



Byelaw & Permitting Sub- Committee Meeting

Draft Minutes from 16th
November 2023

Version Control and Drafting

Date	Comments
Version 0.1 21 st November 2023	1 st Draft of minutes developed by PPO Townsend for circulation to Officer's present at the meeting for potential internal amendment and/or additions.
Version 0.2 27 th November 2023	MM, SC, and JS comments
Version 0.3 29 th November 2023	Officers' track changes accepted – minutes prepared to send to Members for their initial feedback.
Version 0.4 18 th December 2023	Suggested minor changes received by Mike Williams applied to draft minutes. Draft minutes V0.4 published on website.

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Minutes of the Byelaw and Permitting Sub Committee Meeting
Held at Exeter Racecourse on 31st August 2023

Present:

Dr Emma Bean (Chair)	Professor Mike Williams	Guy Baker
Dave Saunders	Jon Dornom	Felicity Sylvester
Simon Toms	Wayne Thomas	Simon Thomas
David Morgan	Charlie Ziemann	

Present (officers):

Chief Officer (CO) Mat Mander, Deputy Chief Officer (DCO) Sarah Clark, Principal Policy Officer (PPO) Neil Townsend, Senior Environment Officer (SEO) Dr James Stewart.

Public Observing:

None.

Action Items:

Agenda Item 1

Apologies for Absence.

PPO Townsend read out the list of apologies, which included Dr Pamela Buchan, Cllr Andrew Strang, Mark Day, Caroline Acton, Cllr Alistair Dewhirst, and Rachel Irish. PPO Townsend reported that Jay Boyle was no longer the representative from Natural England and his replacement had not yet been confirmed.

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Agenda Item 2

Declarations of Interest.

Jon Dornom and David Morgan declared an interest relating to netting within estuaries. Charlie Ziemann declared an interest relating to coastal netting. Wayne Thomas declared an interest as a member of the Taw Torridge Fisheries Association. It was accepted that all members would have some form of interest; but they were not normally pecuniary interests. CO Mander reminded General Members with pecuniary interests in agenda items, that they needed to consider whether it was appropriate for them to participate in any vote.

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Agenda Item 3

To consider and approve the draft minutes of the B&PSC meeting held on 31st August 2023.

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 August meeting and the minutes were then examined page by page. Mike Williams suggested minor word changes on pages 4 and 11 which were agreed and noted.

That the minutes provide a true and accurate record.

Proposed: Mike Williams

Seconded: David Morgan

In favour: 10

Against: 0

Abstain: 1

Agenda Item 4:

Matters requiring urgent attention.

The Chair consulted with Officers 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 Officers and there were no questions or comments from members of the public.

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Agenda Item 6:

Bass Survivability Research Report.

The Chair informed Members that they should note the amendments to report, but wanted to avoid a long discussion as there would not be further changes to its content. The Chair asked SEO Stewart to provide a brief overview of the Officers' paper.

Presentation

SEO Stewart highlighted the background information and explained how he had considered the feedback provided by Members, including further dialogue with Jon Dornom who had raised several points of concern regarding the original version (V1.0). SEO Stewart explained that an updated version (V1.1) had now been produced and published on the D&S IFCA website that accounted for comments received and considered.

The Officer's paper was a summary of changes made and responses to Members' comments; however, to provide an audit trail of the review process, SEO Stewart informed Members that a more detailed document is available to Members and the public on request.

Regarding the outcomes of the research, SEO Stewart clarified that the main findings and conclusions of the original report had not materially changed and remained as set out in the Officers' paper:

- The research identified a mortality rate of 18.8% for sea bass caught in shallow-set gillnets with short (12–80 minute) soak times.
- This mortality estimate is lower than for nets or trawls with longer soak times, but higher than in commercial or recreational hook-caught fisheries.
- When accounting for all sources of uncertainty associated with the study, it is likely that the mortality rate would be substantially higher than 18.8% in real-world fishing conditions.
- The evidence shows that mortality is often delayed, such that mortality is unlikely to be seen by fishers at the vessel during normal discarding processes. Therefore, anecdotal observations of discard survival may be unreliable.
- The best-case 18.8% discard mortality is likely to be a cause for concern given that estuaries represent highly used essential habitat for juvenile and adult sea bass, and that the sea bass spawning stock biomass remains depleted relative to past levels and below the MSY threshold.

