



Potting Permit Byelaw

Development and Management of the Live Wrasse Pot Fishery



Supplementary Report - A Summary of Response from the Focussed Consultation Items and Permit Condition Proposals

(31st January 2018 to 14th March 2018)

15th March 2018

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1. Aim of this supplementary report

This supplementary report (March 2018) has been prepared for members of the Devon and Severn Inshore Fisheries and Conservation Authority (D&S IFCA) Byelaw and Permitting Sub-Committee. This supplement is intended to assist the decision making of members in regard to the formal review of the Live Wrasse Pot Fishery. This supplement focusses on the findings from the final phase of consultation that included focussed items and proposed amendments to potting permit conditions.

This supplementary report can be read in conjunction with pre-existing D&S IFCA publications, both of which are embedded (hyperlinked) in this document and are also posted on the D&S IFCA website:

[Potting Permit Byelaw – Development and Management of the Live Wrasse Pot Fishery \(1st edition – 1st January 2018\)](#)

[Potting Permit Byelaw – Extract from the Development and Management of the Live Wrasse Pot Fishery \(1st edition – 1st January 2018\)](#)

As well as presenting the consultation items and proposed permit conditions, the overarching report documents the complete process to date. It demonstrates the measures already taken by D&S IFCA, the developed evidence base and the decision making prior to the final phase of consultation that was conducted between 31st January 2018 and 14th March 2018. The extract document was produced only as a means to simplify the consultation for stakeholders.

Process and making use of this supplement report:

1. Members to examine the collated response information
2. Members to evaluate the collated response information in conjunction with the proposed measures set out in the consultation
3. Members to decide how to proceed with a view to amended permit conditions

The content of this supplement and the decisions taken by members will be merged with the overarching report and a final edition created that will document the complete process from start to finish. If permit conditions are amended as part of this process, new permit conditions will be circulated free of charge to potting permit holders and enforced by D&S IFCA.

2. Communication

Communication was conducted as per the strategy set out in the consultation report.

The D&S IFCA consultee list was used, with all stakeholders and interested parties directly notified about the consultation. Notification was also sent to all D&S IFCA members. All permit holders were either sent email notification or letters.

- [Notification letter/email message](#)

The direct notification letter/email provided key information such as:

- **What the consultation items were**
- **How to find more information (Background & Evidence Base)**
- **Notice of the D&S IFCA Publication Policy (Payment required for posting hard copies)**
- **How to respond and details of the multiple options that were available to provide a response**
- **Other information that included publicising confirmation and an in-force date for the Netting Permit Byelaw**

The website was the main platform to display the consultation information, although face book and twitter were also utilised.

All stakeholders, regardless of their interest or fishing activity conducted, had the opportunity to engage in the consultations.

3. A re-cap of the consultation items

This phase of consultation was focussed on specific items and also highlighted how it was proposed that the permit conditions are amended to implement the proposed restrictions.

In regard to managing the Live Wrasse Pot Fishery, two items were the focus of this final phase. Proposed permit conditions were presented in conjunction with an explanation in bold blue italic text to promote better understanding of the potential changes. Information presented was as follows:

Change to the closed fishing season:

The potting permit conditions (time restrictions) currently detail when pots are not authorised to be used for the purposes of fishing for wrasse. The proposal is to change the dates when this restriction (closed season) applies. It is anticipated that the amended relevant proposed potting permit conditions would take the following form:

4. Time Restrictions

- 4.1 A Category One permit holder or named representative is not authorised under this permit to use a pot, for the purpose of fishing for wrasse within the District, between 1st May and 15th July (inclusive).***

Explanation

The interpretations (definitions) in potting permit conditions have been amended to clarify which species are subject to the time restriction and also to clarify that this restriction is for those commercial fishers that are targeting Live Wrasse. The species included are ballan, corkwing, cuckoo, goldsinny and rock cook. Although not a new provision, section 1.5.3 of the potting permit prohibits Category Two permit holders (recreational fishers) from retaining live wrasse. This fishery is for Category One permit holders (commercial fishers) only.

