

## **Annex 2**

### **The pre-consultation**

#### **Observations, future discussion points and a summary of responses**

This pre-consultation and all forms of engagement are of vital use to assist the review process and other areas of IFCA working. Each new permit byelaw obviously contains conditions of use and those flexible conditions are also subjected to review when it is appropriate or triggered by permit holders. This has already happened with both the potting byelaw (increase of female brown crab to 150mm) and also more recently with the mobile fishing byelaw (Twin rig and number of scallop dredges).

The Authority should be made aware of the significant cost in both administration/stationary and officer time to facilitate the process. Work on this particular pre-consultation has involved many officers from a relatively small team and has on occasions slightly hampered other work streams.

During the pre-consultation period (late 2015 and early 2016) hundreds of officer hours have been required to create and prepare the required material and then print, present and circulate it. The managing of received information data including its dissection and summarising has been a major undertaking. Along with this, a high volume of telephone calls related to this process have been received and officer time devoted to answering these queries. The amended hard copy questionnaires postal packs required several thousand sheets of A4 paper along with an associated postal bill of close to £200. At the end of this pre-consultation officers will attempt to assess how effective the postal distribution was in regards to the number of returned usable responses.

Over 130 of the existing D&S IFCA permit holders (Mobile, potting and also diving) have no current useable e-mail address for direct and simple correspondence. The current cost of permits has been set at £20, however when the newer permit byelaws are reviewed (each 3 years), the cost of a permit could possibly be explored by members of the Authority. In the future a two tier system may be appropriate with potential permit holders given the choice of selecting a different fee dependent on how they wish to be engaged with.

A risk of consultation (via written questionnaires) is that the commercial sector in particular are often un-comfortable with this format of engagement and therefore don't engage at all or do so with the feeling that the process is bias in favour of stakeholders better able to respond. The fact that the IFCA often needs to engage with a wide range of stakeholders (at the same time) can also lead to criticism from commercial fishermen as it is sometimes obvious the subject matter will produce very different responses.

Feedback during this pre-consultation from commercial operators in particular has highlighted the fact that there is often now a reduced regular presence by officers visiting different areas (shore visits) of the district for non-targeted purposes or more random type of visits. Several stakeholders, (more the commercial sector), have expressed slight disappointment that this public relation/educational aspect of IFCA working has diminished in comparison to years ago, as IFCA working has had to become more targeted, especially in regards to enforcement duties. These types of visits did act as a form of continuous consultation that built up a certain amount of background knowledge for officers.

Although attendance at certain meetings occurs regularly and is on-going, there is potential for officers to develop more regular “workshops” in different areas of the district with targeted messages, information and material suitable for the more targeted audiences. Regular interaction of this kind may reduce confusion over certain issues and be of use to collect information whilst also reducing a feeling of isolation from some stakeholders.

## **Summary of responses**

Week 1 only (25<sup>th</sup> January to 1<sup>st</sup> February 2016)

### **Overview**

Response was high during this first week with just over 200<sup>1</sup> responses submitted, the bulk of which completed via the Survey Monkey on-line questionnaires:

- 119 questionnaires related to coastal proposals
- 81 questionnaires and 1 letter related to the estuary proposals

Over 60 questionnaires were provided with no usable information at all to inform this process. In addition to this, another 32 responses only contained only the most basic “yes/no/don’t know” completed fields with no developed text answers provided for the economic, social and gap analysis questions. Multiple forms appeared contradictory as preferences to all the separate proposals were indicated, without reasoning to explain how this would be possible.

Wide circulation of the IFCA’s pre-consultation messages and material via social media generated a certain amount of lobbying response. High volume of response was generated, in particular from the non-commercial sector; however the quality of response was often lacking.