Debate, Questions & Comments

Jon Dornom explained that he was a fisherman who is pleased to assist D&S IFCA with research work; but still had reservations about some of the conclusions now documented in Version 1.1. Jon Dornom thanked

SEO Stewart for making the amendments in the report, but still felt that the report highlighted more of the negative aspects of the research than the positives. Jon Dornom explained that it was important for future research work involving fishermen, that the objectives of the work are more clearly defined, and documented at the start of the work and more clarity on how the data collected would be used. This, in the view of Jon Dornom, would help to avoid grey areas and differences of opinion developing that relate to the specific requirements of the practical work, and the subsequent findings from that tasking.

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Agenda Item 7:

Netting Review – Preparation for Formal Consultation

The Chair explained that as a result of the Members' motion and formal voting in the August B&PSC meeting (to consult on the re-opening of the Salcombe Estuary to a limited net fishery), clarity was required on what this would look like in practice. The Chair said that Officers needed more detail on what the B&PSC's proposed management measures would be so they could be highlighted in the formal consultation and therefore a discussion paper had been prepared. As the sections of the Officers' paper are interconnected, and to avoid any unintended consequences of premature decision making, the Chair informed Members that it was important to discuss the Officers' paper in its entirety before any formal voting. The Chair said that DCO Clark would note the consensus of views established for each discussion section as set out in the Officers' paper, and at the end of discussion this summary could be referred to before formal voting commenced.

Presentation – Overview of Officer Paper

CO Mander highlighted that the Officers' Paper included the original suggestions from a fisherman submitted during the pre-consultation. CO Mander explained that each section in the paper included an "Officer Comments" section to provide additional information and context to aid discussions. CO Mander explained that although each element could be discussed in any order, it was the view of Officers that it had been prepared in the most logical order.

Presentation – Officers' Paper Section 3: Drivers & Rationale

CO Mander highlighted the original objectives for the making of the Netting Permit Byelaw (and Permit Conditions), and how using the minutes from the last B&PSC meeting (August 2023), Officers had set out what they believed was the B&PSC's rationale for potential changes relating to netting within the Salcombe Estuary.

- a) That the B&PSC considers that a mortality rate of 18.8% of bass, caught during the netting trials within Salcombe Estuary is acceptable.**
- b) That the B&PSC recognises a reported decline in profitability in pot fisheries.**
- c) That the B&PSC supports providing opportunities for commercial fishermen to diversify and boost their winter income by participating in a limited netting fishery within the Salcombe Estuary.**

d) That the B&PSC recognises that sea trout are present at an unknown scale, for feeding purposes, in the Salcombe Estuary but it is not a known migratory route.

CO Mander asked that Members confirm that the recorded rationale was correct, or to amend or add to their rationale, which would be noted.

Debate, Questions & Comments - Rationale

Simon Toms raised concern regarding the wording used as rationale (d). Simon Toms highlighted that shallow bays are important to the sea trout for feeding and that there is uncertainty regarding the scale of their presence in the Salcombe Estuary. CO Mander commented that Members had been informed that sea trout are present in Salcombe Estuary, and that sea trout had been caught in nets during the bass research work; however, the scale of their presence remains unknown.

Jon Dornom informed Members that he had caught some sea trout outside of the Salcombe Estuary, but this amounted to very few, possibly two or three in the last 25 years. Wayne Thomas said that it was important to recognise that sea trout are likely to be present in Salcombe Estuary, however the estuary is not a principal spawning area. DCO Clark asked if the Environment Agency (EA) could provide more information to Members about sea trout and their use of the Salcombe Estuary. Simon Toms explained that there was little direct evidence available. PPO Townsend added that the EA could respond in the formal consultation and include any relevant information to support their own response. Simon Toms said that more information could be found and then answered a series of other questions from Members about sea trout including migratory times.

