



# Byelaw & Permitting Sub- Committee Meeting

## Final Minutes from 9<sup>th</sup> June 2022

## Version Control and Drafting

Date	Comments
Version 0.1 24th June 2022	1 <sup>st</sup> Draft of minutes completed for circulation to Officer's present at the meeting for potential internal amendment and/or additions.
Version 0.3 4 <sup>th</sup> July 2022	Includes edits and additions by M. Mander and S. Clark. Draft minutes (0.3) circulated to Members for initial feedback & comments.
Version 0.4 19 <sup>th</sup> July 2022	Includes minor amendment (spelling error) on page 9, highlighted by Rachel Irish. Draft minutes version 0.4 published on website.
Final Version 27 <sup>th</sup> October 2022	Minor single word amendments on pages 9 and 10 applied as highlighted at the B&PSC meeting held on 20 <sup>th</sup> October 2022. Minutes published on website as final.

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Minutes of the Byelaw and Permitting Sub Committee Meeting  
Held at Exeter Racecourse on 9<sup>th</sup> June 2022

**Present:**

Dr Emma Bean (Chair)	Professor Mike Williams	Rachel Irish
Dr Pamela Buchan	Jon Dornom	Felicity Sylvester*
Dave Saunders	Wayne Thomas	Andy Wray
David Morgan	Jay Boyle	

**Present (officers):** Chief Officer (CO) Mat Mander, Deputy Chief Officer (DCO) Sarah Clark and Principal Policy Officer (PPO) Neil Townsend

**Public Observing:** None

**Notes** \* Felicity Sylvester arrived during Agenda Item 6.

## Action Items:

### Agenda Item 1

#### Apologies for Absence

PPO Townsend read out the list of apologies which included Cllr Alistair Dewhirst and Simon Toms. PPO Townsend reported that Cllr Nick Kelly (Plymouth City Council) was no longer a Member of the Authority, and his replacement (Cllr Richard Bingley) would not be attending the B&PSC meeting. Members were informed that Felicity Sylvester would be joining the meeting but had been delayed whilst traveling to the meeting.

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### Agenda Item 2

#### Declarations of Interest

David Morgan and Jon Dornom declared an interest regarding Agenda Items 7.5 and 7.6 and would not vote on these matters. Mike Williams declared an interest in Agenda Item 7.1.

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### Agenda Item 3

#### To consider and approve the draft minutes of the B&PSC meeting held on 24<sup>th</sup> February 2022.

The Chair invited those who were present at the last meeting to raise any issues associated with the accuracy of the draft minutes from the February meeting and the minutes were then examined page by page. Mike Williams suggested single word changes be applied on pages 5 and 8 which were noted by PPO Townsend. With no other amendments a vote was taken.

***That the minutes provide a true and accurate record.***

**Proposed: Mike Williams                      Seconded: Pamela Buchan**

**In favour: 8**

**Against: 0**

**Abstain: 2**

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## **Agenda Item 4**

### **Matters requiring urgent attention**

The Chair consulted with CO Mander and there were no matters requiring urgent attention.

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## **Agenda Item 5**

### **Members of the public – questions or comments for the meeting**

The Chair consulted with CO Mander and there were no independent questions or comments from members of the public to consider.

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## **Agenda Item 6**

### **Diving Permit Conditions (Cat 1) - The Scallop Closed Season.**

#### ***Presentation***

The Chair explained that now the formal consultation had been completed and documented, Members had to determine what changes, if any, should be applied to Category One Diving Permit Conditions. Regarding the recommendations in the Officers' paper, the Chair explained that Mike Williams had some concern regarding the order in which they had been presented. Mike Williams explained that to support recommendation (a), he would need assurance that recommendations (b – e) would be agreed (in one form or another) as these were important safeguards to providing increased access for commercial divers to remove scallops in July, August and September as set out as recommendation (a). It was the view of Mike Williams that the order of discussion and potential voting should therefore be amended. CO Mander clarified that although the Officers' recommendations were set out in a sequence (a-e), they were not motions for a vote and therefore Members could formulate their own wording that may incorporate all five of the recommendations (a-e) in one vote if they wished to do so. CO Mander highlighted that all responses had been documented in the supporting report and PPO Townsend explained that as the supporting report is published, it demonstrates to stakeholders that their responses had been fully recognised.