Forms containing name only or indecipherable nonsense would seem to indicate that many people either; viewed the questionnaires out of curiosity, did “test” responses, failed to understand the content, were un-sure of how to answer, or simply did not wish to answer. Analysis of the first batch of responses does show that several people had multiple attempts at completing the questionnaires. Some stakeholders may have suspended their initial input to go away and research material, gather information to better respond at a later time. It was noticed that some “repeat” questionnaires “improved” over time, but the majority unfortunately did not.

## **Coastal Summary (Week 1 only)**

64 responses were complete enough to at least allow an attempt of a written summary of response. Questionnaires contained preferences to the proposal options and some partially developed answers to at least some of the key questions. The responses were dominated by recreational/other stakeholders and it is highly likely that the majority of these are active leisure anglers. There were only 17 useable coastal netting responses from commercial operators and many of these were certainly not detailed responses.

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<sup>1</sup> Some double counting due to multiple attempts

### ***Recreational/other users (Coastal Response)***

Continuation of current coastal measures was not favoured, with a clear preference demonstrated for implementation of more restrictive control measures. Proposals 5 and 7 (both inclusive of a 5m headline restriction) were favoured by the majority, with both options often selected rather than one or the other. Although these options were selected frequently, the text answers for several respondents' encouraged even heavier restrictions including a total ban within 1 mile of the shore for all or part of the year (October to the end of December).

Although the potential increase to a 5 metre headline depth was recognised by some to possibly aid salmonid protection, the vast majority sighted other benefits to the more restrictive options.

The continued and increased development of recreational sea angling was a continuous theme with netting deemed to be a major negative obstacle in the pursuit of a better angling experience. The economic and social importance of RSA was frequently mentioned with anecdotal evidence used rather than hard statistics. Additional restrictions on netting leading to a better sport fishing, more fishing trips and extra spending on bait, tackle and accommodation (holidays) were regular responses to the relevant questions.

Many of this group feel that nets (fixed nets in particular) are an indiscriminate wasteful method leading to excessive discarding. Concern exist within this group over stock levels of fish with many showing awareness about new bass conservation measures including bag limits and the 42cm minimum conservation reference size. For many of these stakeholders the current use of nets with specific mesh sizes is not seen to be a logical approach for the conservation of this species in particular. It appeared that the protection of bass, rather than salmon and sea trout within the coastal belt was the driving force behind the majority of these responses.

Several anglers felt that the commercial sector should accept additional restrictions to allow a better share of a limited resource for all users.

In regards to gap questioning, many ignored the questions relating to crab claw bycatch but did focus more on recreational netting. Many respondents favoured a total ban on recreational netting or far stricter control. Several stakeholders felt that netting is quite simply not a "recreational" activity and is a practice adopted for black market financial gain only. If the practice must continue the suggestions for restrictions varied but often the responses were not that detailed. A single net with a maximum length between 25 metres and 100 metres was seen as one option along with suggestions that recreational nets should be attended. The idea of a catch restriction prompted a mixed reaction with some favouring bag limits to mirror other recreational activity. Others felt that potential discarding would render a bag limit as a pointless conservation control measure.

Other comments included:

- Nets need better marking
- Increased netting restrictions improve safety for scuba divers and other water users
- The Bristol Channel is a breeding ground and needs more protection
- Restrictions need a lot more enforcement

### ***Commercial users (Coastal Response)***

The majority of these 17 respondents would prefer the current coastal management measures to continue and not change. A couple of respondents felt that any changes would not impact upon their fishing patterns or income as their netting is conducted in deep water. From the other questionnaire responses (and officer knowledge from other forms of feedback) the indications are that the potential increase in headline restriction is probably more of a concern to the commercial sector group, rather than any potential extension to the restricted zones. Proposal 5 or 7 would effectively cause a reduction in fishing areas for commercial operators using “bottom nets”.