CO Mander asked Members for suggestions to amend the wording for their rationale (d) and initial suggestions were recorded by DCO Clark. CO Mander asked if there were any comments or amendments required relating to the other rationale (a, b, and c). David Saunders said that he supported rationale (c) as written. In response to a question by Felicity Syvester, CO Mander explained that adding rationale that related to health and safety would not be possible, not because the Authority was not caring, but because health and safety concerns are not within its remit. There were no other questions, comments or amendments relating to rationale.

Presentation – Officers’ Paper Section 4: Species and Seasonal Access

CO Mander explained that there was flexibility regarding the opening times (months) of the net fishery in the Salcombe Estuary, and this could have a bearing on the management of bass. CO Mander said that although the suggestion in the pre-consultation was to create a net fishery which would target grey mullet, gilthead bream and bass would be caught as a bycatch, and in January the bass could be landed whether they were targeted deliberately or declared to be a bycatch by those catching them. CO Mander highlighted that (as set out as rationale (a) in the Officers’ paper), the B&PSC had considered that a mortality rate of 18.8% of bass, caught during the netting trials within Salcombe Estuary was acceptable.

Relating to the proposed management measures for the formal consultation, CO Mander set out the following points:

- Stocks of bass are below MSY.

- A survival rate of approximately 80% for bass (caught in a fixed net set in the estuary) had been reported but it was likely to be lower in a commercial fishery. The bycatch of bass would have to be returned alive or dead other than in January due to other national legislation requirements.
- There is no definition for bass “bycatch”, and therefore bass could effectively be targeted in January.

CO Mander said that Members must determine if bass are to be included or excluded from the range of species that could be landed in January as part of the opening of the netting fishery in Salcombe Estuary. CO Mander said that including bass would undermine the original rationale for making the Netting Permit Byelaw (and Permit Conditions), but it is for Members to decide what goes forward to formal consultation.

Regarding the other questions, CO Mander explained that as grey mullet species had until now benefitted from protection in estuary areas, Members could consider introducing a Minimum Conservation Reference Size (MCRS) for grey mullet species and that Officers had highlighted the MCRS introduced by SIFCA as it was introduced fairly recently (2021). CO Mander informed Members that SIFCA’s 42cm MCRS is likely to have been supported by more recent evidence relating to sizes of sexual maturity.

Debate, Questions & Comments - Species and Seasonal Access

Bass:

Regarding bass, Charlie Ziemann commented that restrictions both locally and on a national scale were excessive for small inshore commercial fishing vessels. Charlie Ziemann felt that it was larger vessels (offshore trawlers) that were doing the damage, and he would therefore support relaxing restrictions for bass as they are “a big earner”. Mike Williams said D&S IFCA is unable to solve wider scale concerns and therefore felt that some of the factors raised by Charlie Ziemann were not relevant to the B&PSC’s discussion to determine the proposed management measures for the net fishery in the Salcombe Estuary.

Jon Dornom informed Members that to remove bass from the range of species that could be taken in January as part of the opening of a netting fishery in the Salcombe Estuary would be frowned upon by those that may support the opening of the fishery. The Chair clarified that this review would not be removing access to take bass from Salcombe Estuary with nets, as the opportunity to take bass in January from nets in Salcombe Estuary does not exist at this time. Jon Dornom accepted that the discussion is therefore removal of a potential opportunity to take and land bass in January. Charlie Ziemann supported this view.

Jon Dornom commented that the removal and landing of bass needed to be balanced relative to the likely scale of the activity. In his view there would probably be only 8 to 10 days when tides and conditions would be suited for netting activity during January. Jon Dornom added that the extra income generated by landing of bass in January would not be huge, but it would help to offset low earnings for fishermen during the winter months.

Simon Toms raised concern regarding the landing of bass and the message that the proposal, if going to formal consultation, would give to a wider audience, especially as the Salcombe Estuary is a bass nursery area. Simon Toms also questioned how the proposal to land bass taken from nets within an estuary in January aligns with the goals in the Bass Fisheries Management Plan (FMP).

