

7.5 Skerries Bank and Surround MCZ

Officers' Recommendation

To maintain the current management in the Skerries Bank and Surrounds MCZ through D&S IFCA's Mobile Fishing Permit Conditions.

Background

In the [5 Year Review of Mobile Fishing Byelaw report 30th July 2019](#), Officers provided information to the B&PSC on issues relating to the management of demersal fishing vessels in the Skerries Bank and Surrounds MCZ.

The Skerries Bank and Surrounds MCZ is the largest MCZ in the District and partly co-locates with the Inshore Potting Agreement (IPA) area (Annex 1) and part of the SPPSE SAC. The site was proposed by the fishing industry as part of the stakeholder led Finding Sanctuary Project, and their ongoing support was on the proviso that the IPA was maintained, and no further management was required. This understanding was reflected in pre-designation papers, the Finding Sanctuary Final Report, and the Impact Assessment that accompanied Finding Sanctuary's recommendations. D&S IFCA's management of demersal mobile gear is set out in the Mobile Fishing Permit Conditions and replicates the IPA management system inside the 6nm.

D&S IFCA Officers presented a [report](#) in 2016 to the Finding Sanctuary Project Board, which included Defra and Natural England, regarding the concerns D&S IFCA Officers had regarding any possible changes to management of the site. Background and issues are detailed below:

Site Designation and Management

- The MCZ makes up a significant part of the nationally acclaimed conflict resolution system- the Inshore Potting Agreement (IPA) area (Annex 1)- and this agreement has protected sensitive reef features for over 40 years and acted as a de-facto MPA.
- The proposal by the industry, and their ongoing support, was on the proviso that the management of current IPA area was maintained, and there would be no impact in earnings. This is the fundamental principle of designation of the site.
- D&S IFCA and MMO Officers highlighted to the Project Board that the introduction of additional precautionary management for the reported reef in some areas, together with any closures on the coarse sediment areas, would affect the integrity of the IPA and undermine the stakeholder led MCZ process, leading to significant reputational damage to all those organisations involved in the MCZ process.
- In the Finding Sanctuary Summary Final Report 2011 (P.62) it states that the broad scale habitats inside trawling zones within the Skerries Bank rMCZ would not count towards the Ecological Network broad scale habitat targets.
- Any changes in management measures to the IPA may lead to lack of support and reduced compliance by the industry.
- Natural England has provided formal advice to D&S IFCA for other MCZs in the District and to other IFCAs on the interaction of towed demersal gear on sand and coarse sediments within MCZs with a 'maintain' objective and has concluded that this interaction with will not have a significant impact on the conservation objectives.

Habitat Type, Uncertainty and Confidence levels

- Cefas surveys, undertaken on the site post designation, were limited to video verification surveys and the habitat extent and location have been predicted through modelling, mostly using bathymetry. Officers have interrogated the modelled data and found inaccuracies, leading to low confidence in the maps of location and extent of reef habitats (Annex 2). For example, of the 185 drop down video stations examined across the site, rock was only seen in four stations all of which were inside the areas protected from demersal towed gear yet modelling show the reef to be outside the closed area. Also, the modelling identified wrecks within the MCZ as areas of reef.
- Coarse sediment, located across the site and particularly in the access zones has a 'maintain' conservation objective - '*maintain suggests it is currently in that state*' (MCZ Designation Explanatory Note (2013 S.4)) and the suggested management is '*managed access*' (NE MCZ Prioritisation Tool, 2014) which is currently achieved through the IPA/ Mobile Fishing Permit Conditions.

Socio-Economic Factors

- The areas open to demersal gear are of considerable social and economic importance to the fishing communities in Devon.
- S. 117 (7) MaCAA states '*in considering whether it is desirable to designate an area as an MCZ, the appropriate authority may have regard to any economic or social consequences of doing so*'.
- The economic impact of designation to the fishing industry was not properly assessed because no changes in management was proposed. In fact, the Impact Assessments suggested that the estimate of landings affected would be £0.00.
- Using IVMS data for 2019 (See Annexes 2 and 3), D&S IFCA has estimated that eleven vessels fished in the three zones open some of the year to towed demersal gear and these were economically significant to them. Landings and sales data was available for nine of the eleven vessels operating in these zones in 2019, and the estimated value of the zones was £105,750. If the current access zones are closed, the following estimates of vessels' loss of earnings have been calculated (Annex 3):
 - For the Corridor (Annex 5a Area C of the permit conditions) open from 1st March to 31st March five vessels' estimated losses would be between £7,836.72 (34.3%) and £1,122.95 (6.6%) of their months' earnings.
 - For Zone 3 (Annex 5a area B of the permit conditions) open from 1st January to 31st March) eight vessels' estimated losses would be between (£21,960.61) 26.5% and 2.6% (£1,777.55) of their earnings over this time.
 - For Zone 4 (Annex 5a Area A of the permit conditions) open from 1st February to 31st August) four vessels' estimated losses would be between £17,020.77 (10.5%) and £345.71 (0.19%) of their earnings over this time.

It would have been useful to have had more data to understand the value of these zones over a longer period of time to remove the risk of underestimating their social and economic value to the fishers.

D&S IFCA Officers completed an [MCZ assessment](#) and concluded that, with the current management in place, demersal towed gear vessels operating in the three seasonally opened zones, would not significantly impact the conservation objectives of the site.

However, [NE's Formal Advice](#) did not agree with D&S IFCA's Officers conclusions. D&S IFCA Officers [responded](#) in writing to this formal advice challenging once again the modelled habitat data which overestimated the extent of reef in the site. Officers also challenged the fact that the coarse sediment was designated as having a General Management Approach of 'maintain' in favourable condition objective, which means that it is currently in that state and was set at the time of designation with full knowledge of the existing demersal fishing activities occurring. NE replied with [follow-up advice](#) acknowledging that the habitats map shows scattered and relatively minimal distribution of moderate emery circalittoral rock but reaffirmed its position that it does not agree that the current management on coarse sediment will maintain the favourable condition of the feature. NE stated that '*the General Management Approach refers to a direction of travel needed to achieve favourable ecological condition*' which does not concur with the Skerries Bank and Surrounds MCZ designation rationale.