It is known that the potentially “lost ground” issue is more of a concern in certain areas of the district than other areas due to various factors. Water depth was highlighted to be relatively shallow in certain areas along the coast. These shallower areas were claimed to include the inshore areas in South and East Devon (Teignmouth to Beer) where static gear positioned slightly more offshore is at relatively higher risk to damage from mobile methods due to a lack of closed fishing areas. This gear conflict issue coupled with a relatively larger volume of smaller vessels (<10 metre) and “beach boats” was certainly a factor for respondents raising concerns about the proposed 5 metre restriction. Unfortunately key statistics relating to the number of vessels netting and where, when, how often, and with what depth of headline was not apparent in this first batch of responses. Other areas mentioned in the week 1 responses included one focussed on Hele Bay (Ilfracombe area) where staked beach nets are apparently currently in use. This respondent was not aware of current byelaws and also raised concerns over lost fishing opportunities, lost traditions, lost fishing skills and a lack of understanding by other stakeholders.

Detail of the economic importance of maintaining the status quo was not that detailed with many simply stating that inshore netting is important to them and equates to a significant portion of overall income. Other detail such as the potential impact of the wider community was also scant.

From the slightly better crafted responses, Bigbury Bay was highlighted as an important area for the netting of spider crab which is worth around £30000 a year to at least one Salcombe based vessel diverse in its fishing operations. A change to the headline restriction could potentially reduce this netting income by 25%. A fisherman with one small vessel based at Budleigh Salterton explained that 65% of his income is derived from inshore netting and a change to the headline would seriously hamper his on-going fishing operations and earning potential.

The majority of these commercial operators would like recreational netting prohibited. A few others felt that at the very least it should have tighter controls. There have been claims via the questionnaires and officer engagement during this week that recreational netting is being undertaken fairly regularly in certain areas. The thoughts are that excessive amounts are being used and too many fish are being caught and landed to satisfy the personal consumption of many of these fishers. It is claimed that some recreational netters have even had hydraulic haulers fitted to their vessels and this has been observed by officers. Suggestions for management included a limit of a single net with a maximum length of 100 metres, with other respondents favouring smaller lengths than this. Management via bag limit/catch restriction was not as popular among these completed questionnaires.

The better responses indicated that the introduction of a bycatch of crab claws would be of benefit to some. Evidence would suggest that during large parts of the year significant quantities of crab are caught in nets and clearing them is both time consuming and wasteful of a good resource. Suggestions for management included an allowance of around 30 kg per day, which would be mirroring CIFCA allowances. A weight was favoured rather than a number.

Several of the questionnaires indicated that not everyone felt comfortable or able to answer questions relating to areas that they do not personally fish. Another observation (via other feedback) is that many commercial operators wrongly assume that the IFCA has considerable amounts of evidence taken from individual landing declarations supplied to the Marine Management Organisation.

## **Estuary Summary (Week 1 only)**

81 questionnaires were submitted along with 1 letter. Of these, 58 were complete enough to at least allow an attempt of a written summary of response. 53 of the responses were from the recreational/other sector with the remaining 5 submitted by commercial users.

### ***Recreational/other users (Estuary Response)***

From 53 responses 17 contained no extended answers relating to the proposals however they were complete enough to determine that the majority of these had a preference to see at least some the boundaries of the estuaries amended where appropriate as set out in the proposals and also restricting netting within estuaries to seine netting for the capture of sand eel. 3 respondents focussed purely on Plymouth, however it should be remembered that questions relating to Plymouth appeared at the beginning of the questionnaire.

The other 35 recreational/other respondents added slightly more detail to their responses. Again they were nearly all supportive of the proposals for the additional control of netting within the estuaries and the majority favoured adjusting all boundaries where appropriate. 1 of these recreational users (Severn Area) was against the proposals and explained that he is an active user of £500 of nets and has been doing so for 30 years.