The Chair asked that Members discussed the full package of management measures as proposed in the formal consultation before a vote was taken based around recommendation (a). Discussions began with focus on the catch limit of 2400 scallops, per vessel, per day.

CO Mander explained that the catch limit of 2400 (per vessel, per day) set out in the formal consultation had been based on landing data, and feedback from previous pre-consultation. Although there was insufficient information available from stock assessment work to set a catch limit, a catch limit of 2400 scallops per vessel, per calendar day was selected as a precautionary approach as part of a management package and represented a "middle ground". CO Mander added that the mixed response in the formal consultation suggested that it is lower than some would like and higher than others suggested.

#### ***Debate, Questions & Comments***

Andy Wray commented that the lack of current stock data was a concern; however, he recognised that the total number of fishers engaged in the commercial diving scallop fishery was currently low. Andy Wray enquired about the process to monitor the number of Category One Diving Permits issued by D&S IFCA, and potential action if the numbers of fishers (and therefore catch per day) increased significantly. CO Mander assured all Members that the numbers of permits issued is recorded (on a data base) and the catch limit and other management measures would all be subjected to monitoring and regular review by the B&PSC. CO

Mander highlighted that a review of the Permit Conditions could be triggered in different ways which included a decision by the B&PSC based on information collated and presented by Officers. Mike Williams commented that stringent Health and Safety requirements, including training courses and a detailed medical, is one reason he was confident that total numbers of divers (Permits) would be less likely to increase quickly. Regarding stock assessment work, DCO Clark responded to questions from Mike Williams and informed Members that further work by Cefas, that is potentially less broad scale, will help to build the evidence base.

Regarding a catch limit, PPO Townsend informed Members that there were mixed views in the supporting report. Members recognised the responses within the report, including the increased costs faced by fishers for fuel and air. Jon Dornom highlighted that dive caught scallops can command a high market price of over £1.20 per scallop. Andy Wray commented that in his experience prices in the Lyme Regis area are not as high as £1.20, although he did accept, that they would be more valuable than dredged caught scallops. David Morgan commented that the mixed views on a catch limit are likely to reflect the needs of fishers based on their own business needs; however, a catch limit set by D&S IFCA should not be based on the needs of an individual business. It was the view of Jon Dornom that 2400 scallops per day would be economically viable, and the method of diving can be efficient as stated in both the pre-consultation and formal consultation responses. PPO Townsend highlighted that as compared to the current situation (a closed season), additional access with a catch limit provides opportunity for fishers rather than an impact on their current business model.

David Morgan began discussion on the introduction of IVMS as set out on pages 11 and 12 of the supporting report. Members recognised the national roll out of the equipment but sought further clarity on potential failure of devices and the potential impact on fishers that may arise as a result of needing the device to be repaired. David Morgan highlighted that any equipment on a fishing vessel can go wrong due to the environment it is in.

CO Mander explained that the national roll out had already been recognised by D&S IFCA and that recent changes to Category One Mobile Fishing Permit Conditions had recognised the national roll out. Mike Williams added that those changes had given fishers more choice on the types of devices that could be fitted and that the wording being suggested for the Diving Permit Conditions would harmonise with that. Regarding failure of a device, CO Mander clarified that the Permit Conditions would not prevent a diver going to sea in July, August, and September to catch crab or lobster or to dive outside of the District for scallop. In terms of financial impact, Rachel Irish commented that it would be unfortunate for a fisher if a device failed to operate and needed repair: however, the "Officer Clarification" in the report was an interesting point. PPO Townsend expanded on this point and explained that from an Officers' perspective the requirements as set out do not represent an impact on earnings as the current closed season prevents any income being generated within the District from the removal of scallop in July, August, and September. CO Mander agreed and explained that if a device failed, a fisher would only be at a disadvantage with other commercial divers that had units working correctly. Wayne Thomas and Mike Williams commented that all business ventures must adhere to legal requirements, and that this is an example where the introduction of permit conditions (as proposed) to ensure units are functioning correctly would harmonise with the approach taken by D&S IFCA for the mobile fishing sector.