Officers' Comments and Rationale for the Recommendation:

- *The IPA has been in place since the 1970s and the areas under consideration were afforded a 'maintain in favourable condition' on MCZ designation despite the same fishing activities occurring over many decades.*
- *D&S IFCA Officers believe the current management, through the MMO Licence Condition and Mobile Fishing Permit Conditions, protects the most sensitive features and allows for the maintain objective on coarse sediment to be met (Fisheries Act 2020 Sustainability, and National Benefit Objective).*
- *The economic impact and loss to fishers' earnings, of any changes in management, are significant and need to be taken into account in decision making (IFCA duty under 153 (2)(b)).*
- *The IPA is internationally acclaimed as a conflict resolution system that has protected the reef habitats and led the way to MCZ designation suggested by the industry.*
- *In the Finding Sanctuary Summary Final Report 2011 (P.62) it states that the broad scale habitats inside trawling zones within the Skerries Bank rMCZ would not count towards the Ecological Network broad scale habitat targets.*
- *Risks on changing current management would not only be social and economic impacts to the vessels using the site but could result in loss of reputation for D&S IFCA, reneging on previous agreements, loss of compliance by the industry, lack of engagement by stakeholders and further displacement and associated impacts.*

Background Papers & Hyperlinks

[A 5 Year Review Mobile Byelaw Report 30th July 2019](#)

[Finding Sanctuary Final Report Section 4 11.3.24 Pp. 537-557](#)

[Finding Sanctuary Final Summary Report P.62](#)

[D&S IFCA's Report to Finding Sanctuary Project Board 2016](#)

[MCZ Assessment Towed Demersal Gear V.2 2021](#)

[Natural England's Formal Advice 2021](#)

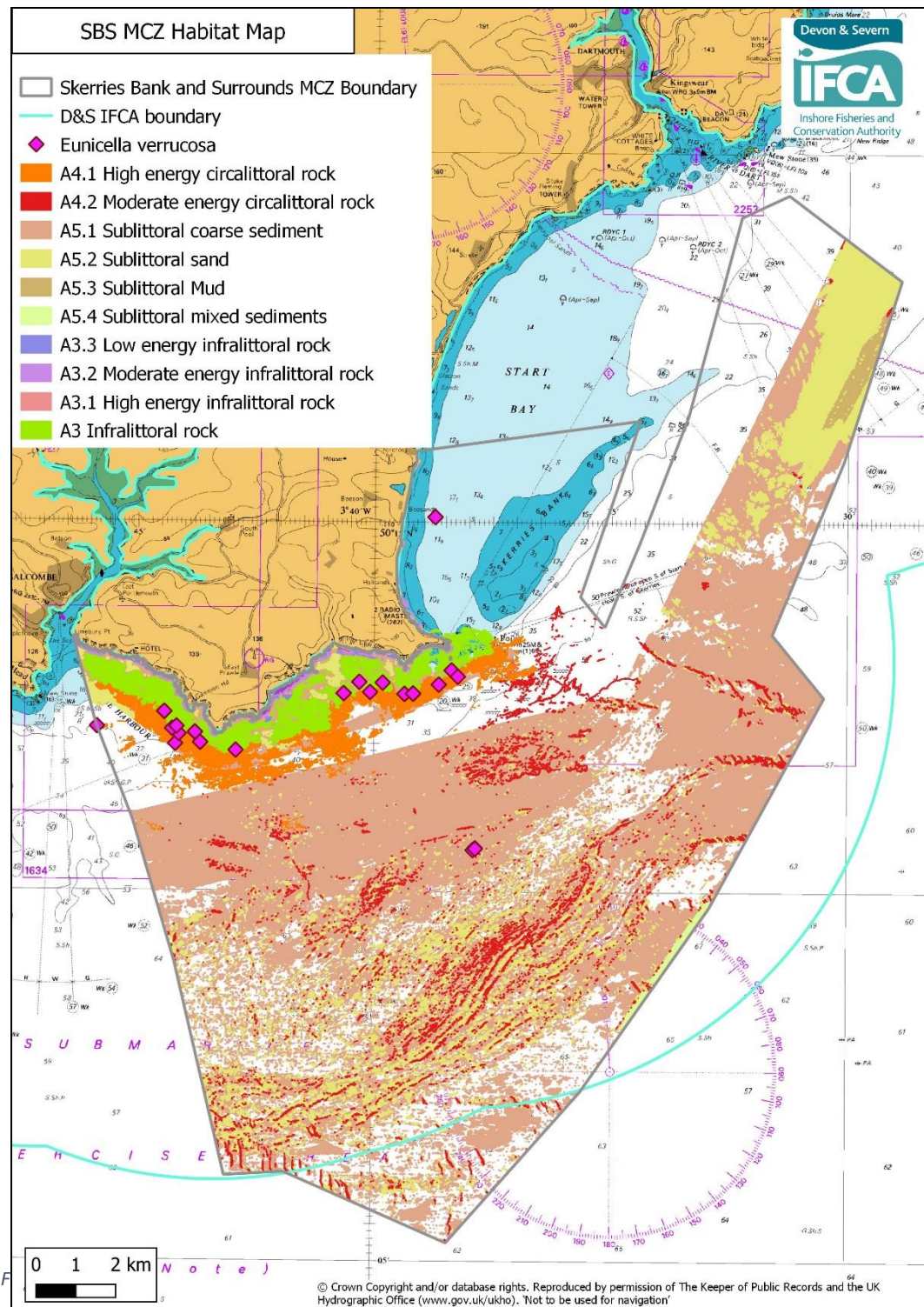
[D&S IFCA's Response to Natural England's Formal Advice 2022](#)