Many of the themes extended to all the estuaries rather than specific estuaries as many responses were completed with “see my earlier answer” inserted into multiple sections of the questionnaires. Improvement of the recreational angling experience and other estuary based activities was a popular theme. The fact that bass and mullet are very popular “sport” fish was highlighted several times and the protection of these species and stock recovery is seen of vital importance. Benefits to tourism and local businesses, such as bait shops and charter boats were a regular response in relation to the economic questioning. It should be mentioned that economic answers provided were mainly sweeping statements rather than detailed statistical answers.

One respondent estimated that bass angling is worth £200 million to the recreational sector by way of increased RSA participation and subsequent spending. Other respondents highlighted some knowledge of reports from organisations such as the National Mullet Club to strengthen their economic argument that estuaries should be protected from netting and the areas should become improved safe havens for juvenile fish.

Establishing a balance for all users was another theme with a prohibition of estuary netting sighted as a way of achieving a better balance. Many recreational anglers are aware of the new EU bag limits on bass and have been implemented and whilst they are happy to adopt or continue to practice catch and release, they consider it unjust to allow potential capture of bass by commercial fishers within the estuaries. Several respondents took the view that increased stock protection will eventually produce “spill over” to accessible areas outside of the estuary which would benefit the commercial netters in the future and this is a far better longer term outcome.

Wider ranging social benefits of the estuary proposals included:

- additional protection for birds and other water users
- Making illegal netting easier to identify and remove confusion

Although the Duchy of Cornwall has not responded during this pre-consultation period, the D&SIFCA has the understanding that the Duchy of Cornwall is concerned with netting activity in any of the “Waters of Dartmouth” (Avon, Salcombe and Dart) and would be supportive of the netting management measures put forward by the Authority.

### ***Commercial users (Estuary Response)***

Only 5 questionnaires were received from commercial users during the 1<sup>st</sup> week. Of these, 1 was useless for summary as it contained “don’t know” answers throughout. Another focussed totally on the Taw/Torridge areas where both a boundary change and netting restriction was not favoured, however no other information was given at all. 2 of the other questionnaires focussed totally on Plymouth with the proposals again not totally favoured, although one of these respondents did favour the boundary change for Plymouth Sound. Also one of these Plymouth focussed questionnaires had some answers relevant to other areas. The final questionnaire had more detail by way of an attached letter which contained information relating to drift netting within the Salcombe estuary.

There were some key points from the 3 most useful questionnaires. It was felt that small boats should not be stopped making a living in Plymouth Sound, which provides a sheltered area which is safer in poor weather for the use of drift nets. The boundary lines in Plymouth for the bass nursery areas are adequate now, new size limits have been introduced and additional measures would put small scale commercial operators at risk.

One respondent felt that the RSA sector has been heavily influenced by angling publications and as a result are anti-netting and anti-commercial. In addition these RSA sectors have little knowledge of netting and commonly mistake pot markers/buffs for nets.

Illegal activity was mentioned within the responses. It is felt that a minority of illegal netters, and the need to stop their activity is potentially removing opportunity for more legitimate fishermen. In addition a lack of legitimate netters within the estuaries will remove the ability for some “self-policing” or extra eyes in the areas of concern.

Information received in relation to Salcombe Estuary included both economic and social topics. Having been a fishing village since 1277 commercial fishing (history, atmosphere and sights of the industry) is seen as major benefit to tourism and it is well known that the population of this town

swells enormously during holiday periods. During hundreds of years netting within this estuary has altered but has always taken place in one form or another. Various netting methods have developed over time and several generations of this stakeholder's family have adapted their netting techniques to work around increasing numbers of boat moorings. With space reduced, short lengths of attended nets have been used in back eddies of the estuaries on appropriate tides. To reduce the risk of unintended non-compliance with netting regulations (due somewhat to the unique nature of the estuary), this stakeholder suggests a new definition for fixed engines if netting was to be permitted.