Wayne Thomas asked for some clarity regarding formal monitoring and reporting on the fishery if the new permit conditions were introduced. CO Mander informed Members that a report (and Officers' paper) would be produced for discussion in February 2023 which may lead to a review of permit condition process. If a review was to be undertaken, the B&PSC could potentially amend Category One Diving Permit Conditions in May 2023. In response to Andy Wray, CO Mander confirmed that any amendments to permit conditions, now and potentially in 2023, would not require fishers to purchase new permits if their own permit was still in date.

The Chair asked if any Member would like to propose a motion based on the Officers' recommendations and the discussion at the meeting. Pamela Buchan proposed the following:

### **Decision Making**

***That Category One Diving Permit Conditions are amended to take effect from 1<sup>st</sup> July 2022 to open access in the months of July, August, and September for the removal of scallops from specified sites under conditions (b to e) as set out in the Officers' paper.***

***(b – e):***

- b) To introduce a Minimum Conservation Reference Size of 110mm for scallop within the District in the months of July, August and September.**
- c) To introduce a catch limit of 2400 scallops per vessel, per calendar day within the District during the months of July, August, and September.**
- d) To require a fully functioning Remotely Accessed Electronic Monitoring Device (IVMS/VMS) to be fitted to vessels and with additional requirements if the device fails to transmit the required information.**
- e) To introduce a catch restriction that means when diving for scallops in the District in the months of July, August, and September, no fishing outside of the District can take place on that fishing trip.**

***Proposed: Pamela Buchan Second: Mike Williams***

There were no amendments offered and the motion was put to the vote.

***In favour: All (11)***

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### **Agenda Item 7**

#### **Development of the Mobile Fishing Permit Byelaw Permit Conditions for Formal Consultation**

##### **Overview**

CO Mander explained that B&PSC decision making for Agenda Item 7 would be used to develop the Mobile Fishing Permit Conditions for formal consultation as part of the revocation and re-making of the Mobile Fishing Permit Byelaw. As the topic was large, the decision making for Agenda Item 7 had been divided into nine separate elements (7.1 to 7.9) with an Officers' paper for each.

##### **7.1 Heritage Asset Sites**

##### **Introduction**

CO Mander highlighted the content of the Officers' paper that detailed the location of multiple wrecks within the District. As most wrecks were already indirectly protected due to their location with pre-existing Mobile Fishing Permit Conditions and Annexes (detailing areas where demersal fishing gear is excluded). CO Mander explained that two sites had been highlighted within the Officers' paper, although for the reasons as set out, only the South Australian Scheduled Wreck off Lundy Island North Devon, had been recommended for additional protection (a specific Permit Condition).

##### **Debate, Questions & Comments**

Jon Dornom enquired if a 75-metre exclusion zone would be enough to protect the wreck. DCO Clark informed Members that that the exclusion is included in the chart – it is part of the designation and is the information provided by Historic England.

Mike Williams commented that as set out in the Officers' paper, D&S IFCA's remit does include the protection of Scheduled Wrecks and incorporating this site into an Annex (Chart) is of benefit as some electronic charts can lack detail of wreck sites. Regarding the Church Rocks Wreck near Teignmouth, Dave Saunders acknowledged that it was at lower risk from mobile fishing activity but commented that this site was within a spoil area and therefore not completely protected from everything. Mike Williams said that he would raise this issue with Historic England but was content with the Officer's recommendation that the wreck did not require additional protection from mobile fishing activity.

### ***Decision Making***

***To prohibit the use of demersal towed fishing gear over the South Australian Scheduled Wreck off Lundy Island, North Devon.***

***Proposed: Jon Dornom Second: Andy Wray***

There were no amendments offered and the motion was put to the vote.

***In favour: All (11)***

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## ***7.2 Coastal Mariculture Sites***

### ***Introduction***

CO Mander highlighted the content of the Officers' paper and the rationale for the Officers' recommendation. CO Mander reported that there is evidence that some sites have experienced damage over the years, and that D&S IFCA can help to reduce conflict to recognise the needs of different fishers.