[Natural England's Follow-up Advice in Response to D&S IFCA's letter](#)

Continued below – Annexes 1-3

Annex 1 – Skerries Bank and Surrounds MCZ

Charts of site and current management:



Annex 5a South of Salcombe - Access areas for vessels using demersal mobile gear in accordance with paragraphs 3.5 and 4.5 of the mobile fishing byelaw permit conditions

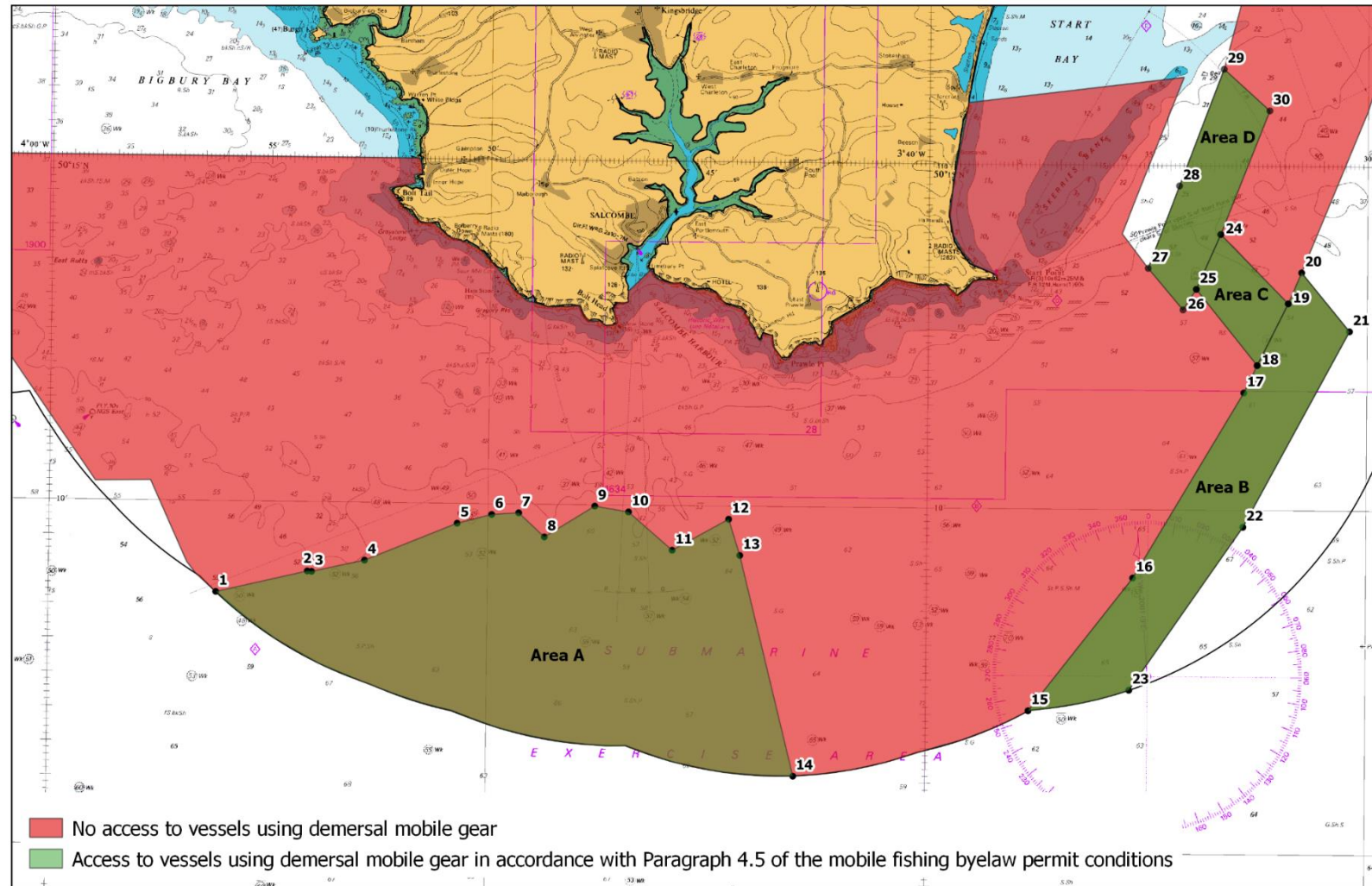


