

Date: 24/07/19  
Our ref: 288058  
Your ref: TOR-MCZ-001-V.2 & MCP\_TOR-MCZ-001



Sarah Clark  
Devon & Severn IFCA  
Brixham Laboratory  
Freshwater Quarry  
Brixham  
TQ58BA

Ruth Porter  
Natural England  
Ground Floor  
Sterling House  
Dix's Field  
Exeter  
EX1 1QA

**BY EMAIL ONLY**

Dear Sarah,

**Formal advice to Devon & Severn IFCA: Torbay MCZ Marine Conservation Zone Assessment and Monitoring and Control Plan - Trawling / Subtidal mud**

Thank you for the above assessment, received by email on 5<sup>th</sup> July 2019.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

In 2012, the Department for Environment, Food and Rural Affairs (Defra) announced a revised approach to the management of commercial fisheries in European Marine Sites (EMS). The revised approach was subsequently extended to ensure fishing activities in Marine Conservation Zones (MCZs) are managed in accordance with the provisions of the Marine and Coastal Access Act 2009.

Assessments have been made of the effects of the following fisheries activities in Torbay MCZ:

- Trawling vs Subtidal mud - ref. TOR-MCZ-001-V.2 & MCP\_TOR-MCZ-001

Natural England has considered the assessment prepared by Devon & Severn IFCA for the purposes of making an assessment consistent with the provisions of the Marine and Coastal Access Act 2009. Please accept this letter as Natural England's formal advice on the assessment and the conclusions it makes.


Natural England does have some minor comments relating to the Torbay MCZ assessment, but this does not alter our views on the validity of the conclusions drawn (**Appendix 1: Minor comments on MCZ assessment**).

We are content that the best available and most up to date evidence has been used to carry out the assessment by Devon & Severn IFCA officers, to determine whether management of an activity is required to conserve site features, and thus to ensure the protection of the features, from direct and indirect impacts from the collection of marine fisheries resources.

**It is Natural England's view that through their assessments, Devon & Severn IFCA officers appear to have appropriately identified those activities that are likely to hinder the conservation objectives of the feature of the MCZ.**

Please do not hesitate to contact me if you have any questions or require further information.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Ruth Porter', is positioned at the top left of the page.

Ruth Porter

Marine Lead Adviser

Tel. 0208026754

## **Appendix 1 – Minor comments on the MCZ assessment in relation to the Torbay MCZ**

1. The conclusion of the MCZ assessment is based on the existing temporal and spatial management in place via the Mobile Fishing Permit Byelaw, the results of the BACI study which was undertaken in 2017/2018 and establishing a Monitoring and Control Plan. Natural England currently agrees with the MCZ assessment conclusion, however, Natural England would like to review the BACI study report once it's published to ensure that there is agreement on the conclusions drawn.
2. The Monitoring and Control Plan details that the baseline for fishing effort will be set once the 2019 iVMS data is analysed. At this point the iVMS fishing effort data will need to be reviewed against the findings of the BACI study to ensure that the fishing effort level is not significantly above the fishing effort of that detailed the study. If the iVMS data shows a higher fishing effort than the BACI study then the MCZ assessment might need to be reviewed to ensure that the activity is not hindering the conservation objectives of the subtidal mud feature.