### ***Debate, Questions & Comments***

Although supportive of the reasoning for the recommendation, Jon Dornom raised concern that this approach could result in a "land grab" scenario in the future. It was the view of Jon Dornom that there was a risk that a lot more sites would be developed with the expectation that they are then closed to mobile fishing gear, therefore creating a displacement issue. CO Mander reassured Members that D&S IFCA was closely involved in the process of establishing the mariculture locations and this potential change to permits was not setting a precedent. DCO Clark explained that D&S IFCA is a statutory consultee in the Marine Licence Application process and that existing fishing activities in any proposed area is investigated to assess the level of support that could be offered by D&S IFCA in the response. CO Mander added that the use of IVMS has already been beneficial to prove the use of mobile fishing vessels in some areas that may otherwise have been selected as good sites for mariculture.

### ***Decision Making***

***To prohibit use of demersal towed fishing gear in specified coastal mariculture sites in D&S IFCA's District.***

***Proposed: Mike Williams Second: David Morgan***

There were no amendments offered and the motion was put to the vote.

***In favour: All (11)***

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### 7.3 Bideford to Foreland Point MCZ

#### Introduction

CO Mander highlighted the red zone marked on the chart within the Officers' paper that had already been selected for future closure as part of the revocation and re-making of the Mobile Fishing Permit Byelaw. CO Mander explained that Officers had now reviewed additional evidence and that this has enabled Officers to produce a recommendation and for the B&PSC to revisit the previously deferred decision.

#### Debate, Questions & Comments

Jay Boyle confirmed that Natural England agreed with D&S IFCA's conclusions in the MCZ Assessments and has accepted that there is low fishing activity in the area. If activity were to increase, Jay Boyle said that it would be Natural England's expectation that the interactions would be reassessed. CO Mander explained to Members that IVMS is a good tool to monitor activity and if activity does increase the Permit Conditions could then be reviewed and potentially amended as required. DCO Clark informed Members that monitoring of activity and the production of Monitoring and Control Plans (M&CPs) are a form of mitigation and that the potential to develop another M&CP will be discussed with Natural England.

#### Decision Making

**To maintain access for the use of demersal towed gear in the green area of the Bideford to Foreland Point MCZ as shown in Figure 1 (in the Officers' Paper).**

**Proposed:**                      **Jon Dornom**                      **Second: Andy Wray**

There were no amendments offered and the motion was put to the vote.

**In favour:**                      **All (11)**

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### 7.4 Hartland Point to Tintagel MCZ

#### Introduction

CO Mander highlighted some of the key points set out in the Officers' paper as follows:

- Officers have communicated with fishers to determine where fishing takes place
- IVMS data show that fishing activity is low
- The B&PSC has already agreed to prohibit the use of dredges over reef and coarse sediment in the site.
- There is low confidence in the habitat mapping conducted by the Environment Agency
- The Officers' recommendation harmonises with CIFCA's approach in their part of the site
- Natural England agreed with D&S IFCA's conclusions in the revised MCZ Assessments

CO Mander explained that, as per other sites, D&S IFCA can monitor activity with the use of a formal Monitoring and Control Plan.

#### Debate, Questions & Comments

Dave Saunders enquired about the size of the site and DCO Clark confirmed it was approximately 6-7 km in length. In response to other questions from Members, DCO Clark explained that Officers were unable to determine if some of the IVMS tracks represented towed gear, as some vessels do operate more than one gear type. However, from Officers' experience the tracks did not indicate demersal fishing activity. Mike



Williams asked if a formal Monitoring and Control Plan had already been developed or was envisaged to be developed. DCO Clark said that, in a sense, D&S IFCA had already begun an informal Monitoring and Control Plan through which the fishing activity levels has fed into the MCZ assessments. A M&CP could be formalised subject to discussion with Natural England.

### **Decision Making**

**That no management of demersal trawl gear is required in the Hartland Point to Tintagel MCZ.**

**Proposed:** **Pamela Buchan**

**Second: Wayne Thomas**

There were no amendments offered and the motion was put to the vote.