Figure 2 - D&S IFCA Mobile Fishing Permit Annex 5a - Closed and Access areas

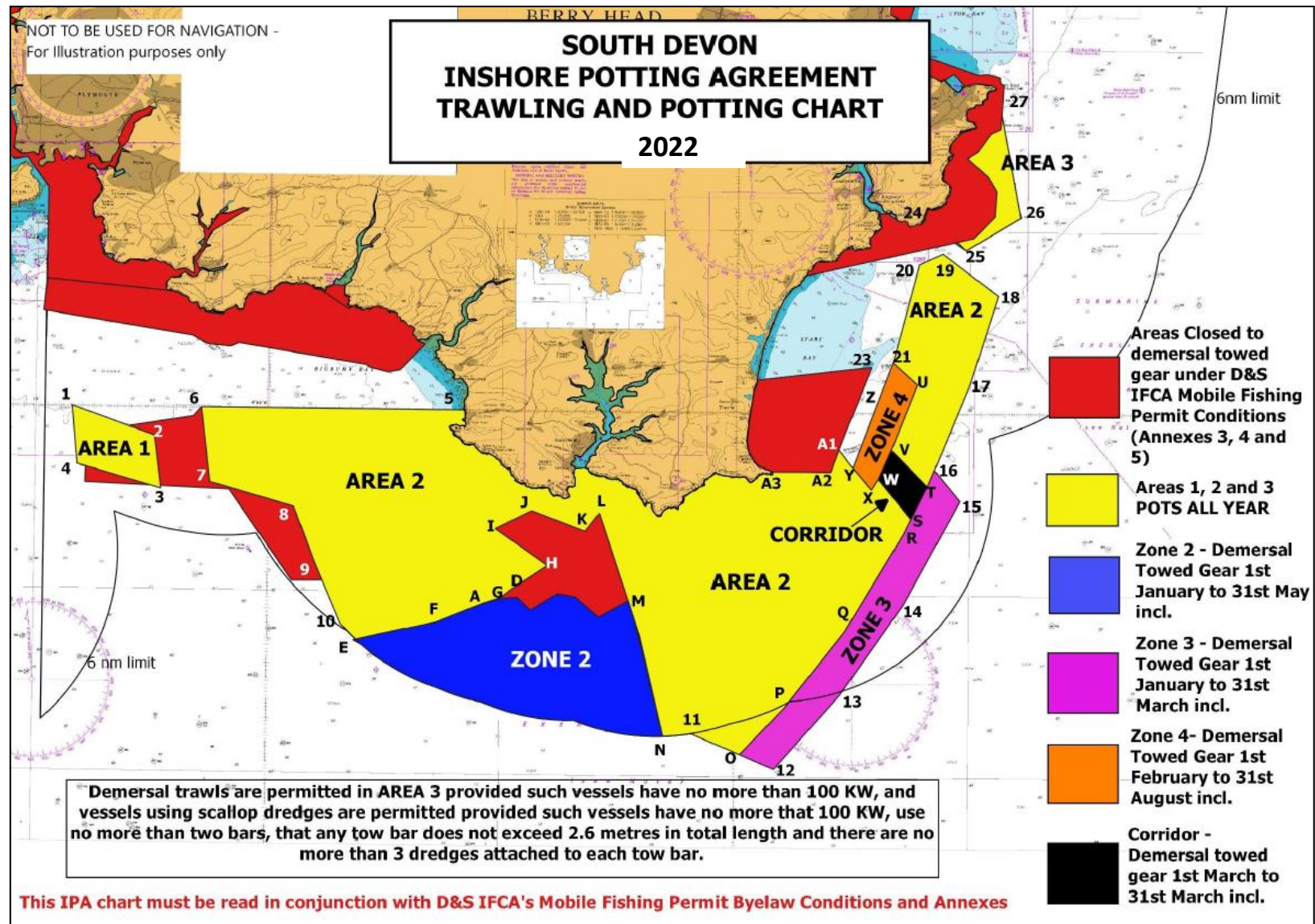


Figure 3 _ Inshore Potting Agreement Trawling and Potting Chart 2022

Annex 2 – Fishing Vessel Activity

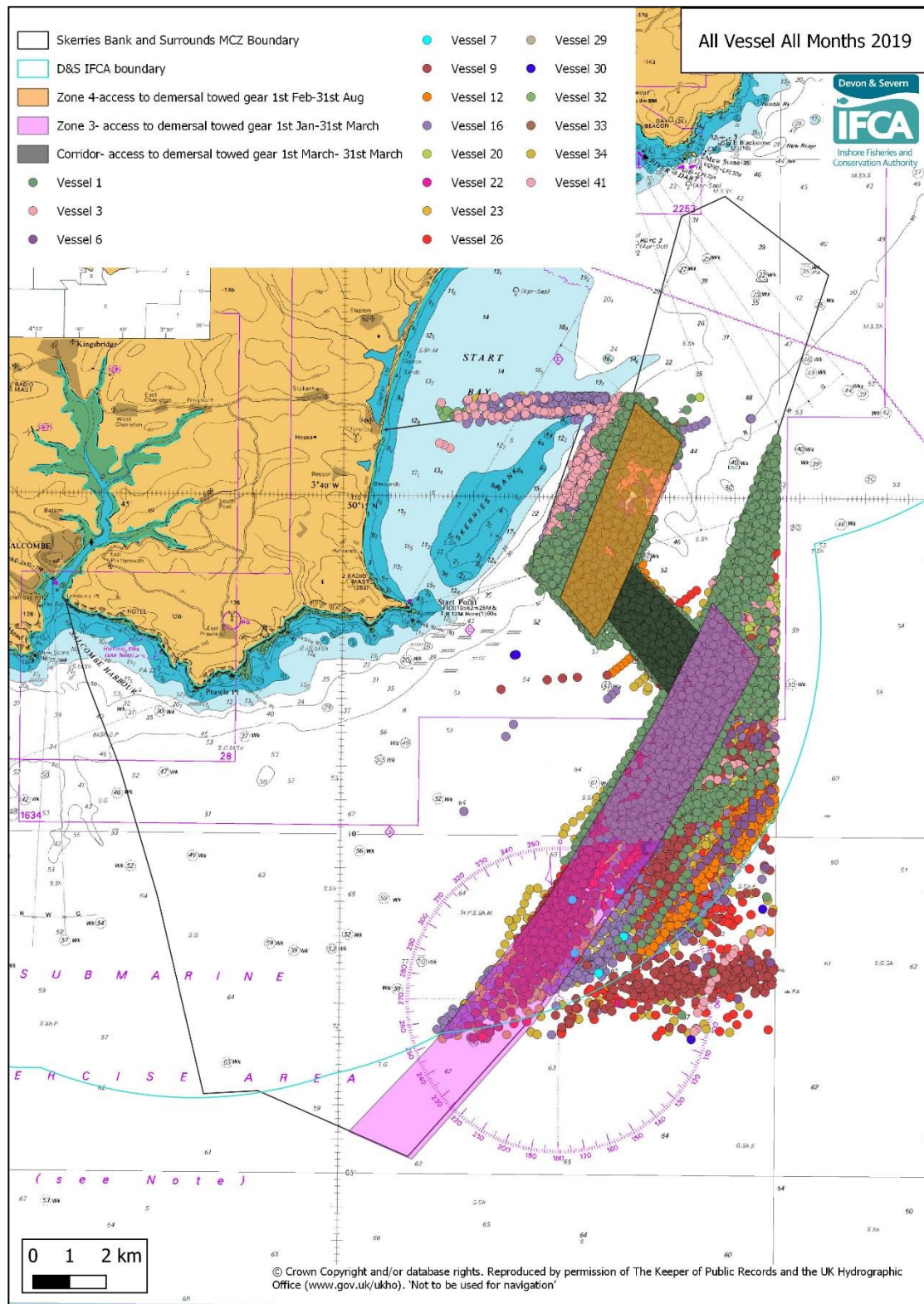


Figure 4 - Fishing Activity by vessel operating close to or in the Skerries Bank and Surrounds MCZ

