

Wash Restricted Areas Byelaw 2019 Summary for informal engagement



Eastern Inshore Fisheries & Conservation Authority (Eastern IFCA) implemented an emergency byelaw in 2018. This emergency byelaw prohibited fishing in a discrete area of The Wash without a permit and implemented provisions to manage shellfish fisheries which mirror those of the Wash Fishery Order 1992. Eastern IFCA is exploring whether to replace the emergency byelaw with a permanent byelaw. This is an opportunity for you to feed into Eastern IFCA's decision-making process.

The deadline for responses is midday on 24th April 2019.

What is being proposed?

Eastern IFCA manages bivalve mollusc shellfish fisheries within the entire Wash embayment with the exception of the private fishery of the Le Strange Estate. On the 27th July 2018, the High Court handed down a judgement with the effect of changing the boundary of the Le Strange Estate. This has had the effect of opening an 'unmanaged' portion of the Wash (i.e. between the boundary of the WFO and the Le Strange Estate). Eastern IFCA is proposing to implement management measures for this area which reflect the management of the rest of The Wash. This includes:

- Prohibition on fishing for oysters, mussels, cockles, clams, scallops and queens without a permit;
- Eligibility criteria 1 – only those with a Wash Fishery Order licence are eligible for a permit;
- Eligibility criteria 2 – persons with two or more relevant offences not eligible to be named on a permit;
- Implement the Wash Fishery Order [Regulations](#) in the area;
- Implement permit conditions which reflect Wash Fishery Order licence conditions for different fisheries;
- Implement mechanism to manage the fishery in line with the management of the Wash Fishery Order fisheries (i.e. total allowable catch, open and closed periods etc.).

Why is this management needed?

IFCAs must manage fisheries in a way that is compatible with conservation targets for protected areas. The Wash hosts very important conservation features and valuable bivalve mollusc fisheries (primarily cockles). To ensure that neither the environment nor the stocks are damaged by fishing activity, this area is closed to fishing for oysters, mussels, cockles, clams, scallops and queens without a permit.

Eastern IFCA may open a fishery in this area if an assessment (including a stock survey and Habitats Regulations assessment) is undertaken and concludes no adverse effect.

Cockle and mussel fisheries in particular are dynamic and require a flexible approach to management. Under the Wash Fishery Order, Eastern IFCA is able to react quickly to the needs of the fishery and the environment by introducing, varying or revoking flexible management measures. The 'normal' IFCA byelaw procedure for this would include steps likely to cause delays that could detriment the fishery or the environment. To mitigate against this, Eastern IFCA is seeking to implement a more flexible system which mirrors the flexibility achieved through the Wash Fishery Order. This will potentially involve short or no consultation for introducing, varying or revoking permit conditions for specific fisheries.

When will it take effect?

Eastern IFCA will consider the evidence supporting this management, and information on the likely impact on sea users in the affected areas. If approved, the byelaw would take effect after a further consultation (formal consultation) period and once the Byelaw is signed off by the Secretary of State. We anticipate that this could be in early July 2019.

Where will it apply?

The byelaw will apply in the area between the boundary of the Wash Fishery Order and the Le Strange Estate (see chart below).

How does it affect my activity?

Prior to the decision of the High Court, the area covered by the proposal was a private fishery. Therefore, the byelaw to manage the fishery is unlikely to affect any current activity.

Eastern IFCA is particularly interested in your views on how the flexible measures would impact your activities through this consultation.

Will the measures be reviewed?

The proposal will be reviewed after taking into account the information gathered from informal consultation. If implemented, the byelaw will be reviewed six years after coming into force.

Where can I find more information?

The Emergency Byelaw is available at the following link - <http://www.eastern-ifca.gov.uk/wash-emergency-byelaw-2018/> .