PPO Townsend explained that the proposals regarding the use of nets to catch bass in an estuary, and to land bass from nets set in an estuary, are not well aligned with the bass FMP. PPO Townsend clarified that,

for a range of reasons, the opening of Salcombe Estuary to netting activity was not driven by Officers' recommendations. Regarding Salcombe being a bass nursery area PPO Townsend confirmed that this was the case; however, netting was not prohibited, the national legislation¹ only prohibits the fishing for bass when the bass nursery area was active (between 30th April & 1st January).

David Morgan informed Members that commercial fishermen needed an authorisation for each gear type (letter) from the Marine Management Organisation to land bass and that the limit of bycatch (for fixed gill nets) was 1.6 tonnes per calendar year.

CO Mander commented that the word "bycatch" is significant, and therefore it is not a directed fishery; however, there is a weakness as there is no clear definition on what level of catch is a bycatch. CO Mander explained that Salcombe Estuary would be a mixed fishery, and the B&PSC can determine if bass caught by fishermen in January (with an MMO authorisation) should be returned to the fishery rather than being landed.

The Chair commented that as fishermen are not able to target bass with nets, many with a wider interest will have the view that bass should be returned and therefore by including bass as a species that could be landed the IFCA may be seen as supporting the targeting of bass.

The general consensus of opinion from Members was to include bass as a species that could be landed in January as per the suggestion received from a fisherman in the pre-consultation. This was noted for confirmation in a formal vote, after all discussion sections were complete.

Opening Times of the Fishery:

The Chair asked for views regarding the opening time of the fishery. Jon Dornom said that the summer months were not suitable as the estuary gets crowded with boats such as leisure craft and additional summer moorings. Members concluded that an opening of October to March (inclusive), as per the suggestion received from a fisherman in the pre-consultation, be noted for confirmation in a formal vote, after all discussion sections were complete.

MCRS:

CO Mander highlighted the MCRSs that SIFCA had introduced for mullet species and explained that a suggested size or sizes for different species could be set out in the formal consultation. It was the view of Mike Williams that a 42cm for thick-lipped and thin-lipped grey mullet was a good starting point for discussion. Guy Baker inquired if there was any relationship between the 42cm size for those mullet species and the 42cm MCRS that had been introduced for bass. CO Mander said that the MCRS was likely based on the size of sexual maturity evidence that SIFCA would have examined and recognised.

Jon Dornom commented that a 42cm grey mullet is a very large fish and would reduce the number of fish that could be landed, and that other IFCA's have different sizes in place, for example CIFCA with 20cm. Jon Dornom also reported that a MCRS for mullet had been introduced by NW IFCA and they had detailed the sizes of sexual maturity for each species. Jon Dornom had done an internet search for further information, including information on the Go Spear fishing, Sea fishing, and Sea Angler websites which had landing sizes of between 33 and 36cm.

¹ Bass (Specified Areas) (Prohibition of Fishing) (Variation) Order 1999

CO Mander commented that CIFCA had closed all estuaries to netting, which makes the MCRS they previously introduced irrelevant for estuaries, and it was likely to be a fairly old inherited measure. Regarding SIFCA's MCRS for mullet, CO Mander repeated that it is a newer restriction (2021) and based on more recent evidence. SEO Stewart said that he was of the understanding that SIFCA based it on the L₅₀ approach. SEO Stewart explained that the L₅₀ is a threshold used as a typical method of assessing size of maturity in fish, highlighting that L₅₀ represents the length at which 50% of a population of fish is expected to be sexually mature. SEO Stewart used the example that, while some small proportion of a population may become mature at, for example, 26cm, or 32 cm, this is not representative of the size of maturity, and that the L₅₀ measure (such as applied by SIFCA) is a more robust measure of size of maturity.

Wayne Thomas acknowledged that grey mullet is a very slow growing species and would support the introduction of a MCRS but had no suggestion as to what size he would support. Jon Dornom asked if a MCRS would apply only in one estuary or District wide. CO Mander said that D&S IFCA's MCRSs currently focus more on shellfish, but that Members can propose a size applicable to the targeted fishery and that this does not need to be applied across the whole District.

A range of different sizes were suggested by Members with Simon Thomas stating that at a MCRS of 35cm for mullet would mean that 95% are likely to be mature. Jon Dornom suggested that maybe the old bass size of 36cm would be appropriate for including in the formal consultation. Simon Toms asked if any members had any views on a MCRS for gilthead bream. Wayne Thomas thought there would be merit in exploring a slot size for this species. With no other comments the Chair said that there could be more discussion on MCRS's later in the meeting.