Although this respondent from Salcombe has now reduced his netting activity within the estuary, a regular income between £5000 & £10000 per year was achievable over winter months when crossing the "Bar" to access sea areas was not an option. Although not evident from the week 1 questionnaires, officers are aware that there are several other fishermen based in Salcombe who have operated drift nets within this estuary in past years for mullet and they may also be impacted by the new proposals.

## **Summary of responses - continued**

Week 2 to 4 (2<sup>nd</sup> February to 22<sup>nd</sup> February 2016)

### **Overview**

A large collection of additional responses were collected in weeks 2 to 4, although many of these (in particular the commercial responders) were submitted as "improved" or more detailed responses to those already completed in week 1. In addition to the summary below, a separate annex has been created to provide a more detailed overview of the netting interests within the Severn Estuary/Somerset coast with particular focus on the area between Minehead and Weston-super-Mare. Within this report the history of netting activity along with current fishing operations relevant to this review is explained.

## **Estuary Summary (Week 2-4 only)**

### ***Commercial users***

21 responses were received in weeks 2 to 4 representing several estuaries, with approximately half received via the postal questionnaires. Although the overall theme was a rejection of the estuary proposals (as set out), only a minority of the respondents rejected the proposals in all areas, with the majority preferring to only offer views on specific estuaries that they fish. 3 of the respondents indicated that they agreed with the proposals in principal, in all or just specific estuaries. A few other respondents commented on various multiple estuaries within the district although the evidence would not suggest they actively fish all the estuaries they expressed opinion on.

Of these responses one stakeholder explained that he has a desire to fish with drift nets within multiple estuaries (South Coast) and is known (by officers) to have done so in the past, with mullet claimed to be his target species. His response was built upon a rejection of the additional netting restrictions (in all areas) with only Plymouth sighted as a concern in relation to boundary change. The boundary change was sighed as a potential impact on the autumn drift net fishery within The

Sound. This stakeholder was able to explain that netting using his < 7m vessel and trailer combination was his prime source of income and he has not diversified into other static gear methods such as pots. His earnings from netting were just short of £25000 in 2015 of which £6200 was earned within Cornish estuaries. He has a strong view that mullet is not under pressure and attendance of drift nets within estuaries offers the opportunity to be selective. With the absence of a "Duchy Permit" to fish the Dart, Avon and Salcombe estuary, he estimates that he is missing an opportunity to add 25% to his existing earnings from netting. In addition to lost earnings his other main observation was related to weather, sea conditions and safety. He raised concerns over the safety of himself and his crew member by being pushed out to sea in a vessel more suited to estuary fishing.

### **Plymouth sound**

There were 4 responses from stakeholders that said they fish in Plymouth Sound and additional comments from others even if active fishing was more difficult to establish. 2 vessels claim to earn over £10,000 each from netting with 1 to 25% and also 25% to 50% of this income deriving from estuaries but it is not clear if this is only Plymouth Sound. Both of these vessels are known to be diverse in their fishing activity with over 2000 crab pots operated between them indicating that shellfish accounts for the bulk of their earnings. Another separate respondent from Plymouth made observations about the proposals. This respondent stated his personal netting income from within estuaries was £0; however he did raise concerns over a boundary change in regards to other fishers, even though he was supportive of the tighter estuary netting restrictions. His response mentioned the herring fishery in the Sound and how it has already started to become monopolised by ring netters, reducing opportunity to smaller boats. The proposals as set out would further reduce earning potential of small vessels (drift netters and those using some bottom nets) already compromised by poor weather and sea conditions. A boundary extension would pressurise these smaller boats to work in more exposed waters outside the breakwater.

The final questionnaire in this batch that mentioned Plymouth Sound also highlighted the protection that The Sound currently offers small netters and the benefits of safety to the fishermen. In addition this respondent expressed his view that the current bass nursery areas already provide adequate protection for bass in the Plymouth area and extensions for the protection of this species are not required. His response explained many large bass (over 42cm) are available to be caught in the sound as there is an abundant and suitable food source in this area for them to eat. This respondent also commented on the Taw Torridge area and repeated his concerns in relation to a boundary change and its potential impact on small boat safety.