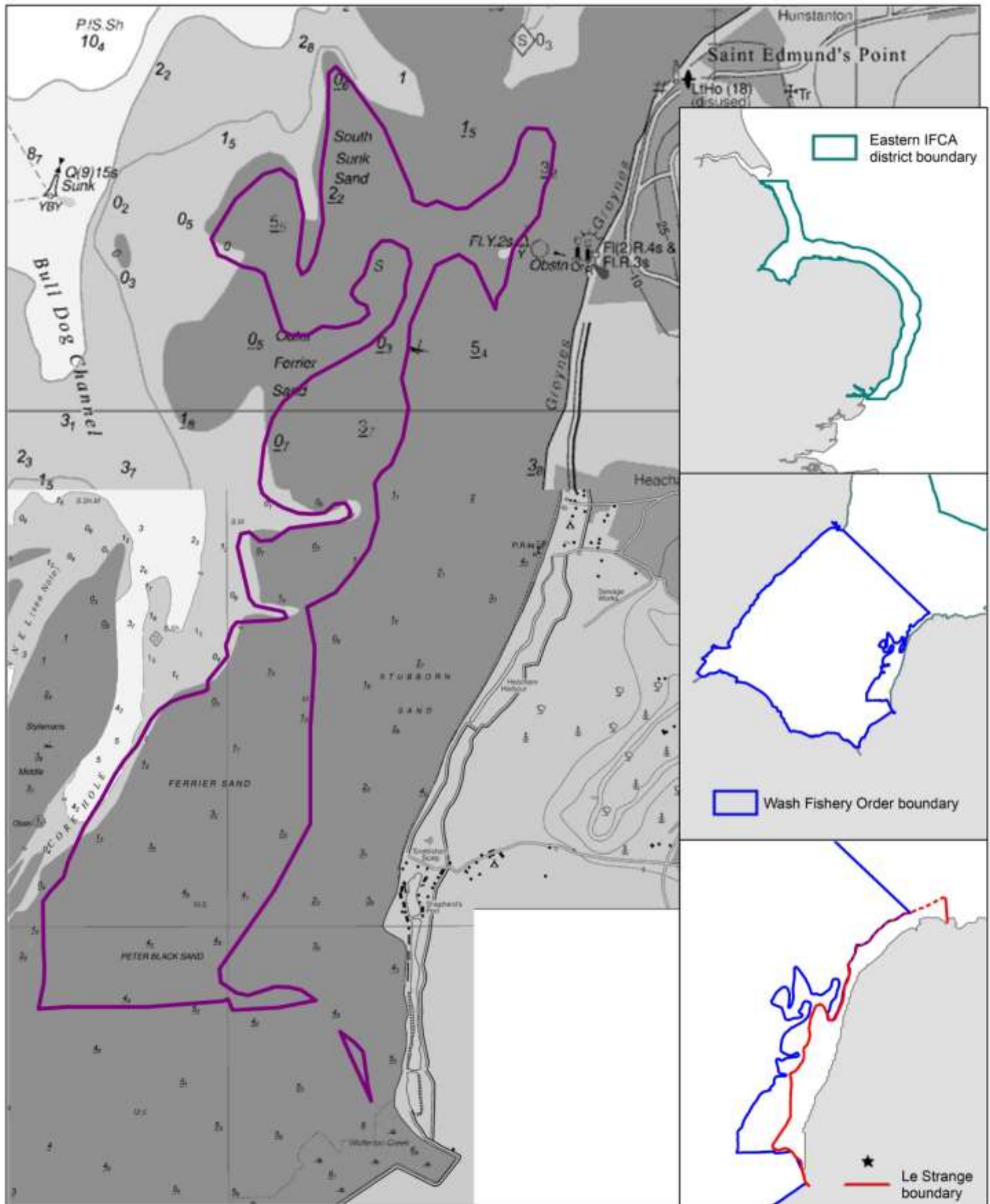
You are welcome to speak to Eastern IFCA staff in person or by telephone (01553) 775321, or by emailing mail@eastern-ifca.gov.uk

Can I make a comment?

We welcome your input. Eastern IFCA has developed a questionnaire ([here](#)) to capture information on the key elements of this byelaw. **Completed questionnaires should be sent by 12 noon on 24th April 2019** to:


CEO, Eastern Inshore Fisheries & Conservation Authority, Unit 6 North Lynn Business Village, Bergen Way, King's Lynn, Norfolk, PE30 2JG.

Email: mail@eastern-ifca.gov.uk



The Wash

Wash restricted area informal engagement chart.
Not to be used for navigation, for illustrative purposes only.

 Wash restricted area

Date: 28/03/19 Drawn by: SC
 Projection: Lat Long WSG84
 EMS boundary: JNCC download - UK_SACs_withMarineComponents_2103821
 Eastern IFCA boundary: EIFCA
 Wash Fishery Order: EIFCA
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