Presentation – Officers' Paper Section 5: Extent of the Fishery

The Chair highlighted that an additional paragraph had been added to the Officers' paper since the original circulation of the papers. Due to an error with posting the updated paper, some Members may have needed to pay additional postage to receive the updated version in hard copy format. DCO Clark said that Finance and Administration Manager (Olga Pepper) wanted to apologise to Members and the apology was accepted by Members.

The Chair explained that the Duchy of Cornwall own the rights to the Several Fishery in the Devon Avon, Salcombe and Dart estuaries, known collectively as the Waters of Dartmouth. The Chair said that discussions with the Duchy were on-going, and the Duchy may or may not be supportive of the opening of a netting fishery in the Salcombe Estuary. The Officers' paper sets out that commercial fishers would need to receive the Duchy's consent; however, the word "would" needed to be replaced by 'should' as consent may be required. For this meeting, the Chair advised that Members focus on establishing clear parameters for management to go into the formal consultation, rather than discussing what the Duchy may or may not choose to do in the future, regarding their own position and their use of licences/consents.

CO Mander referred to the charts of the Salcombe Estuary that had been provided to Members. CO Mander reminded Members that at the previous meeting it had been suggested that pockets of mullet could be targeted at different sites within the estuary which would reduce the number of bass caught as a bycatch. CO Mander felt that it was important for Members to establish whether such an approach was feasible in a commercial fishery context.

Debate, Questions & Comments – Extent of Fishery

Jon Dornom referred to the chart presented on-screen (and included in the meeting papers) and explained that a fishery of the kind proposed would typically operate in any of the areas shaded green, which covers the margins of most of the estuary including Batson, Southpool and Frogmore Creeks. Jon Dornom said that sub-dividing the estuary would be too complicated for fishermen and too challenging to manage and enforce. It was the view of Jon Dornom that the whole estuary should be open to netting so fishermen can react to different conditions and try to find the best locations to target grey mullet. Simon Toms enquired about site designation and SEO Stewart confirmed that the Salcombe Estuary is a Site of Special Scientific Interest (SSSI). DCO Clark commented that Natural England would be one of the consultees in the formal consultation. Members wanted it noted that the opening of the fishery should extend to the whole of the estuary.

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Presentation – Officers’ Paper Section 6: Fixed Nets & Drift Nets

CO Mander explained that inherited Byelaw 17 had prevented the use of fixed nets in estuaries since 1988. Drift nets had been allowed in some estuaries, including Salcombe, as they were seen to be less efficient than fixed nets. However, the method of netting in Salcombe was determined by D&S IFCA to be a form of fixed netting as the nets became stationary. CO Mander said that, although more challenging for fishermen to operate a drift net in keeping with the definitions, the B&PSC must determine if it is supportive of fixed nets being allowed to be legally used in Salcombe for the first time or limit the fishery to drift nets.

Debate, Questions & Comments – Fixed Nets & Drift Nets

Jon Dornom explained the use of nets in the past and that the nets to be used would not use anchors, but instead use leaded line or pieces of chain. They would sit on the estuary floor and therefore become bottom set. Jon Dornom explained that it is the weight of the net, plus a few small pieces of chain that keeps the net set. Jon Dornom informed Members that the definition of “fixed engine” in Byelaw 17 prevented this form of netting and the estuary was not large enough to accommodate drift netting (as defined) due to the depth and too many obstacles including boat moorings. Simon Thomas agreed that only the use of fixed nets would make netting activity in the Salcombe Estuary possible. Simon Toms enquired whether ring nets could be used but Jon Dornom stated that ring nets could not be used due to the number of moorings in the Estuary.

David Morgan commented that fixed nets would need to be allowed to enable a net fishery to take place and he enquired about the current definition of fixed nets in the Netting Permit Byelaw and how this may need to change. CO Mander explained that it would not need amending, just how it is applied in different areas. The Chair enquired about the potential application, revocation or amendment to legacy Byelaw 17 and CO Mander said he would get legal advice as soon as possible.

