

## Category One Mobile Fishing Permit Conditions

### Recommendation

**That the Authority agrees to prohibit mobile gear vessels in specified mariculture sites set out in Annex 1 of this paper**

### Background

In June 2022, Members of the Byelaw and Permitting Sub-Committee (B&PSC) supported the proposal to prohibit mobile fishing vessels in specified coastal mariculture sites in D&S IFCA's District. The decision was in line with D&S IFCA's Mariculture Strategy. The strategy had set out that established mariculture sites should be protected from the interaction with mobile fishing vessels. D&S IFCA supports sustainable development including mariculture and prohibiting mobile gear vessels from these sites was needed to reduce the risk of damage to the farms and encourage investment in mariculture. Similar to the financial losses suffered by static gear vessel owners when their pots and nets are towed away by demersal towed gear vessels, significant losses can occur when mariculture sites are damaged by vessels entering mariculture farms.

On 20<sup>th</sup> October 2022, Members of the B&PSC agreed to formally consult on proposed changes to the Mobile Fishing Permit Byelaw and to the permit conditions. Those proposed changes included prohibiting mobile gear vessels from four selected mariculture sites, three in Lyme Bay and one in Tor Bay.

On 23<sup>rd</sup> February 2023, Members considered the responses to the formal consultation process. Only three objections to the proposed permit conditions were received and none related to the proposal to prohibit mobile gear vessels from the specified mariculture sites.

### Delay in Quality Assurance Process

D&S IFCA submitted the proposed Mobile Fishing Permit Byelaw to the MMO as part of the quality assurance process in May 2023. MMO have an expectation to respond to the submission of the Byelaw within 45 days.

Officers had intended to wait until the new Mobile Fishing Permit Byelaw had undergone the quality assurance process and been signed off by the Secretary of State before reissuing permits with the new management measures, including the prohibition on mobile gear vessels operating in the specified mariculture sites.

However, officers did not receive a response from MMO until December 2023. The response highlighted 'issues' with D&S IFCA's intention to continue to set out IVMS requirements in the permit conditions. Officers have submitted a further redraft of the Byelaw to the MMO but there is no indication that the amendments will satisfy the MMO as the 'specified monitoring equipment' clause in the Byelaw remains.

### Reported Damage to Mariculture Sites

Since October 2023 the operators of two large mussel farms in Lyme Bay have reported damage on three occasions. The loss to the business is determined by a number of factors, including how much mussel is on the lost or damaged lines, how long it takes to untangle parted lines from other lines, and replacement of the damaged lines which reduces harvesting capacity. The operators report that fixing the damage is delayed as it can only occur in calm conditions. Losses, from the three occasions since October 2023, have been estimated by

the company at £300,000. In all, since operating the site in December 2016, the company has had damage to its sites on nine occasions at an estimated cost of £653,500.

### **Category One Mobile Fishing Permit Condition**

Using permit conditions to prohibit mobile gear vessels from fishing in areas of the District is possible under the existing Mobile Fishing Permit Byelaw. D&S IFCA already prohibits mobile gear vessels from fishing in Marine Protected Areas in the District.

The Authority's proposals to prohibit mobile gear vessels from fishing in the specified mariculture sites has gone through the formal process set out in the Mobile Fishing Permit Byelaw. In response to the considerable reported losses by Offshore Shellfish Ltd, officers recommend that the necessary permit conditions are introduced as soon as possible.

### **Officers' Recommendation**

Officers recommend that permit conditions are drafted and introduced to prohibit mobile gear vessels from fishing in the specified mariculture sites set out in Annex 1 to this paper.

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

### **Background Papers**

- B&PSC meeting papers 2022-24 (D&S IFCA Website Resource Library)
- B&PSC meeting minutes 2022-23 (D&S IFCA Website Resource Library)

End.