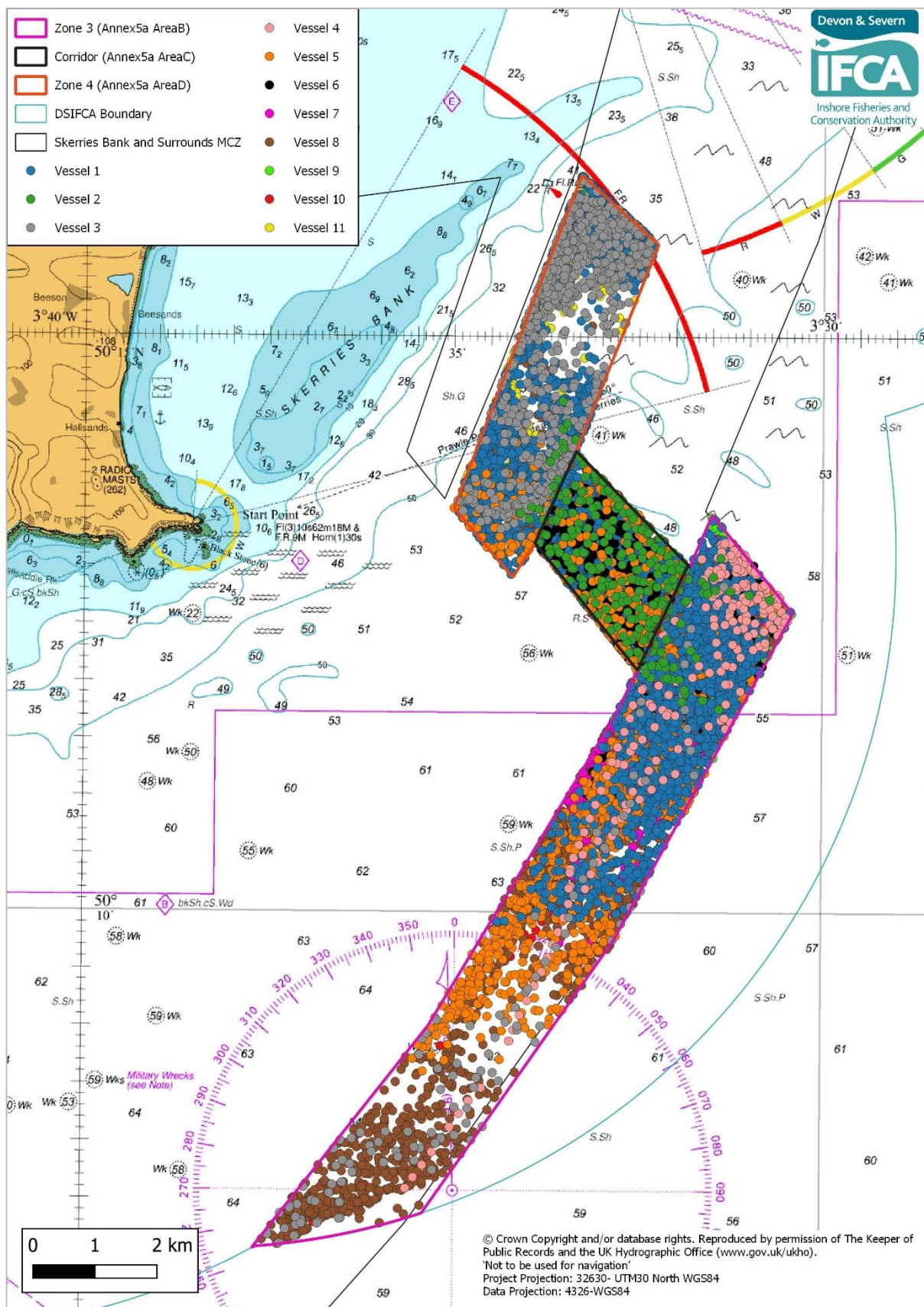
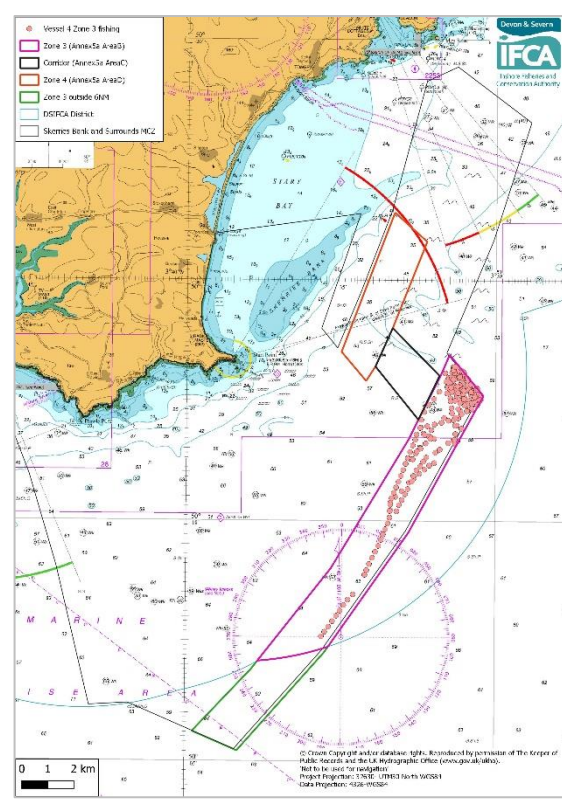
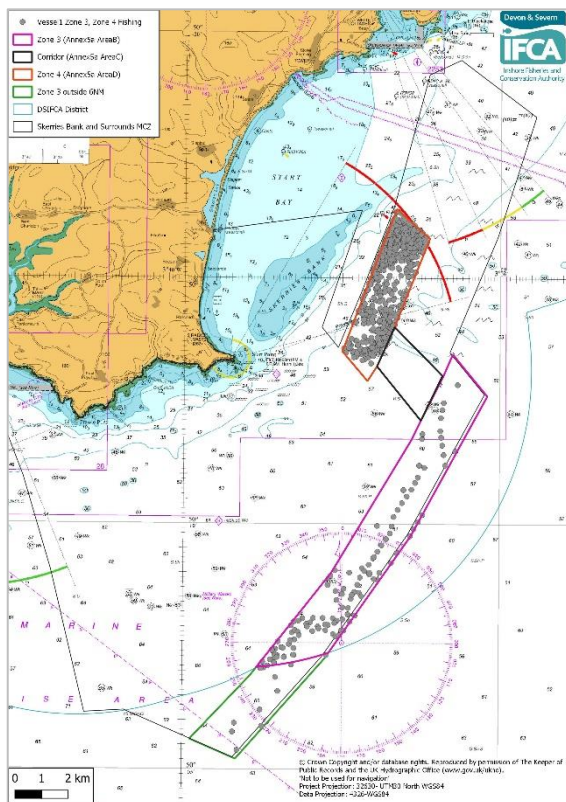
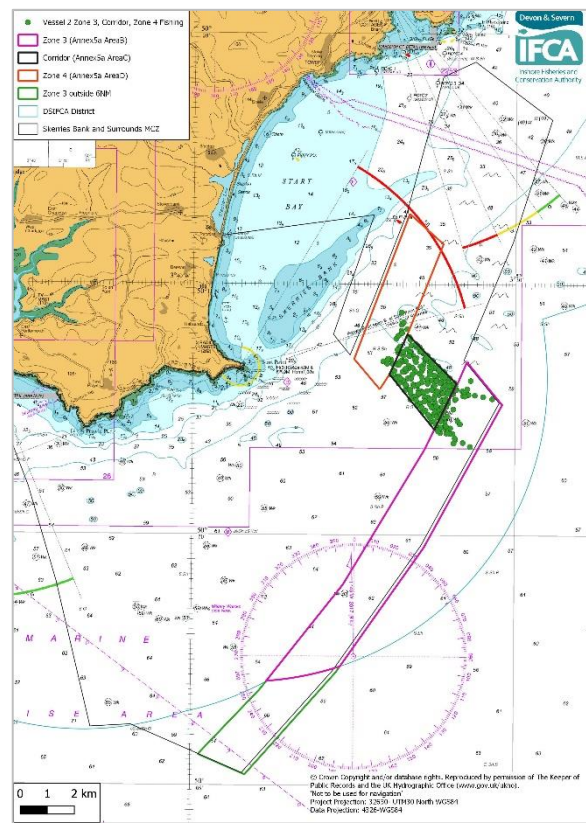