**In favour:** **All (11)**

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## **7.5 Skerries Bank and Surrounds MCZ**

### **Introduction**

CO Mander informed Members that this would be a key decision and there was a lot of background information to absorb, hence the detailed Officers' paper that had been produced. CO Mander explained that Officers' knowledge had been important in the development of their recommendation to the B&PSC and that Officers had been present and involved during the development (pre- designation) phase of the MCZ. CO Mander highlighted that designation and conditions (access) were based around achieving a balance between meeting conservation objectives and not impacting on the earnings of fishers that depend on access to areas already managed. It was on this basis that fishers supported the designation of the site and to maintain the Inshore Potting Agreement (IPA) area. CO Mander guided Members through the extensive list of bullet points set out in the Officers' paper and said that the recommendation represented a mixture of drivers and reassurances made at the time of designation. CO Mander said that this was one of the few occasions where the views of D&S IFCA Officers and that of Natural England differed; however, to make changes to management may damage the reputation of D&S IFCA.

DCO Clark added further detail regarding mapping of areas and a difference of opinion with Natural England regarding confidence in the findings of habitat survey mapping undertaken by Cefas, particularly in the IPA Zones open to demersal fishing gear for some of the year. DCO Clark explained that rock/reef areas are "modelled," whereas the findings of D&S IFCA's research (underwater filming work to determine the makeup of the seabed, as well further analysis of Cefas film footage) produced different conclusions. DCO Clark stated that the site was given a "maintain" status (of some of the habitats) at the time of designation with full knowledge of the activity being undertaken, and as demersal fishing activity is currently the same (or slightly less), it is the view of Officers that the site remains in the same condition.

### **Debate, Questions & Comments**

Mike Williams asked for some clarity regarding terminology and DCO Clark explained that rock features are designated as "recover," whilst the "maintain" objective is for coarse sediment. DCO Clark stated that there was disagreement with the habitat mapping indicating where rock was present, which Natural England has started to acknowledge, and informed Members that fishers originally requested that Zone 3, Zone 4, and the Corridor of the IPA be removed from the MCZ, but this was not done. As part of the MCZ designation process it was recognised that the habitats in these Zones would not be used to determine MPA connectivity nor included in Ecological Network Guidance targets.

Jay Boyle informed Members that Natural England did recognise the history associated with the site but can only advise from a conservation/ecological perspective. It was the view of Natural England that there was now a better understanding of recovery times and when considering this, access as it stands may no longer

be suitable. Mike Williams asked Jay Boyle that if the site remains a “maintain” status, and the fishing activity on the site is the same, where is the evidence to show deterioration. Jay Boyle highlighted the advice from Natural England and that it is the view, of the organisation he represents at B&PSC meetings, that “the General Management Approach refers to a direction of travel needed to achieve favourable ecological condition” – D&S IFCA disagrees with this change in the definition of ‘maintain’ as it has not been applied in this way to other MCZs. Mike Williams and Andy Wray enquired if this was a general policy and Mike Williams added that if Natural England has sufficient evidence, what process could potentially be followed to change designation from “maintain” to “recover”. Jay Boyle confirmed that it was not a general policy adopted by Natural England and that he would inform Natural England about the process related point raised by Mike Williams.

Jon Dornom stated that there was potentially a communication issue or lack of understanding within Natural England regarding the original designation if they have no understanding of the levels of fishing activity and the amounts of money earned from different locations. Pamela Buchan raised the point that the difference in “maintain” and “recover” without a fuller explanation, leading to decisions on changes to management could possibly be legally challenged. Jay Boyle acknowledged the points made; however, he confirmed once again that Natural England’s advice would not incorporate social and economic factors.

CO Mander stated to Members he believed that “favourable” status had been maintained, and that the “direction of travel” statement is considered by D&S IFCA Officers to be a weak argument. Although there is disagreement with Natural England who limit their advice to conservation only, CO Mander said that it is the view of D&S IFCA Officers that the recommendation met D&S IFCA’s duties under Section 153 and Section 154 of the Marine and Coastal Access Act. Mike Williams commented that a discussion with Natural England relating to the comment “direction of travel” is needed as soon as possible.

### **Decision Making**

Jon Dornom and David Morgan declared an interest in the subject matter and confirmed that they would abstain.

**That the current management measures in the Skerries Bank and Surrounds MCZ is maintained through D&S IFCA’s Mobile Fishing Permit Conditions.**

**Proposed:**                      **Dave Saunders**                      **Second: Mike Williams**

There were no amendments offered and the motion was put to the vote.