Slot size (change to the slot size for corkwing wrasse)

The potting permit conditions currently contain a species list that are relevant to potting activity. The list includes five species of wrasse including corkwing wrasse. Paragraph 1.3 specified the size range (slot size) that a corkwing wrasse (and the other wrasse species) must be within in order to be removed from a fishery. The proposal is to narrow the size range for corkwing wrasse to 140mm to 180mm. The original slot size for corkwing wrasse was 120mm to 230mm. A change in the formatting of the permits has produced a change to section 1.3 and this is further explained below. To facilitate this proposed amendment in the slot size, it is anticipated that relevant proposed permit conditions would take the following form:

2.6 Additional Category One Gear Restrictions

2.6.1 A Category One permit holder or named representative is not authorised under this permit, for the purpose of fishing for wrasse, within the District to use a pot unless;

- (a) in addition to paragraph 2.3 above (*which is a general gear marking provision*), each floating buoy or dahn is clearly marked with the letters 'WRA';**
- (b) the maximum number of pots used does not exceed 120;**
- (c) each pot is tagged with a tag issued by the Authority; and**
- (d) the retained live wrasse complies with the sizes as set out in paragraph 2.6.2;**

2.6.2 A permit holder or named representative is not authorised to remove live wrasse within the District other than within the size ranges as set out in (a-e) below;

- a) ballan wrasse less than 150mm or greater than 230mm, measured from the tip of the snout to the end of the tail fin;**
- b) corkwing wrasse less than 140mm or greater than 180mm, measured from the tip of the snout to the end of the tail fin;**
- c) cuckoo wrasse less than 150mm or greater than 230mm, measured from the tip of the snout to the end of the tail fin;**
- d) goldsinney wrasse less than 120mm or greater than 230mm, measured from the tip of the snout to the end of the tail;**
- e) rock cook wrasse less than 120mm or greater than 230mm, measured from the tip of the snout to the end of the tail fin.**

Explanation

The re-drafting process has added the slot size restriction to specific gear restrictions rather a general catch restriction. Although this would appear to be at odds with the general formatting of the permit restriction categories, it does add clarity that this size restriction is linked to those fishers (Category One) that are authorised under the permit conditions to target the five species of Live Wrasse. Those fishers (Category One and Category Two) who use pots (not targeted towards Live Wrasse) are not subjected to either paragraph 2.6.1 or the slot sizes (2.6.2). The five species of wrasse can therefore be taken of any size and retained providing that the wrasse is not being kept alive for the purpose of supplying the Live Wrasse Pot Fishery. It is a fact that relatively small numbers of wrasse are caught and used as pot bait, and the permit does not prohibit this activity.

4. The Consultation Response

Six written responses were received (email) that referred to the management of the Live Wrasse Pot Fishery, four of which were submitted from organisations. No responses were received via the on-line survey forms.

Response Summary Table

Response	Amended slot size	Amended closed season	Comments
Stakeholder 1	Supportive	Concern	Has observed well developed nests during April
Stakeholder 2	Concern	Concern	General concern raised. Suggested further research
Defra	Supportive	Supportive	Both proposals deemed to be appropriate
Marine Conservation Society	Supportive	No comment	
Natural England	Supportive	Concern	Supportive of extending the closed season but suggested caution be applied to a start date of 1st May
Devon wildlife Trust	Supportive	Concern	Supportive of extending closed season but not a start date of 1st May

Responses

The summary of response has been compiled from two written responses from individual stakeholders, written response from four organisations and notes taken by an officer who attended a meeting with fishers and an agent from a salmon farm on 18th January 2018.

Organisations

Defra

Defra acknowledged discussions with Cefas to formulate their response which referred to both the proposed change in the closed fishing season and also the change to the slot size for corkwing wrasse.

“we think the change in closed season seems appropriate and it is unlikely that the fishery would move significantly to immediately before the closure. Similarly, the change in slot size seems to be a beneficial measure, although it is difficult for us to quantify the level of stock protection”.

Marine Conservation Society

The Marine Conservation Society (MCS) stated that they were not fully aware of all the details behind the proposals but are supportive of the amendments to the slot size for corkwing wrasse. The response also demonstrated support for other (separate) consultation items relating to mobile fishing and also the general potting permit conditions.

Natural England

The response from Natural England (NE) contained detail in regard to all three of the recent consultations within one submission. The response demonstrated an examination of the D&S IFCA evidence base¹ and acknowledged that based on this evidence the reduction in slot size for corkwing wrasse is an appropriate action to reduce pressure on stocks.

NE recognised the spawning data within the same D&S IFCA evidence base and stated that an extension to the closed fishing season would be justifiable however, concern was raised in regard to a new start date of 1st May. NE have urged caution when considering the 1st May proposal due to the lack of spawning data for ballan, corkwing and cuckoo wrasse that has been collated from a single season of data collection.