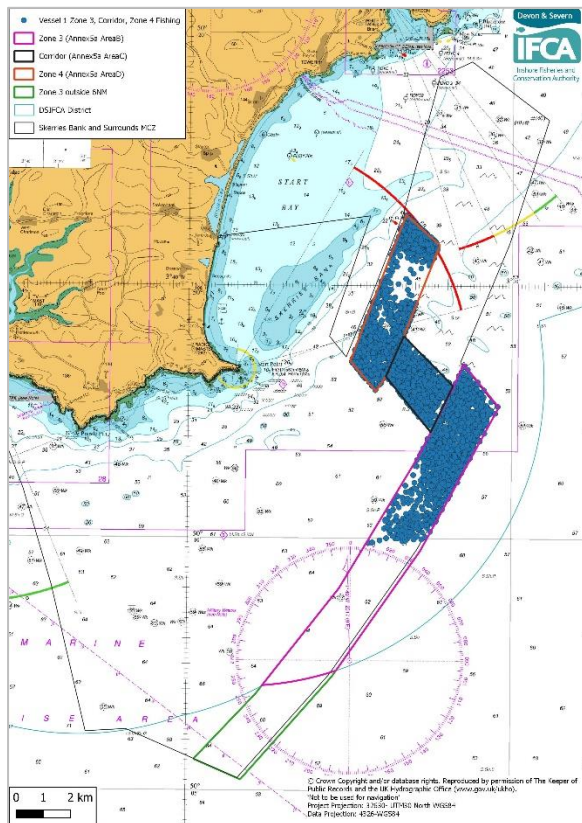
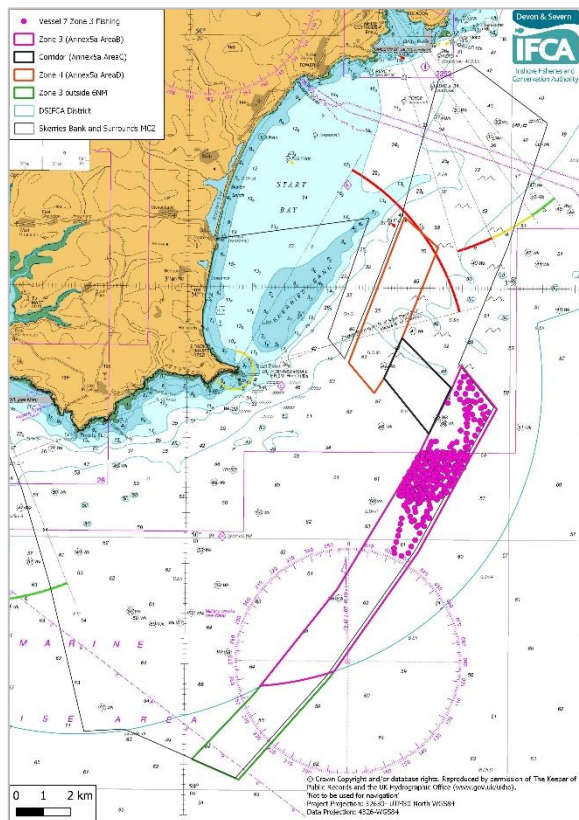
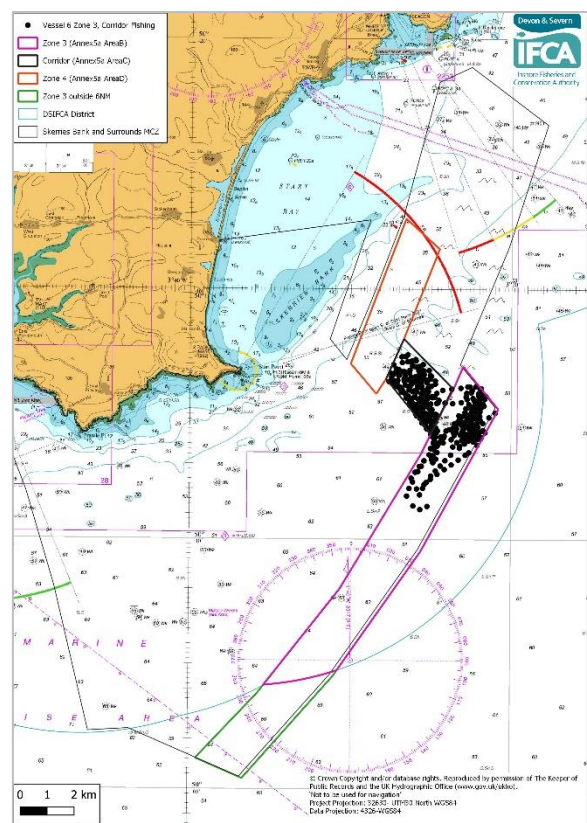