### **Taw/Torridge**

In addition to the responder above, there were four additional questionnaires focussing on this estuary. The general theme is that these proposals are not favoured with financial impact and safety implications mentioned as key themes along with the historic and traditional value of netting activity in this area. The respondents have been active fishers in the estuary for many years with some stating how their lives and skills have developed by growing up and working within this area. Financial information was provided by some of the respondents including an 81 year old retired

fisherman that earns up to £1000 per year from netting within the estuary. The other 3 respondents are known to be more active with their netting in the Taw/Torridge and each of them indicating estuary netting earnings between £1000 and £5000.

The questionnaires state that gear used in this area includes nets of 4" mesh with lengths of 100 fathom that are used to drift with on suitable tides. The fishermen have referenced other conservation requirements and have stated that their activity has no impact on salmon and seatrout and respect the new EU conservation measures for bass.

One of these respondents has highlighted a risk that a new boundary line for the estuary would potentially be used by Defra in the review of bass nursery areas. An extension of the Taw/Torridge BNA would (unless the content of the legislation changes) present restrictions on "fishing for bass" by rod and line in a wider area than at present and potentially impact on rod and line activity for all stakeholders within relatively sheltered areas.

### **Other estuaries**

The other estuaries received less attention. A new response was received for Salcombe which was in favour of restricting netting along with a "modified and improved" questionnaire from a week 1 respondent. The modified questionnaire indicated that estuary netting in Salcombe is worth £5,000 to £10,000 (for the vessel mentioned) of which 75% to 100% is made from estuary netting. This form of fishing is of use to this stakeholder, particularly in periods of poor weather when access to sea areas is more limited. This stakeholder did provide some ideas for the control of any potential future access for drift netting. These ideas included a maximum of 2 nets of 200 metres, a maximum soak time of 45 minutes before hauling and continuous attendance. The inability to target bass, grey mullet, gilt head bream and Pollock from within the estuary will impact the continuing use this vessel as a commercial vessel. Fixed costs such as harbour dues and insurance will supersede the earning potential of the vessel making it financially un-viable. It should be mentioned that this small vessel is not the only fishing vessel used by this particular stakeholder, with a much larger static gear vessel used on a more regular basis. This stakeholder's alternative main vessel is used to operate nets and also pursue crab and lobster with over 1000 pots in use for large portions of the year, and accounts for a large part of overall earnings.

Other estuaries mentioned within the 2<sup>nd</sup> round of questionnaires included the Teign, Exe and Axe (Somerset). The response in relation to the Axe highlighted concerns over the boundary rather than the concept of separating sea areas from the river and applying more restrictive measures within the river. These concerns over the location of the boundary are covered in a separate portion of this report.

The 2 responses in relation to the Teign both indicate that the use of nets within the estuary is worth up to several thousand pounds per year for each of them and the restrictions imposed by proposals would impact on income. One of these respondents expanded his response to include all estuaries and was not in favour of the proposals. The other fisherman limited his response to the Teign only and was again not in favour of change. It is thought that both of these fishermen concentrate their estuary fishing within the Teign. Each of them were able to explain that from a total netting income of £5K to £10K, netting within estuaries accounts for at least 25% of this amount. MMO landing figures recorded very little bass and mullet landed at Teignmouth during 2015 again highlighting

possible difficulties with applying the only available, substantial data set. Both of these fishermen are diverse in their fishing activity with one of them reporting to be more dependent on netting as their main income stream. Along with this information the common theme was again highlighting increased dangers for small vessels by potentially removing sheltered fishing areas from them and forcing changes to their fishing patterns. The single response in relation to the Exe did not comment directly on the proposals but did include some ideas (of management) to potentially allow access. The respondent acknowledged difficulties associated with illegal activity in years before this estuary was closed to netting and the reputational damage this has caused for a wider group of fishermen.

