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# A Call for Information Have Your Say

## A Focus on Hand Gathering

June & July 2019

## What's the Call for Information about?

Your view is important. D&S IFCA is inviting you to have your say on how (in your view) the fishing methods of hand gathering could or should be managed in the D&S IFCA's District. We are directly contacting everyone on our mailing list and are giving you options on how to respond which include a dedicated email address and four separate surgery sessions where you can come and speak to an officer in person. This information gathering exercise that **will end on 26<sup>th</sup> July 2019** is the last of a three-phase approach to collect information and forms part of a [larger plan](#) for D&S IFCA to review the management of the many different Hand Working Fishing Activities.

Focus has already been applied to the use of crab tiles and bait digging. This exercise is intended to focus on a range of hand gathering fishing activities, other than bait digging or the use of crab tiles. We encourage you to read the information we have set out, which includes embedded information (hyperlinks), and base your response around the following questions:

- **Do you conduct any of the hand gathering activities we have set out?**
- **Do you know other people who conduct hand gathering fishing activities?**
- **Where do you or others conduct hand gathering methods?**
- **How often do you or others conduct hand gathering activities?**
- **Do you think there is an issue with any of the hand gathering activities?**
- **Do you have any comments about the current Byelaws that are relevant to hand gathering fishing methods?**
- **Is further management or different restrictions required?**
- **How would any potential changes to the management of hand gathering fishing activities impact you or others?**

## Hand Gathering in D&S IFCA's District.

There are many methods that fall under the term "Hand Gathering". It is important to clarify that activities already managed via Regulating Orders granted under the Shellfish Act 1967 do not form part of this review. Regulating Orders remove the "Right of Public Fishery" from the area of the designated fishery and provides D&S IFCA with the powers to manage the area.

An example would include the Waddeton Fishery Order where D&S IFCA has the management responsibility until 2026 and already imposes restrictions on the fishery for molluscan shellfish as well as shore crabs. Another important Regulating Order exists on the river Teign. This Order however is quite unusual as the grantees are Teign Musselmen's Association which consist of commercial shellfishermen that operate within the regulating order area.

However, as set out in sections 158 of the Marine and Coastal Access Act 2009, where a private fishery exists within a designated Marine Protected Area (MPA) then the management (if it was set out for example in a Byelaw or permit conditions) can apply across the private fishery area without the consent of the private fishery. This could apply to some of the estuaries in Devon, such as the Exe and Dart.

## The Defined Hand Gathering Methods

For this phase of our review into Hand Working Fishing Activity, the use of crab tiles and bait digging are not included, however D&S IFCA have defined the following as hand gathering methods.

### **Bait pumping**

Bait pumps are mainly used for black lugworms (*Arenicola defodiens*). At the low water mark on spring tides the pump is placed over the newly produced lugworm cast, then suction used to withdraw a thin column of sand, including the lugworm, to the surface



### **Hand gathering for mussels, cockles, clams, winkles, limpets and other molluscan species**

At low water mussels, cockles, clams, winkles, limpets and other molluscan species are collected by hand. Due to a lack of mussel on the public beds within the Teign and the Exe Estuaries, these beds have been subjected to a temporary closure. From 1<sup>st</sup> May 2019, and until further notice, it is prohibited for any person to remove mussels from the areas defined in both locations.



### **Raking for cockles and clams**

Garden rakes are used on the intertidal to collect cockles and clams which are just under the surface of the sediment. Once raked up to the surface they are collected by hand.



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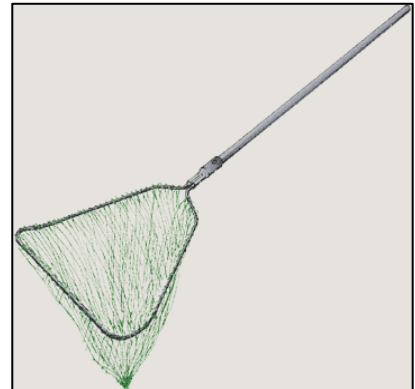
### **Hooking for crab and lobsters**

This is carried out at low water on spring tides. A long stick, such as bamboo or old fishing rod, will have a hook attached to one end which is poked under rocks and in holes in the shallows. The crab or lobster grabs hold of this hook and they are pulled out and collected.



### **Prawning with hand net**

This is carried out at low water on spring tides usually during the summer months. A small hand net is used in gullies and rock pools to collect prawns and shrimp from under the seaweed.



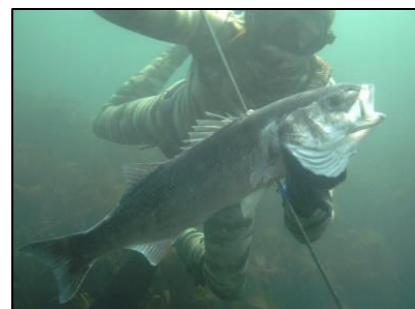
### **Salting for razor shells**

Salting for razor clams, which involves pouring table salt down the burrows and when the razor clams come to the surface, they are collected.



### **Spear fishing**

Spear fishing is carried out by snorkelers or divers, using either a spear gun or a spear to shoot and capture various sea fish while underwater.