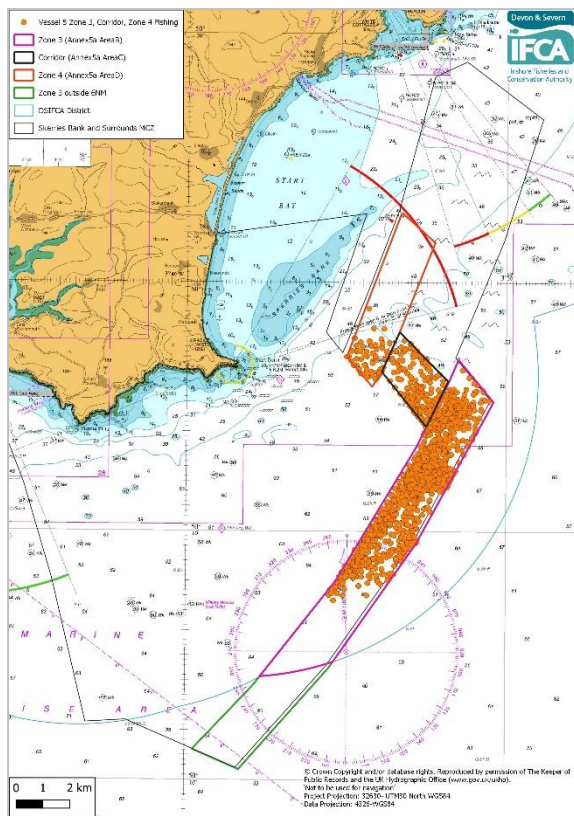
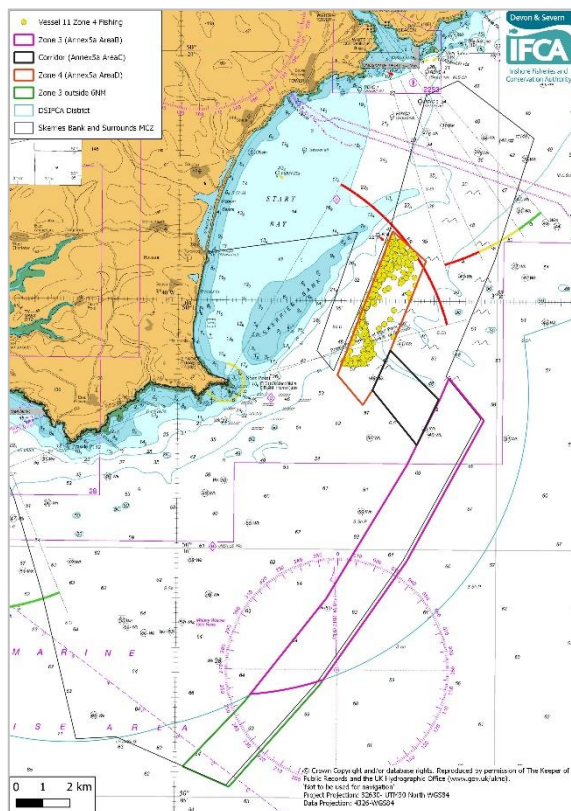
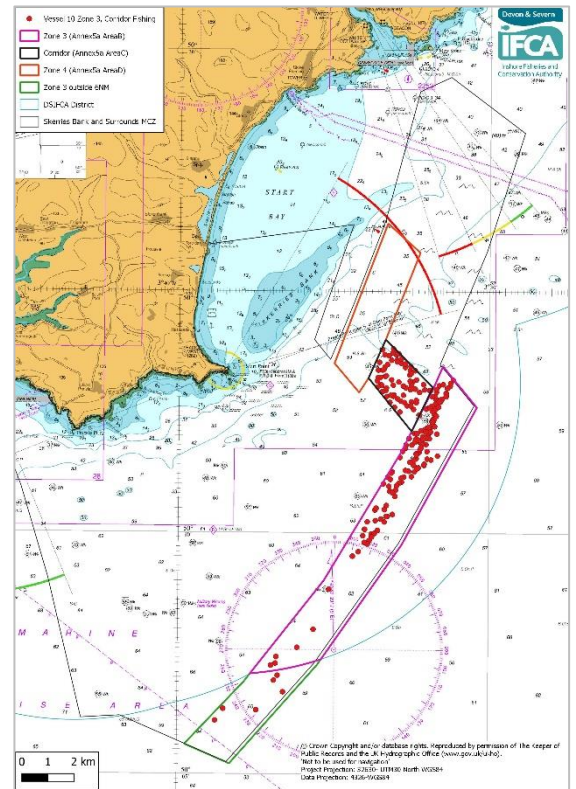
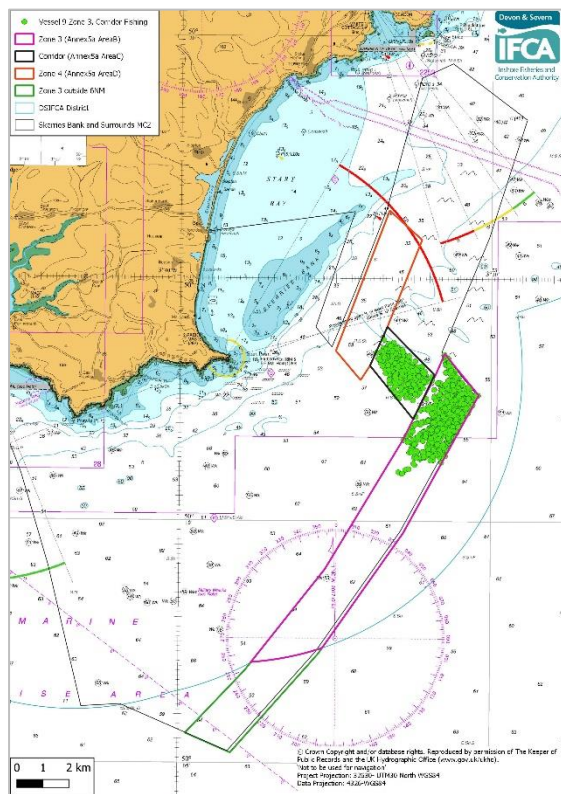