**In favour:**                      **8**  
**Abstain:**                      **3**

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## **7.6 Start Point to Plymouth and Eddystone SAC**

### **Introduction**

CO Mander summarised the Officers’ paper and set out the key points as follows:

- The Mobile Fishing Permit Byelaw was introduced in 2014
- The area in question was originally closed under precaution
- There was an expectation that access would be reconsidered when better evidence would be available
- The potting fleet have benefitted from the increase in ground (12 months, rather than seven months)
- Access for the mobile fishing fleet would be dependent on further discussion relating to the Inshore Potting Agreement areas

CO Mander explained that since the original closure under precaution there have been significant changes:

1. The areas have been mapped by D&S IFCA with the findings showing mainly sand and not rock on the seabed
2. D&S IFCA has introduced IVMS on all mobile fishing gear vessels at sea (with a permit over 6.99m)
3. Officers have confidence that activity in the area can be monitored
4. Advancements in electronic charts (Kingfisher) will assist fishers

CO Mander added that Natural England had high confidence that reef features were not present in the areas marked green (option 2) in the Officers' paper.

### ***Debate, Questions & Comments***

Pamela Buchan said that the statements from Natural England, as bullet pointed in the Officers' paper, were slightly confusing, in that concerns were raised about access, but Natural England was supportive of greater access. Pamela Buchan commented that coarse sediment was not a feature of the site, which was accepted by Natural England and support for access by Natural England was therefore recognising that at present there was a feature-based approach. Jay Boyle confirmed that although Natural England has reservations about opening the area, it was supportive of it as set out in its Formal Advice.

Jon Dornom informed all Members that although he had declared an interest, he would not have supported the recommendation. Members were informed that lumps of rock had been found in the area after extensive scallop dredging had taken place. It was the view of Jon Dornom that the area will have recovered and regardless of a "feature based" or "whole site" approach to conservation, it should now be maintained in its recovered state. Jon Dornom informed Members that the site (as shown in option 2) is relatively small and any seasonal opening will result in large numbers of vessels operating in a small area. Although IVMS can be used to monitor activity, it was his view that spatial incursions into closed areas will be inevitable, and that gear in/gear out technology to assist enforcement of spatial restrictions is not yet ready for use.

CO Mander informed Members about the advancements with IVMS and explained that trials on the use of gear in/gear out had already begun. CO Mander accepted the point raised about a congested site and risks of non-compliance; however, CO Mander highlighted that some other areas open to mobile fishing gear vessels are also relatively small. From a space to fish perspective, CO Mander reminded Members that Natural England has been provided with data layers associated with Option 3 (a larger area to potentially open) so that they can review the findings of the ground truth habitat video. If Natural England agreed with the findings of D&S IFCA that the "prongs area" had no reef, CO Mander said that this would supersede the original reef layers. If so, the returning advice may support Option 3 - a far larger area for mobile fishing gear vessels to fish on a seasonal basis. Jon Dornom commented that from his own fishing experience the "prongs area" had reef present.

Mike Williams commented that the decision making of B&PSC members at the meeting would only be informing the drafting of Permit Conditions in preparation for formal consultation (on the Mobile Fishing Permit Byelaw & Permits); however, consultation can raise expectation. It was the view of Mike Williams that as additional technology (gear in/gear out) is being trialled, a decision on access could be deferred until the findings of the trials are known and reported. CO Mander informed Members that he was expecting to be able to report some findings to the B&PSC in September 2022.

Pamela Buchan enquired what impact a deferred decision would have regarding process. PPO Townsend explained to Members that deferred decisions at this B&PSC meeting would not be factored into drafting work in preparation for formal consultation on the revocation and re-making of the Mobile Fishing Permit Byelaw (and associated Permit Conditions). Formal consultation would begin without permit conditions enabling access (option 2); however, later when the new Byelaw was in place, a review of the new Mobile

Fishing Permit Conditions could then be undertaken if required. CO Mander and PPO Townsend estimated that it would be over 12 months before a review of the new re-made Mobile Fishing Permit Byelaw (and associated permit conditions) could take place.