Devon Wildlife Trust

Devon Wildlife Trust (DWT) submitted a relatively detailed response in the consultation period which demonstrated an in-depth examination of the current D&S IFCA evidence base. DWT have stated that the data presented in the D&S IFCA Data Analysis Report (November 2017) would certainly support a change of slot sizes for corkwing wrasse as proposed in this consultation.

Concern was raised over the proposal to amend the closed fishing season. The proposed ending date of 15th July (representing an additional closure of 15 days) is welcomed however;

¹ Live Wrasse Fishery in Devon & Severn IFCA District – Data Analysis Research Report – Nov 17

the proposed start date of 1st May (instead of 1st April) is not. Insufficient data collected by D&S IFCA was cited as the one of their concerns. In addition to the broader statements in regard to the two consultation items, DWT raised some concerns in regard to the D&S IFCA evidence base as follows (*please see officer comments below the bullet points*):

- The considerable discrepancy between live wrasse landed (46,497) and live wrasse transported (37,913), amounting to 8,584 wrasse (or 18.5% of total landings) is of great concern, although it is unclear what proportion of these were mortalities.

Discrepancy at the time of reporting was due to the different time scales of the returns' data collected. Officers will collect final figures for the 2017 fishery to update the report.

- The inability to carry out on-board surveys on Vessel 3 due to its small size is disappointing as this vessel had the highest number of fish both landed and transported of any of the vessels.

Unfortunately, there will always be limitations with survey work. It is believed that vessel 3 will be worked single handed for the 2018 season, which may allow space for an IFCA officer to go aboard. If this isn't the case then officers will endeavour to survey catches of this vessel by using a separate support vessel on which to undertake measurements.

- It is disappointing to observe that five of the 12 voluntary closed area grid squares were fished, including one (K12) heavily. While half the vessels respected the voluntary closed areas, half did not. This raises a question mark over the use of voluntary closed areas as a good method of spatially managing the fishery.

The voluntary closed areas were introduced as an additional tool that may support the management of the fishery. At that time little was known about the spatial effort and the preferences of areas to be used by the fishermen. IFCA officers have discussed the areas with the fishermen and they are currently being reviewed and the rationale behind their selection will be produced prior to the Byelaw and Permitting Sub-committee in April 2018. Spatial monitoring will be furthered through voluntary introduction iVMS on the vessels.

- Understanding of the impact of the fishery on stocks is unclear. While CPUE and LPUE do not show any reductions during the year, the four vessels moved around considerably within a large area over the course of the year. Vessels 1 and 2 started in one area and moved to another during the season and vessels 3 and 4 fished over a wide area throughout the season – with little overlap in areas between the four vessels. It is unlikely therefore that reductions in CPUE or LPUE would show up as new areas were being fished through the season. It is therefore essential that the same (or preferably greater) level of monitoring of any ongoing fishery is carried out during subsequent years. It is however of great concern that “reductions in CPUE in other wrasse fisheries which also occurred in limited geographic areas have been known to occur over a two-year time frame”. Devon Wildlife Trust would want reassurance that, if such a

reduction was being seen during the second (or subsequent) year of the fishery, the fishery would be closed immediately.

In the D&S IFCA Wrasse Report 2017, officers have clearly stated the intention to maintain the current level of monitoring of the fishery including spatial effort mapping. Officers wish to maintain survey effort of 5% or more (as a percentage of the number of fishing days) – in 2017 8% was achieved. This is a good level of survey work effort, especially with reference to the staffing resources available.

- Understanding of spawning times in wrasse requires a high proportion of effort throughout the season. However over 80% of wrasse were not assessed for spawning during April and over 70% not assessed during May. This compares with approx. 95% assessed in June and July. While there is therefore sufficient data to support an extension of the closed season to mid-July, there is insufficient data to support moving the start of the closed season from 1st April to 1st May. The use of comparisons from Norwegian studies is likely to be misleading as there are clear differences in timing of spawning at different latitudes.

Data collection was limited in April and May due to the problems with readiness of the fishing vessels for the start of the season and a subsequent delay in starting the fishery for all vessels. D&S IFCA's research has looked at all available data from fisheries in Scotland, Ireland and Norway as a baseline for the introduction of management measures. On-going data collection will provide clarity on the local fishery and fish stocks in Devon and South West England.