Presentation – Officers’ Paper Section 7: Scale of the Fishery

CO Mander highlighted that the table in the Officers’ paper provided an indication of the numbers of vessels of different lengths, and from different areas, that may have an interest in fishing within the Salcombe Estuary with nets. CO Mander clarified that the figures going from top to bottom of the table should not be added together and that the figure of 47 vessels represents all vessels under 10 metres in length (from the listed locations) that have a commercial netting permit.

CO Mander informed Members that D&S IFCA does not restrict the number of commercial (Category One) netting permits that are issued. CO Mander said that this was important to recognise that the B&PSC had previously had concern regarding the potential increased application and uptake of permits resulting from a

change in management to provide greater fishing opportunities to commercial fishermen. CO Mander explained that when considering an increase to access for commercial divers to remove scallops in the summer months, Members feared that a klondike situation may develop, but this was not the case. CO Mander reported that it is impossible to predict if the number of commercial netting permit applications will increase based on increased interest to conduct netting in Salcombe Estuary or how many existing permit holders will take part in the fishery. CO Mander informed Members that multiple control measures had been suggested in the pre-consultation and listed in the Officers' paper. One of these control measures is a vessel length restriction and this would be consistent with how the Authority manages other fisheries. The Chair asked if a decision could be "banked" for establishing the size of vessels first, before noting the consensus of views regarding the other discussion points set out in Section 7.

Debate, Questions & Comments – Scale of the Fishery

Size of Vessels:

Jon Dornom suggested six metres in overall length and David Morgan agreed. This was noted with no other suggestions put forward by Members.

Number of Nets Per Permitted Vessel and length of Nets:

Jon Dornom suggested the discussion regarding the number and length of nets be combined into one discussion which was agreed by the Chair. Jon Dornom suggested a maximum of two nets per vessel, both of a maximum of 200 metres in length. Jon Dornom said that the proposed net fishery would involve two nets which would be worked in rotation, and they would be set close to each other so the vessel could be in attendance. Simon Toms suggested that this would mean that it would be only possible to be in attendance with one net at a time. In response to some questions about "attendance", CO Mander provided answers and stated that enforcing measures associated with fishermen being in attendance can be challenging for Officers, as being a certain distance from the net would be difficult to enforce. However, CO Mander suggested that monitoring the key issue regarding the time the nets are set in the water could be addressed through the use of gear in gear out technology to aid monitoring of compliance.

CO Mander highlighted concern regarding the use of the words "limited net fishery" in the formal consultation. CO Mander asked Jon Dornom to clarify how many nets and what length nets he used in Salcombe in past times. Jon Dornom confirmed that it was broadly the same as the current proposals; however, the fishery would be more limited due to potential vessel size restrictions and other measures to be consulted on. Mike Williams commented that all fisheries are restricted in one way or another and therefore the formal consultation could reflect that with the wording used – it would be the "re-opening of a net fishery in the Salcombe Estuary", rather than "establishing a limited net fishery in the Salcombe Estuary".

The Remaining Management Measures in Section 7

The remaining topics became a mixed discussion. Wayne Thomas commented that the opening of the fishery could promote illegal activity within the estuary. Jon Dornom informed Members that illegal netting is still happening, with one illegal net found recently that had a scallop tooth bar as an anchor and he therefore felt it was less likely to have been set by a commercial fisherman based in Salcombe. Jon Dornom said that authorising more fishermen to operate in the estuary in a controlled and legitimate way will assist enforcement as illegal activity will be easier to spot and report. Discussion on remaining points in Section 7 was brief and included questions to SEO Stewart on the soak and haul times of nets used in the bass research report. SEO Stewart noted that the soak times used in the research were between 12–80 minutes, and that longer soak

times combined with longer haul times (e.g., due to large catches or debris in the net) were typically associated with higher levels of bass discard mortality. Jon Dornom also suggested that mechanical assistance to haul nets would not be acceptable due to the increased risk of damaging fish during the hauling process. The following was noted:

- Members agreed to note a maximum soak time of 60 minutes.
- Members agreed to note that there should be no mechanical assistance to haul nets.
- Members agreed to note that there should be a minimum mesh size of 100mm.

