

Date: 22 November 2022  
Our ref: 407828  
Your ref: AXE-MCZ-002



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## BY EMAIL ONLY

Dear Sarah,

### **Formal advice to D&S IFCA: Axe Estuary MCZ: Shore-based activities - Intertidal Coarse Sediment; Intertidal Mixed Sediment & Intertidal Mud**

Thank you for the above assessment, received by email on 17 December 2018.

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)<sup>1</sup>. 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 Hartland Point to Tintagel MCZ:

- **Shore-based activities (handworking, crab tiling and digging with forks): Intertidal Coarse Sediment; Intertidal Mixed Sediment & Intertidal Mud features, ref. AXE-MCZ-002**

Natural England has considered the assessment prepared by D&S 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. We are content that the best available and most up to date evidence has been used to carry out the assessment by D&S 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.

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<sup>1</sup> Defra revised approach: <https://www.gov.uk/government/publications/revised-approach-to-the-management-of-commercial-fisheries-in-european-marine-sites-overarching-policy-and-delivery>

It is Natural England's view that, through their assessments, D&S IFCA has appropriately identified that the above stated activities are not likely to hinder the conservation objectives of the features of the MCZ. Minor comments on this assessment can be found in Annex 1.

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

Yours sincerely,

Liz Bailey

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## **Appendix 1 – Minor comments on MCZ Assessment in relation to the Axe Estuary MCZ and shore-based activities (handworking, crab tiling and bait digging) and Intertidal Coarse Sediment, Intertidal Mixed Sediment & Intertidal Mud**

1. Natural England welcomes Devon & Severn IFCA's consideration of a new Hand Working Permit Byelaw to manage the use of crab tiles, bait digging and other hand gathering types of fishing activity. We suggest that it may be useful to include seaweed harvesting within this and would be happy to advise on this if the byelaw is taken forward in the future.
2. The assessment states that '*the harbour master has suggested that the composition of the river bed has changed from mud to an aggregation in which there is little life, and indicated that hand gathering has declined in the last few years as a result*'. If there is any further information on this potential loss of, or change to an MCZ habitat, we would appreciate it if you could forward this.
3. The conclusion that shore-based activities (handworking, crab tiling and bait digging) are not thought to be hindering the site's conservation objectives, has been drawn because of the perceived low levels of these activities within the site. We note there is some uncertainty around this, with only 3 out of 47 fishers having responded to the request for information; the lack of a recent survey, particularly of the west bank, and also the noted 46% increase in crab tiling between 2016 and 2020.
4. Bait digging is stated to be occurring infrequently and at low levels, giving disturbed areas time to recover. As one fisher (at least) is digging 2 or 3 times a month, there is a possibility that habitats and infaunal communities do not have ample time to recover, if the same areas are worked. We would welcome further monitoring of shore-based activities, and ideally some quantification of the extent of the feature that is affected, should D&S IFCA be sufficiently resourced to undertake this in the future.
5. Regarding bait digging, evidence referred to in the assessment suggests an adverse impact when sediment isn't back-filled. Back-filling of holes could potentially form part of a code of conduct, and we would recommend that fishers are reminded to back-fill holes as best practice.