### ***Recreational/other users***

The National Mullet Club studied the summary of response document (Estuaries) that was created following the initial pre-consultation in 2015 and has submitted a response (letter format) which is attached to this report as a separate annex. The report contains comments and evidence to counter claims made the commercial sector in regards to fishing for mullet and its viability. The paper ends with a statement that evidence supports a ban on netting within estuaries. Although they have not responded directly to the proposals as set out in the new questionnaire/s, it is therefore logical to conclude from their response that this organisation would support the proposal (to prohibit all netting within estuaries except where seine nets are used to catch sand eels) so that stocks of mullet are afforded additional protection.

The remaining “individual” responses (questionnaires) from this group of stakeholders numbered 26, with half of them containing no useful information at all. The remainder were of use to indicate total support for the estuary proposal to implement netting restrictions. In regards to the boundary proposals the majority favoured these proposals also. There were no major new themes developing from these week 2 to 4 responses to add to themes already established in this report. Many respondents again included general statements to explain the potential benefits to the RSA sector and fish stocks. One respondent commenting on the Plymouth Sound boundary change recognised (without concern) potential future RSA “catch and release only” implications associated with an increase in this site and its “larger estuary” designation. Finally, one response indicated that although they are not active with any form of fishing, they were able to clearly understand the proposals which they felt were well presented by the IFCA.

## **Coastal Summary (Week 2-4 only)**

### ***Commercial users***

51<sup>2</sup> additional responses have been received (16 postal & 35 on-line) with several of these being “improved” or having more detail added to questionnaires already completed in week 1. 3 of these were discarded. Maintaining the current restrictions is the favoured proposal for the majority. 5 fishermen indicated that an extension of the restrictive zones coupled with the current 3 metre headline restriction would be their first choice or an acceptable alternative to proposal 4.

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<sup>2</sup> Includes repeated attempts at responses in weeks 2 to 4

## **North Devon**

Areas of focus on the questionnaires were highlighted as Baggy Point to Morte Stone and also Hartland Point to Welcombe Mouth (where surface nets are not restricted). 5 responses provided information that indicates netting is worth between £5K to £10K each for most of these stakeholders and netting in general accounts for 25% to 45% of their total incomes. Netting relatively close to the shore is important to all these stakeholders with 45% to 100% of income derived from within 1 mile of the shore. The placement of fixed nets in the water column is mainly within 0 to 3 metres with 24 nets stated to be used in this range. A large number of fixed nets are also stated as being used in the 3m to 5m range, but none stated to be set in deeper water.

The relative small size of vessels and difficulties fishing further offshore was mentioned once again along with difficulties such as strong tides. The impacts that are placed on local vessels from other conservation drives (such as EU measures) were also mentioned.

One respondent raised concerns over this and previous consultations claiming that the commercial sector is dis-advantaged with a bias shown by the IFCA towards the recreational sector and conservation groups by requesting information from them and also other organisations.

It was indicated that recreational netting was not seen to be a popular activity in this immediate area, however the ability for it to continue was not favoured. If it were to continue the restrictions suggested would be a single net only with a maximum length of 100 metres. Information submitted concerning a crab claw bye catch was not detailed and has not helped to inform the process.

## **South Coast of Devon**

There were 35 questionnaires submitted from vessels working between Plymouth and Lyme Regis using various types of nets with a wide range of species targeted. The indications of the earnings do highlight the importance of the activity to these respondents and the impact that coastal changes could have on their livelihoods. The majority of respondents indicated that netting at sea accounts for over £10K per year, with the second most popular selection being the next level down (£5K to £10K selection). A significant quantity of these respondents have indicated that they rely heavily on netting for the bulk of their earnings and for some their total earnings. For others that are more diverse in their fishing activity netting was still seen as an important part of overall earnings.