Jon Dornom added that in the future, access may be more appropriate if coupled with an engine power restriction. Even with less engine power, it was the view of Jon Dornom that smaller boats could fish the site during neap tides; however, the larger more powerful scallop dredgers would destroy the area. Mike Williams said he was confident that the structure of the Permit Conditions could accommodate potential future restrictions such as gear in/gear out and an engine power restriction. Pamela Buchan commented that the discussions seemed to point towards deferring the decision and therefore set out a motion as follows:

### ***Decision Making***

**That a decision on whether to open an area previously closed within the Start Point to Plymouth and Eddystone SAC is deferred until additional advice is provide by Natural England in respect of Option 3 and Officers have reported on the IVMS Camera trials**

***Proposed: Pamela Buchan Second: Mike Williams***

There were no amendments offered and the motion was put to the vote. Jon Dornom and David Morgan declared an interest in the subject matter and confirmed that they would abstain.

***In favour: 9  
Abstain: 2***

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## ***7.7 Morte Platform MCZ***

### ***Introduction***

CO Mander set out the rationale for the Officers' recommendation and explained to Members how the scale of the area differed to the site discussed in Agenda Item 7.6. CO Mander explained that in this instance D&S IFCA Officers had high confidence in the location of the rock (reef) feature within the MCZ and although there was currently no mobile fishing activity conducted in the area, a prohibition would be an appropriate precautionary measure. CO Mander informed Members that the Officers' recommendation would be consistent with decision making for other areas containing rock (reef) features and corresponds with the advice provided by Natural England in response to the MCZ Assessment that was submitted.

### ***Debate, Questions & Comments***

There were no comments or questions, and a motion was put forward for a vote.

### ***Decision Making***

**That the use of demersal towed fishing gear on the rock feature of the Morte Platform MCZ (as shown in the Officers' paper) is to be prohibited.**

***Proposed: Jon Dornom Second: Wayne Thomas***

There were no amendments offered and the motion was put to the vote.

***In favour: All (11)***

## 7.8 Specified Information – Logbooks

### Introduction

CO Mander explained how initially Officers had recommended inclusion of a series of requirements into a Category One Permit that amounted to completion of a “logbook” as a requirement of the Permit. CO Mander reported that Officers had now assessed what information was already available to D&S IFCA from other sources such as the fishers’ Catch App and the E-Log. To avoid unnecessary duplication, CO Mander informed Members that a different approach was now being recommended.

### Debate, Questions & Comments

Members acknowledged that the recommendation was a sensible and appropriate course of action. There were no other comments or questions, and a motion was put forward for a vote.

### Decision Making

**That a requirement for a logbook to be completed and retained by fishers is not included within a Category One Mobile Fishing Permit.**

**Proposed:**                      **David Morgan**                      **Second: Andy Wray**

There were no amendments offered and the motion was put to the vote.

**In favour:**                      **All (11)**

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## 7.9 Specified Information – Catch Data

### Introduction

CO Mander highlighted the two key points as set out in the Officers’ paper which had led to the recommendation that focussed on the Exe Estuary and any Category Two Permit Holder removing mussel from the Exe Estuary.

- It is the view of Officer’s that the inclusion of this requirement balances the requirements of fishers working in both Salcombe and the Exe Estuary
- The provision of this information will improve the Authority understanding of the level of activity in this public fishery.

### Debate, Questions & Comments

Jay Boyle said that from Natural England’s perspective, and from his experience working for the Exe Estuary Management Partnership, additional data collection relevant to the mussel fishery in the Exe was welcomed. DCO Clark clarified that the data collection would only relate to the public fishery and not privately leased areas. There were no other comments or questions, and a motion was put forward for a vote.

### Decision Making

**That a requirement for fishers to supply information regarding the removal and relaying of mussel within the public fishery within the Exe Estuary is introduced within a Category Two Mobile Fishing Permit.**

**Proposed:**                      **Mike Williams**                      **Second: Pamela Buchan**

There were no amendments offered and the motion was put to the vote.

***In favour:***                      ***All (11)***

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**Agenda Item 8**

**Date of the Next B&PSC Meeting.**

PPO Townsend explained that the date of the next meeting was likely to be in early September 2022, which will be confirmed in due course via email correspondence.

**End.**