### **Seaweed harvesting**

Seaweed is collected by hand from the intertidal zone of the shore for consumption.



## How is hand gathering currently managed?

Hand gathering is managed in D&S IFCA's District via different [Byelaws](#). Many of these legacy measures are relevant to different hand gathering methods as they apply to any person, rather than focussing on a fishing activity or the equipment used. Some of the measures set out below have been used to help develop permit conditions that are issued to fishers conducting different methods such as potting or diving for crab, lobster or scallops. Many of the legacy Byelaws are relatively old and this is reflected in the wording used within each Byelaw and the use of imperial rather than metric measurements. All the Byelaws need to be reviewed and it is possible that this review will enable some of them to be revoked. You may want to give us your thoughts on the legacy measures? The key elements of each legacy byelaw are explained below:

### Shellfish – Re-deposit of (26<sup>th</sup> February 1998)

This Byelaw means that any person who takes any shellfish, the removal of which from a fishery is prohibited by any of the Byelaws, or the possession or sale of which is prohibited, shall re-deposit them without injury in the water as near as possible to the place where they were taken from.

### Temporary Closure of Shellfish Beds (26<sup>th</sup> February 1998)

This Byelaw allows D&S IFCA to close areas to help aid recovery of the beds or to protect stocks of immature or undersize shellfish. The Byelaw applies to all persons taking shellfish but is restricted to defined species which include mussels, oysters, clams and periwinkles. **This Byelaw has been used recently (1<sup>st</sup> May 2019) to prohibit any person from taking mussel from the public beds in the Teign and Exe Estuaries. A weakness that D&S IFCA has already identified is that cockles are not included.**

### Winkles (26<sup>th</sup> February 1998)

This Byelaw applies to all persons and prohibits the removal of any winkle which will pass easily through a gauge within a square opening of 16mm measured over each side of the square.

### Crabs (26<sup>th</sup> February 1998)

This Byelaw prohibits any person from removing edible crab (brown crab) below the specified sizes as measured across the broadest part of the shell, regardless of what method is being used. The sizes in this Byelaw are specified as being 140mm for female crab and 160mm for male crab.

### Prohibition of Spear Fishing in Lundy Marine Conservation Zone (MCZ) (16<sup>th</sup> October 2009)

This Byelaw prohibits any person from using a harpoon spear or like instrument to catch fish or shellfish from within the specified site at Lundy Island.

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### Parts of Edible Crab (16<sup>th</sup> February 1993)

This Byelaw prohibits any person from removing any part of an edible crab (brown crab) which is detached from the carapace of the crab, regardless of what method is being used. The sizes in this Byelaw are specified as being 140mm for female brown crab and 160mm for male brown crab.

### Harvesting of Shore Crab (18<sup>th</sup> July 2008)

This Byelaw applies to all persons and prohibits the taking of shorecrab (*Carcinusmaenas*) from a defined area in the Exe Estuary.

### Protection of V-Notched Lobsters (15<sup>th</sup> September 1998)

This Byelaw prohibits any person from removing any v-notched or mutilated lobster (*Homarus Gammarus*) from a fishery and requires that any such lobster to be returned immediately to the sea.

### Protection of Undersize and Berried Lobsters (15<sup>th</sup> September 1998)

This Byelaw applies to any person. It prohibits the removal of berried lobsters (those carrying eggs) and lobsters that are below 90mm in length (as measured along the carapace).

### Lundy "No Take Zone" (11<sup>th</sup> February 2003)

This Byelaw prohibits any person from removing any sea fish from a defined area at Lundy Island.

### Shellfish – Minimum Sizes

This Byelaw applies to any person, but it is limited to the Taw Torridge Estuary. It prohibits the removal of:

- Any oyster that will pass through a gauge having a circular opening of 2 ¼ inches in diameter
- Any mussel of less than 2 inches in length
- Any cockle that will pass through a gauge having an aperture of ¾ inch square
- Any edible crab measuring less than 4 ½ inches across the broadest part of the back
- Any lobster or crawfish measuring less than 9 inches from the tip of the beak at the end of the tail when spread as far as possible flat

### Lobster, Crawfish and Crabs

This Byelaw applies to any person, but it is limited to the Taw Torridge Estuary. It prohibits the removal of any berried edible crab, lobster or crawfish or any soft-shelled crab or crawfish.

### Shellfish – Re-deposit of

This Byelaw applies to any person, but it is limited to the Taw Torridge Estuary. This Byelaw means that any person who takes any shellfish, the removal of which from a fishery is prohibited by any of the Byelaws, or the possession or sale of which is



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prohibited, shall re-deposit them as nearly as possible in the place they were taken from. If cockles are re-deposited, they should be spread thinly and evenly over the beds.

### Regulation of Shellfish Beds

This Byelaw is very similar to Temporary Closure of Shellfish Beds (26<sup>th</sup> February 1998) but is limited to the Taw Torridge Estuary. It allows areas to be closed to help aid recovery of the beds or to protect stocks of immature or undersize shellfish.