It has been noticed that many of the commercial operators who have responded to this pre-consultation have declared themselves to be small scale operators and many are already frustrated by a combination of factors. The ability to fish with small vessels in poor weather has been mentioned multiple times and is a natural form of effort control. Additional concerns such as new bass legislation, capping of under 10m licences, removal of shellfish entitlements, prices of purchasing licences, purchases of safety equipment, have all been mentioned and changes to coastal netting byelaws are not welcomed by the vast majority of these stakeholders.

It is evident that the majority of the respondents conduct a lot of their netting activity within 1 mile of the shore with many netters utilising areas in-between the red restricted zones. Torbay is one example where respondents have indicated that nets are used to fish for species such as herring, pilchards and mackerel.

It has become evident that a significant number of fixed nets are placed in the 3 to 5 metre headline range. A range of species are targeted and the ability to work the number of nets currently used would be impacted by a headline restriction increase. Bottom nets for ray and flat fish are regularly used throughout the South coast within this 1 mile from the shore coastal zone. Additionally several shellfish orientated netters have explained that relatively large mesh nets for spider crab are currently set close to the shore for capture of this species. More of the respondents added comments of concern over the headline depth proposal than the extension of zones, however it is clear that many fishermen feel current measures are acceptable for achieving conservation objectives and have questioned the need for change. Some fishermen have commented on the need for some change but with care to limit impact which for some has been stated as potentially devastating.

In regards to the “Red zones”, the opportunity to obtain a permit for a surface net (with a mesh size of 90mm-93mm) has been questioned. With a new MCRS size of 42cm this mesh size is not seen appropriate for some fishermen and has resulted in some not applying any longer for a fixed surface net as small bass would be effectively “targeted” and caught in these nets. An extension of the “banned range” to over 102mm mesh size was suggested by one respondent who felt this would assist in the protection of sea trout. This respondent also suggested this 102mm mesh size be potentially used for the tagged fixed surface nets in the October to December period when the Salmon don’t run, with these nets possibly then permitted for 200 metre lengths instead of the current length restrictions. Although comments regarding salmon were not the most regular of themes, the accidental catch of salmon based on years and years of fishing was described as non-existent. The 3 metre rule was seen as a measure that has helped to protect the fresh water species and does not need to alter.

### **Gap analysis questions**

There is support for the introduction of a crab claw bycatch from a lot of the commercial sector on the south coast, but not from all with around 40% of these commercial respondents not in favour or un-sure at this time. Many have indicated that crab is not the target species (other than spider crab nets) but have explained that the capture of crab in many nets is un-avoidable. The difficulties of removing crab whole from nets without damaging the nets was mentioned several times and to waste a resource is not seen as a sensible option by many. The level of suggested by-catch has not been consistent in the questionnaires with some offering no figure. Levels between 60 kg and 30kg per trip have been suggested.

The majority of these respondents are not in favour of recreational netting, but if it is to continue restrictions should be implemented. Number of nets and length were the favoured control measures with a single net no longer than 100 metres the most popular response. Some have suggested shorter lengths than this of around 50 to 60 metres. The provision that the catch must be for personal consumption was obviously a key theme.

### ***Recreational/other stakeholders***

Over 40 responses have been studied but 22 of these were incomplete to such an extent that no information was able to be extracted. The remaining questionnaires were able to show a preference to the more restrictive proposals (5 and 7) where the headline depth would be increased. No new major themes have been discovered to those already summarised earlier in this report.

### **Gap analysis questions**

There were only 7 questionnaires supportive of allowing recreational netting to continue within the district. The “right to fish” was mentioned along with the need to “provide food for my family”. The counter argument was that recreational netting is in reality a disguised commercial venture. In regards to the gap analysis question on the bycatch of crab claw bycatch, many of the respondents skipped this question completely. 4 respondents were not in favour as they were against netting altogether or felt this measure would be exploited and abused.

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