- Interpretation of the temporal variation of the fishery species composition is severely limited as vessels fished in different areas through the season. Interpretation of geographical variation is similarly hampered.
This a common problem in fishery research, which is why the spatial data collection is important
- It is worrying that fishers are not always complying with their legal obligation to enable a fully documented fishery. Where this occurs repeatedly, Devon Wildlife Trust feels the D&SIFCA should be robust in revoking permits.
IFCA officers have discussed with the fishermen the filling out of return forms and the requirement to submit them in a timely and regular manner.
- Devon Wildlife Trust feels the fishery should be closed in areas where high numbers/proportions of k-selected species (corkwing) are found. This would most likely include the shallower areas of the fishery.
Some shallow areas are included in the voluntary closed areas, but the introduction of a more stringent slot size for corkwing will provide further protection to this wrasse species.

Individual stakeholders

1. Diver from the Plymouth (Wembury) area with an interest in marine conservation.

This response suggested that D&S IFCA should use as protective an approach as possible. It was supportive in regard to the proposed change in slot size for corkwing wrasse and encouraged research and monitoring on the effect of the fishery on wrasse populations. The response welcomed the establishment of no-take zones. The response stated that much of the currently available information is from Scandinavia and may not be directly transferable to South West England.

Change to the closed fishing season

“I am concerned by the proposal to move the start of the closed season from 1st April to 1st May. It is not clear on what evidence this is based. I particularly want to note that corkwing wrasse start nest building in early April. My observations and those of Seasearch divers record well developed nests, courting behaviour and females ready to lay eggs in April around Plymouth and Wembury. The closed season with the proposed change would therefore not protect corkwing wrasse (at least) through the whole of their breeding time as I understand is intended”.

This stakeholder also provided video footage as part of their response to demonstrate a male corkwing with a well-advanced nest. (video taken in the Wembury area on 23rd April 2017). This video footage is available for members to view if required.

2. Recreational angler with recreational potting permit.

“I would like to note that there has been a significant decline in the number of wrasse over the last few years with 2017 being an unbelievably poor year with very few fish of any size around even in the peak summer months. This may be a result of many different factors but allowing potting to collect a species in decline cannot surely be the right way forward. Further analysis of stocks and reasons for decline should be considered before allowing any increase in activity for this species”.

Meeting with an officer

Concern expressed with the proposal to extend the closed season to 15th July

July is considered to be an important month in terms of the need for cleaner fish in the salmon farms. It was explained that as the water temperature increases from 10°C upwards, sea lice populations increase dramatically and the lice have maximum growth in July. Therefore, the need for cleaner fish during this time is paramount to the salmon farm operation and treatment of sea lice infestation.

It was highlighted that fishing is not conducted over the winter months. This is due mostly due to weather, wave exposure (increasing the risk of damage to the light weight pots), and the

lack of availability of bait. The fishery is a non-event from December through to end of June which already provides a seven-month closure.

Concern expressed with the proposal to change the slot size for corkwing wrasse

The agent has read the CIFA wrasse report which describes that corkwing use upper reaches of estuaries for as nursery grounds where there is no fishing. He felt that there are nursery ground and adult areas for this species and this should be considered in the management.

D&S IFCA officers explained to the audience that concerns arose from the D&S IFCA research that was undertaken, which showed that a large proportion of the population in terms of size distribution are being removed from the fishery, allowing very few to be returned. This means that most of the adult population is being removed and this could impact recruitment going forward. It was suggested that perhaps some research was done to look at the full-size distribution of corkwing in the Plymouth Sound by closing the escape gaps. The agent explained that corkwing are very efficient at removing lice – second only to Ballan - and they are tough and robust and stay alive longer than other species in the salmon farm operation.

Other information

- **The fishermen agreed in principle to have a tracking system on their vessels as marking where they actually fish using the grid is difficult.**
- **Fishermen have requested some changes to the voluntary closed areas.**
- **The agent from the salmon farm felt that D&S IFCA should have a limited number of permits for the fishery.**