Figure 5- IVMS Tracks – all mobile fishing vessels identified for 2019 operating in the Skerries Bank and Surrounds MCZ

IVMS Tracks Individual Mobile Fishing Vessels operating in the Skerries Bank and Surround Access Zones







Annex 3 – Economic Impact of Removing Access to Zones in Skerries Bank and Surrounds MCZ – 2019 Data

Nine out of the eleven vessels had their 2019 landings data and IVMS tracks analysed using R statistical package to understand the economic value of the three access areas to the fishing industry. These figures may be greater due to the exclusion of two vessels from analysis due to inconsistencies in landings data. In total the value of landings in the three zones was estimated at £105,750.

IPA Corridor / Area C Annex 5a of the Mobile Fishing Permit Conditions

This zone is open from 1st March to 31st March each year. From the 2019 data five vessels would be affected by a removal of access to this zone. The analysis estimates that there would be **an average loss of income of 20.7% during March** (across the five affected vessels). Broken down by vessel this gives

- **Vessel 1 (estimated to lose 34.3% of its March income (£7,836.72))**
- **Vessel 2) estimated to lose 33.8% of its March income (£4,734.27)**
- Vessel 6 (estimated to lose **13.9%** (£2,189.96))
- Vessel 9 (estimated to lose **11.8%** (£1,925.46))
- Vessel 5 (estimated to lose 6.6% (£1,122.94))

IPA Zone 3 / Area B of the Mobile Fishing Permit Conditions

This zone is open from 1st January – 31st March each year. From the 2019 data, five vessels would have been affected by a removal of access to this zone. The analysis estimates that there would be an **average loss of income of 10.8% during January to March** (inclusive, across the vessels that use Zone 3). Broken down by vessel this gives:

- **Vessel 5 estimated to lose 26.5% (£21,960.61) of its January-March income (10% of this vessel's annual income)**
- **Vessel 1 estimated to lose 18.6% (£14,848.52)**
- Vessel 9 estimated to lose **10.4%** (£6,388.84)
- Vessel 3 (estimated to lose 6.9% (£6,289.32))
- Vessel 10 estimated to lose 4.4% (£1,553.11)
- Vessel 6 (estimated to lose 3.5% (£2,009.61))
- Vessel 2 (estimated to lose 3.1% (£1,695.48))
- Vessel 4 estimated to lose 2.6% (£1,777.55)

IPA Zone 4/Area D of the Mobile Fishing Permit Conditions

This zone is open from 1st Feb – 31st August) each year. From the 2019 data, four vessels would have been affected by a removal of access to this zone. The analysis estimates that there would be an average loss of income of approximately 4.8% during February to August (inclusive, across the four vessels). Broken down by vessel this gives:

- **Vessel 11 estimated to lose 13.5% (£4,738.91) of its February – August income (10% of this vessel's annual income)**
- **Vessel 1 estimated to lose 10.5% (£17,020.77)**
- Vessel 3 estimated to lose 4.7% (£9,835.84)
- Vessel 2 estimated to lose 0.19% (£345.71)