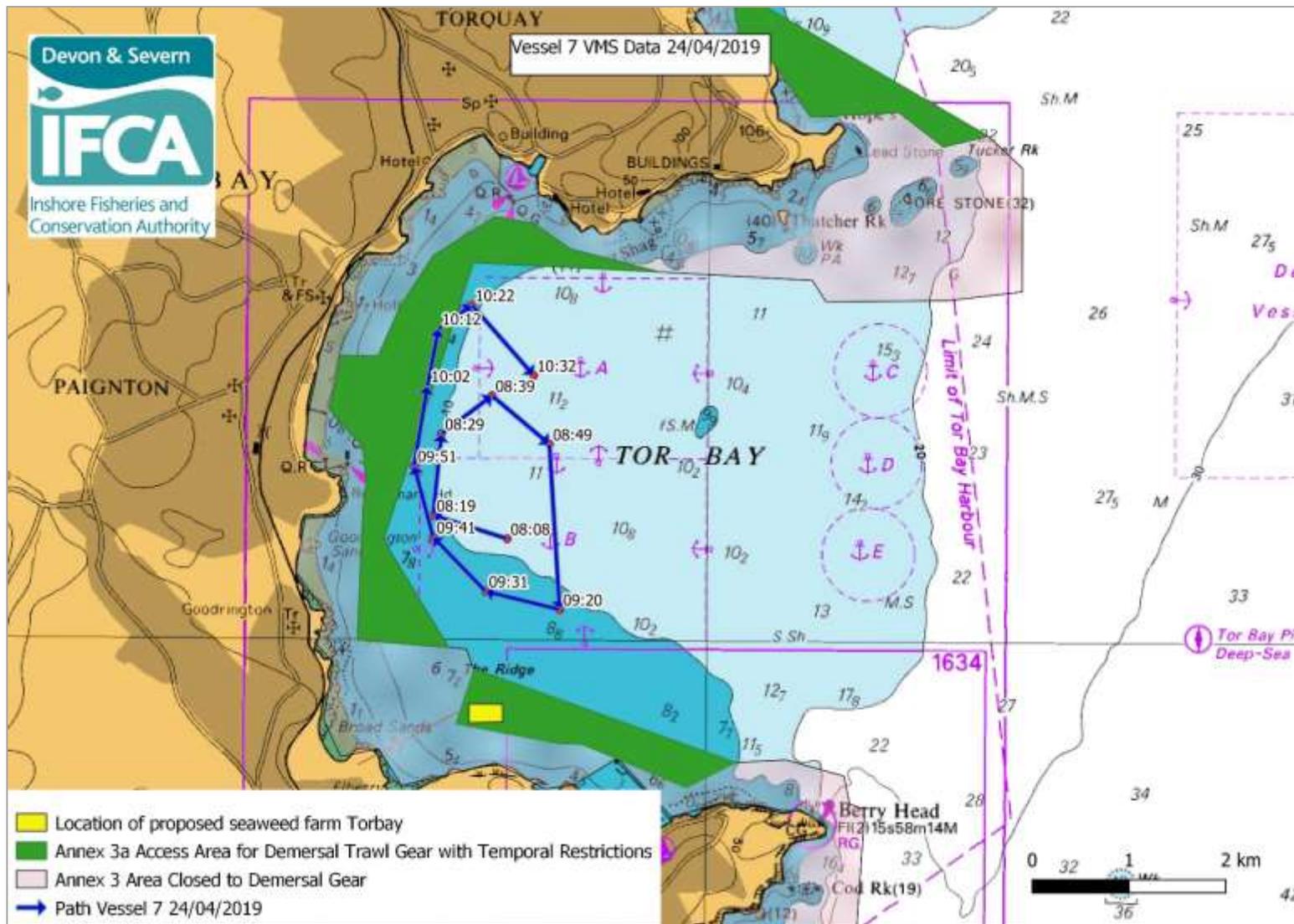


Figure 6 Access Areas to Demersal Trawling and Trawling Activity in 2019