Presentation – Officers’ Paper Section 8: Monitoring, Technology, & Enforcement

CO Mander updated Members regarding the national roll out of IVMS which will include commercial fishing vessels of all sizes. Regarding the performance of equipment, CO Mander informed Members that an IVMS unit had been tested in Salcombe Estuary using D&S IFCA’s RIB and that Officers had established that coverage throughout the estuary was good, even when close to the shore under the tree line. CO Mander informed Members about other technology that could be used for managing netting activity including RFID tags and Bluetooth sensors. CO Mander clarified that the Netting Permit Byelaw would not allow for the introduction of cameras. Regarding the implementation of IVMS, CO Mander explained how IVMS being fully functioning could become a requirement of the Category One Netting Permit Conditions and that it would be set at three-minute reporting. Its inclusion as a Permit Condition could result in permit conditions being set out to state the required actions in the event of potential failure of a device. This approach would therefore be consistent with permit conditions applied to other fishing sectors. Regarding the collection of data, CO Mander recommended that D&S IFCA gets information from the MMO’s Catch App, which has had a 97-99% uptake by fishermen.

Debate, Questions & Comments – Monitoring, Technology, & Enforcement

Felicity Sylvester was concerned that D&S IFCA would be potentially expecting fishermen to fund the purchase of IVMS equipment themselves and asked why D&S IFCA had not communicated this to fishermen. CO Mander responded and clarified that it is a national expectation for fitting of the equipment, not a requirement set by D&S IFCA. CO Mander explained that all the equipment will have to be purchased before the end of December 2023 with available funding coming to an end soon. Vessels between 6 to 12 metres must have purchased equipment before 30th November 2023 and vessels under six metres have until the 3rd week in December. CO Mander confirmed that the MMO had been doing a lot of communication work with fishermen.

Jon Dornom asked if there was confidence in the tags and how well electronic tags hold their charge or if they need re-charging at frequent intervals. CO Mander explained the difference between different types of tags that are available, and the difference in costs to purchase the tags. It was reported that blue tooth type of tags would most likely cost approximately £55 each, with two sensors required per net. CO Mander explained how the tags should function and informed Members that it is not known how well the tags would perform in an estuary setting. Jon Dornom explained that he would be happy to trial the sensors. Regarding battery life, CO Mander said that sensors had a sealed internal, battery and would not need charging. The internal battery was expected to last for approximately five years.

Mike Williams said that testing of tags could be undertaken whilst the formal consultation was underway, with the results of testing reported to Members in 2024. Regarding the requirement for IVMS (as a permit condition), Members took the view that it was important that IVMS devices were fully functioning at all times.

Members accepted that the catch app was the most appropriate way for D&S IFCA to obtain any catch data required by the Authority.

Summary of Discussions (Agenda Item 7) and Decision Making

The Chair asked Members to examine the spreadsheet that had been used to record the views of Members during the discussions. The Chair said that a formal vote would be taken for each discussion section or point of discussion, beginning with the rationale for the B&PSC for opening of the netting fishery in Salcombe Estuary.

Decision Making: Rationale

Members agreed that rationale (a, b, and c) should remain unchanged; however, a change was required to rationale (d).

An alternative set of words were discussed and established as follows:

d) That the B&PSC recognises that sea trout are present at an unknown scale, for feeding purposes, in the Salcombe Estuary but it is not a known migratory route.

This was agreed and a vote was taken on the above wording change to rationale (d) and to support rationale (a, b, and c) as set out in the Officers' paper:

That the B&PSC agree that subject to the amendment to (d), the rationale for opening the net fishery is set out in (a-d) in the Officers' paper.

Proposed:	Mike Williams	Seconded:	Guy Baker
In favour:	9		
Against:	0		
Abstain:	2		

Decision Making: Species & Seasonal Access

That the B&PSC proposes to open the net fishery in the Salcombe Estuary between October to March inclusive.