### Prevent Sea Fishing in the Tidal River Yeo (Barnstable)

This Byelaw applies to any person, but it is limited to a specific area of the tidal River Yeo. It prohibits fishing for sea fish by any method.

## Our Research

D&S IFCA has undertaken several studies looking at the levels and intensity of different hand gathering fishing methods at key locations throughout the District. The results of these surveys are available on our website and will feed into the Marine Protected Area (MPA) assessments that D&S IFCA is undertaking.

The individual reports are embedded (hyperlinked) below:

### **Cockles**

- [Exe Estuary Cockle Stock Assessment 2010 - 2017](#)

### **Mussels**

- [Exe Estuary Mussel Stock Assessment 2016](#)
- [Exe Estuary Mussel Stock Assessment 2017](#)
- [Taw Torridge Mussel Stock Assessment 2012](#)
- [Taw Torridge Mussel Stock Assessment 2016](#)
- [Taw Torridge Mussel Stock Assessment 2017](#)
- [Teign Estuary Mussel Stock Assessment 2012](#)
- [Mussel Stocks on the Teign & Exe Estuaries Report \(November 2018\)](#)

### **Hand Gathering**

- [Bait Digging & Hand Gathering in the Torbay Marine Conservation Zone \(January 2019\)](#)

You can also visit [Section H](#) of our website resource library to read our research reports that relate to different hand working activities.

### **Question**

- Do you have any additional information about the whereabouts and frequency of hand gathering methods that we can potentially add to our base line information?

## How will your information help us?

The information you provide could be added to our existing baseline information and it may help to fill evidence gaps. We will collate the information you provide, and this may help our Byelaw and Permitting Sub-Committee in their decision making. Good quality information from you can reduce the need for D&S IFCA to be overly precautionary in its approach to managing this and other fishing activities.

## What about other Hand Working Activities?

The defined hand gathering methods are not the only form of hand working fishing activities. D&S IFCA has already asked for and collected information about bait digging, the use of crab tiles and how different stakeholders feel these fishing methods should be managed.

The findings of the Call for Evidence (A focus on Crab Tiles) campaign were compiled in a Supplement [Report](#) which has been presented to and discussed by the D&S IFCA's Byelaw and Permitting Sub-Committee in February 2019 and again briefly in May 2019. The revised report will be referred to again later this year.

The findings of the Call for Evidence (A focus on Bait Digging) campaign were compiled in a Supplement [Report](#) which has been presented to and discussed by the D&S IFCA's Byelaw and Permitting Sub-Committee in May 2019. The report will be referred to again later this year.

A similar report will be compiled that relates to the defined hand gathering fishing methods. The reports, including the findings of research work and MPA Assessments will assist the Byelaw & Permitting Sub-Committee later in 2019 when they discuss the different options for management that could be used in the future, including the potential use of new or revised byelaws.

## Why is D&S IFCA doing this work?

Because we must.

D&S IFCA must manage the exploitation of sea fisheries resources within its District. This is specified within the Marine & Coastal Access Act 2009.

### **Do you want more detail?**

Our information guides are there to help you better understand our work and reasons we are doing it. Further detail about our review of byelaws and the work conducted by our Byelaw & Permitting Sub-Committee can be found in our [guide](#).



## How you can have your say

You have different options to choose from to submit your response by the closing date of 26<sup>th</sup> July 2019.

1. Contact us via email – [consultation@devonandsevernifca.gov.uk](mailto:consultation@devonandsevernifca.gov.uk)
2. Telephone us or come along in person to our office and speak to one of our officers during dedicated time slots which are as follows:

- Tuesday 2<sup>nd</sup> July (16.00 to 18.00 hrs)
- Thursday 11<sup>th</sup> July (16.00 to 18.00 hrs)
- Saturday 20<sup>th</sup> July (10.00 to 12.00 hrs)
- Thursday 25<sup>th</sup> July (16.00 to 18.00 hrs)

### Visit us:

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Brixham Laboratory,  
Freshwater Quarry,  
Brixham,  
TQ5 8BA.

### Phone us:

01803 854648

## How to follow our work?

If you are not already on our mailing list, then you can get yourself added by [contacting D&S IFCA](#). You will then be directly notified of all our consultations. You will also receive our free e-newsletter.

Keep an eye on our [consultation page](#) on our website to read about other work being done and how you can get involved and have your say. Follow our [latest news items](#) displayed on our website or our Face Book page.

Explore our website [Resource Library](#) for an extensive range of our information and publications. It's all free.

## What do we do with your information – Privacy Policy

We protect any personal data that you may provide. Any personal data submitted in this information collecting process will not be shared with others. The content of responses will be summarised and anonymised where appropriate for documenting in reports that will be presented to the Byelaw & Permitting Sub-Committee and published on our website. D&S IFCA has a privacy policy which can be found by visiting our website (home page) [www.devonandsevernifca.gov.uk](http://www.devonandsevernifca.gov.uk)

- You can change your preferences at any time.
- We have a duty to consult with D&S IFCA Permit Holders.

You can manage your preferences by contacting D&S IFCA and you can unsubscribe from the Hand Working Call for Information notifications.