Officer Comments

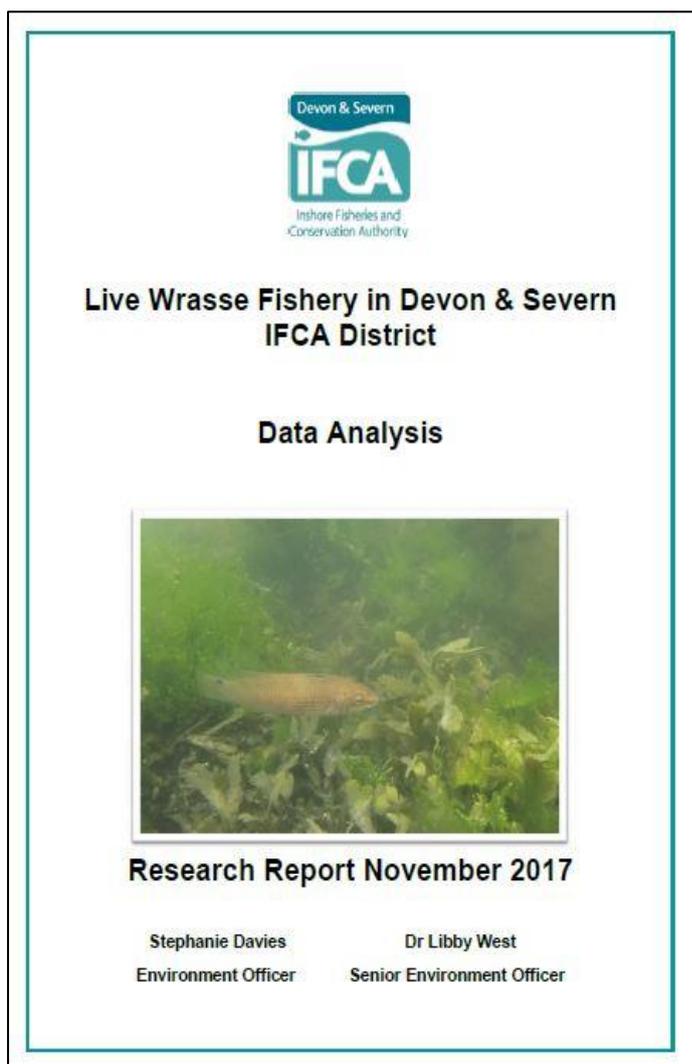
There will be four boats potential fishing in the D&S IFCA District this year. One of the previous boats is no longer supplying the salmon farm that has been sourcing the wrasse over the last year and will be fishing solely in the CIFA district. Tags for pots from this boat have now been returned to the D&S IFCA. A new boat is being brought in and will be operating out of the River Avon in the Bantham area. Although D&S IFCA has a principle not to limit permit numbers, the total effort directed towards the fishery is controlled via a pot limit.

In terms of longevity of the Live Wrasse Fishery, the agent for the salmon farm informed D&S IFCA that the fishery is likely to continue to the end of 2019 because of the scale of the project in developing hatcheries and rearing the wrasse has caused timing issues, and the schedule has been pushed back. It is the intention of this salmon farm that 80% of the wrasse used from 2020 onwards would be reared wrasse and 20% would come from the wild. This salmon farm has pulled out from Weymouth/Dorset area because the fishermen were selling ballan wrasse to another farm for a higher price whilst supplying the smaller species to them.

Some responses stated that the existing evidence base had not been fully examined prior to a response being submitted or it was unclear what evidence has been used to formulate the proposed measures. In November 2017 Sub-Committee members

highlighted some confusion in regard to some of the original content of the Live Wrasse Fishery Research Report. A revised edition was created with minor changes to table 3 and the addition of Figure 21. The amended report was used for the consultation and has been the only version posted on the public access area of the D&S IFCA website where it remains a fixture.

Live Wrasse Fishery in Devon & Severn IFCA District – Data Analysis Research Report November 2017



Members studied this report in November 2017 with some key information presented as follows:

The current min CRS and max CRS for corkwing means that the majority of corkwing caught are retained and few are returned to sea. Changes to the corkwing MCRS are suggested. The fishery data analysis has included possible changes to the slot sizes and how these would influence the catches and protect more of the population. A slot size 14-18cm would protect the largest proportion of size ranges, including juveniles, females and large mature males.

The majority of observed spawning took place between May to mid-July, the current closed season from 1st April to 30th June protects the majority of the spawning period for goldsinny and rock cook. A possible suggestion could be to shift the closed season to further protect more of the spawning fish.

5. Further Information & Hyperlinks

Hyperlinks

[Potting Permit Byelaw – Development and Management of the Live Wrasse Pot Fishery \(1st edition – 1st January 2018\)](#)

[Potting Permit Byelaw – Extract from the Development and Management of the Live Wrasse Pot Fishery \(1st edition – 1st January 2018\)](#)

[Live Wrasse Fishery in Devon & Severn IFCA District – Data Analysis Research Report November 2017](#)

[Notification letter/email message](#)

Other

D&S IFCA communication strategy (available upon request)

End of supplement