

Date: 25/04/2019
Our ref: 280139
Your ref: TOR-MCZ-009



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BY EMAIL ONLY

Tel. 02080267546

Dear Sarah,

Formal advice to D&S IFCA: Torbay Marine Conservation Zone Assessment TOR-MCZ-009

Thank you for the above assessment, received by email on 15 April 2019.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

In 2012, the Department for Environment, Food and Rural Affairs (Defra) announced a revised approach to the management of commercial fisheries in European Marine Sites (EMS).¹ The revised approach was subsequently extended to ensure fishing activities in Marine Conservation Zones (MCZs) are managed in accordance with the provisions of the Marine and Coastal Access Act 2009.

Assessments have been made of the effects of the following fisheries activities in Torbay MCZ:

- Digging with forks (all intertidal features) ref. TOR-MCZ-009

Natural England has considered the assessment prepared by D&S IFCA for the purposes of making an assessment consistent with the provisions of the Marine and Coastal Access Act 2009. Please accept this letter as Natural England's formal advice on the assessment and the conclusions it makes.

Natural England does have a minor comment relating to the Torbay MCZ assessment, but this does not alter our views on the validity of the conclusions drawn (**Appendix 1: Minor comments on MCZ assessment**).

We are content that the best available and most up to date evidence has been used to carry out the assessment by D&S IFCA officers, to determine whether management of an activity is required to conserve site features, and thus to ensure the protection of the features, from direct and indirect impacts from the collection of marine fisheries resources.

It is Natural England's view that through their assessments, D&S IFCA officers appear to have appropriately identified those activities that are not likely to hinder the conservation objectives of the feature(s) of the MCZ.

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

Yours sincerely,

A handwritten signature in black ink, appearing to read "Ruth Porter". The signature is fluid and cursive, written over a light blue horizontal line.

Ruth Porter

Marine Lead Adviser
Natural England

Tel. 02080267546

Appendix 1 – Minor comments on the MCZ assessment in relation to the Torbay MCZ

1. Natural England supports the IFCA's intentions to create a permitting byelaw for handworking to allow for future monitoring of activities and create a mechanism to bring in mitigation measures in the future if required. A permitting byelaw might be necessary to introduce management measures to include backfilling holes/trenches and avoid any overlap of the activity with areas of intertidal seagrass.