Proposed:	Mike Williams	Seconded:	Felicity Sylvester
In favour:	9		
Against:	0		
Abstain:	2		

That the B&PSC proposes to allow the landing of bass caught as a bycatch in January

Proposed:	Guy Baker	Seconded:	Felicity Sylvester
In favour:	6		
Against:	3		
Abstain:	2		

The Chair highlighted that a 36cm MCRS for grey mullet had been noted, but there was a difference in opinion amongst Members. Mike Williams suggested that it should remain as an open question for the formal

consultation with some examples provided of the different MCRS that are present in different IFCA Districts. The formal consultation can also be used to gather views on introducing a MCRS for gilt head bream.

That the B&PSC proposes to apply a MCRS for mullet and consult on what size or sizes should be applied.

Proposed:	Mike Williams	Seconded:	Charlie Ziemann
In favour:	9		
Against:	0		
Abstain:	2		

That the B&PSC proposes to apply a MCRS for gilthead bream and to consult on what size should be applied.

Proposed:	Mike Willimas	Seconded	Wayne Thomas
In favour:	8		
Against:	0		
Abstain:	3		

Decision Making: Extent of the Fishery

That the B&PSC proposes that the fishery includes all waters within the closing lines of the Salcombe Estuary as set out in Annex 2 of the paper.

Proposed:	Mike Williams	Seconded:	Simon Thomas
In favour:	9		
Against:	0		
Abstain:	2		

.....
Note: David Morgan and Felicity Sylvester left the meeting at 1610hrs.
.....

Decision Making: Fixed and Drift Nets

That the B&PSC proposes that fixed nets are to be authorised as part of the net fishery in Salcombe Estuary

Proposed:	Simon Thomas	Seconded:	Mike Williams
In favour:	7		
Against:	1		
Abstain:	1		

.....

Decision Making: The Scale of the Net Fishery

That the B&PSC proposes that only two nets are permitted per vessel.

Proposed:	Mike Williams	Seconded:	Guy Baker
In favour:	5		
Against:	1		
Abstain:	3		

That the B&PSC proposes that the length of each net shall not exceed 200 metres.

Proposed:	Mike Williams	Seconded:	Charlie Ziemann
In favour:	7		
Against:	0		
Abstain:	2		

That the B&PSC proposes that the maximum size of vessel shall be six metres in overall length.

Proposed:	Wayne Thomas	Seconded:	Mike Williams
In favour:	8		
Against:	0		
Abstain:	1		

That the B&PSC proposes that the maximum soak time for any net should not exceed 60 minutes.

Proposed:	Mike Williams	Seconded:	Wayne Thomas
In favour:	6		
Against:	0		
Abstain:	3		

That the B&PSC proposes that only hand hauling of nets is permitted.

Proposed:	Mike Williams	Seconded:	Wayne Thomas
In favour:	8		
Against:	0		
Abstain:	1		

That the B&PSC proposes that the minimum mesh size for each net shall be 100mm.

Proposed:	Mike Williams	Seconded:	Guy Baker
In favour:	7		
Against:	0		
Abstain:	2		

.....

Decision Making: Monitoring, Technology, & Enforcement

That the B&PSC proposes that all vessels operating in the Salcombe net fishery must have a fully functioning IVMS device at all times.

Proposed:	Mike Williams	Seconded:	Simon Thomas
In favour:	8		
Against:	0		
Abstain:	1		

That the B&PSC proposes that nets must be tagged as determined by the Authority.

Proposed:	Simon Thomas	Seconded:	Wayne Thomas
In favour:	8		
Against:	0		
Abstain:	1		

Members agreed that the MMO's Catch App would be the source for landing data without requiring a formal vote.

Agenda Item 8

Progressing the Size of Fishing Vessels Byelaw 2022

The Chair advised Members that the Officers' paper provided an update on progress and unless there were any questions, it would be taken as read. There were no questions from Members.

Agenda Item 9

Changes to Category One Mobile Fishing Permit Conditions

The Chair advised Members that the Officers' paper provided an explanation why changes were required and what actions would be taken. The Chair said that unless there were any questions, it would be taken as read. There were no questions from Members.

Date of the Next B&PSC Meeting.

PPO Townsend explained that the date of the next meeting would be confirmed in due course via email correspondence; however, it was likely to be near the end of February 2024.

End.