

Eastern IFCA Wash Cockle and Mussel Byelaw 2021 Formal Consultation: Questionnaire



This consultation closes at midday on 3rd May 2021.

Your questionnaire responses will be sent to the MMO as required.

This questionnaire is space for you to have your say on the content of the byelaw.

You can read the full byelaw here, a summary of the byelaw and the impact assessment on our website: www.eastern-ifca.gov.uk

These are available in printed copies from the officer on request.

The information you provide will be processed in accordance with our privacy notice found here: <https://www.eastern-ifca.gov.uk/consultations/>

There are 8 sections to this questionnaire, aligned with the content of the byelaw:

1. Your details
2. The intention of the byelaw
3. Permits
4. Managing access
5. Flexible management
6. Technical measures and restrictions
7. Exemptions
8. Amendments and revocations

Thank you for taking the time to complete this questionnaire.

Background

Eastern IFCA are developing the Wash Cockle and Mussel Byelaw 2021 to enable and manage cockle and mussel fisheries in The Wash. This byelaw will replace the Wash Fishery Order (WFO) when it expires.

This byelaw has been drafted taking into account the views of fishery stakeholders which were gathered during earlier informal consultation and engagement.

You can read more about why a byelaw was selected and how your feedback has been included so far on our website, printed copies are available from the office on request.

This consultation is about the byelaw itself.

We are also developing measures to manage access to the fisheries, separately. This will be in the form of policies and eligibility criteria (which will determine who is eligible for a permit). This is subject to separate consultation in recognition of the importance of the matter.

We understand that because the development of the measures to manage access is outstanding, there is uncertainty about how the byelaw will impact individuals.

To provide additional clarity on this, Eastern IFCA have agreed an overall policy objective which will guide the development of the policies:

To replace the Wash Fishery Order 1992 with a contemporary management regime to manage cockle and mussel fisheries in The Wash that:

- Facilitates the conservation objectives of The Wash and stock sustainability
- Enables access to the fishery that is equitable
- Supports the viability of varying business models
- Provides appropriate safeguards for fishing industry members, including business continuity
- Provides flexibility and agility for the Authority in effectively discharging its duties
- Provides an appropriate degree of consistency with other fisheries management throughout the district

Section 1. Your Details

Please provide your details below. This will enable us to provide specific support if it is requested and to potentially contact you about your answers if we require further clarification.

Full name:

Operating port:

Vessel name and PLN:

Address:

.....

Telephone (landline):

Mobile:

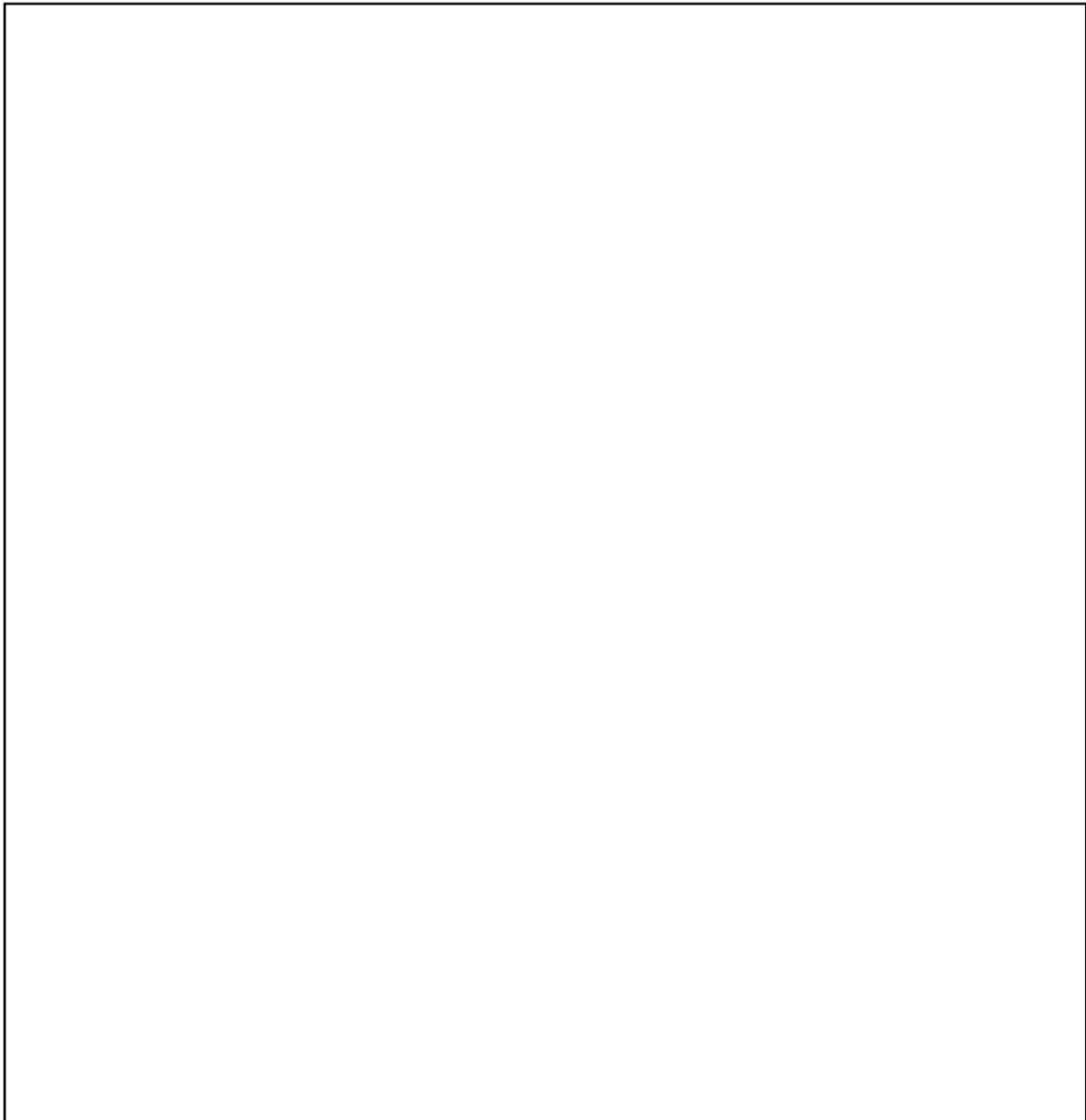
Email:

2. The intention of the byelaw

The byelaw is intended to replace the Wash Fishery Order 1992. It has been drafted to enable management of the fisheries in a manner consistent with the established cockle and mussel fisheries management plans.

If you have outstanding views about the replacement of the Wash Fishery Order with a byelaw, please write them here.

In particular, please let us know why, in your view, an Order would be a better tool for managing the fisheries than a byelaw. Through better understanding of your concerns we can seek to make sure that they are reasonably addressed by the byelaw.

A large, empty rectangular box with a thin black border, intended for users to provide their views on the replacement of the Wash Fishery Order with a byelaw.

3. Permits

The proposals for permits in the byelaw are as follows:

- You will need a permit to commercially fish for cockles and mussels within The Wash
- Permits last for 12 months
- There is an annual permit fee, the fees are inline with those under the WFO:
 - £757.75 in addition to:
 - £339.57: hand-work cockle permit
 - £101.39: hand-work mussel fishery permit
 - £162.48: mussel dredge permit
- There are two types of each permit:
 - Category One permits—main permit for the established fishery
 - Category Two permits—separate form of permit available for use in innovative ways, to enable limited access as may be needed, without impact on the established fishery.

What are your views on the proposals for permits?

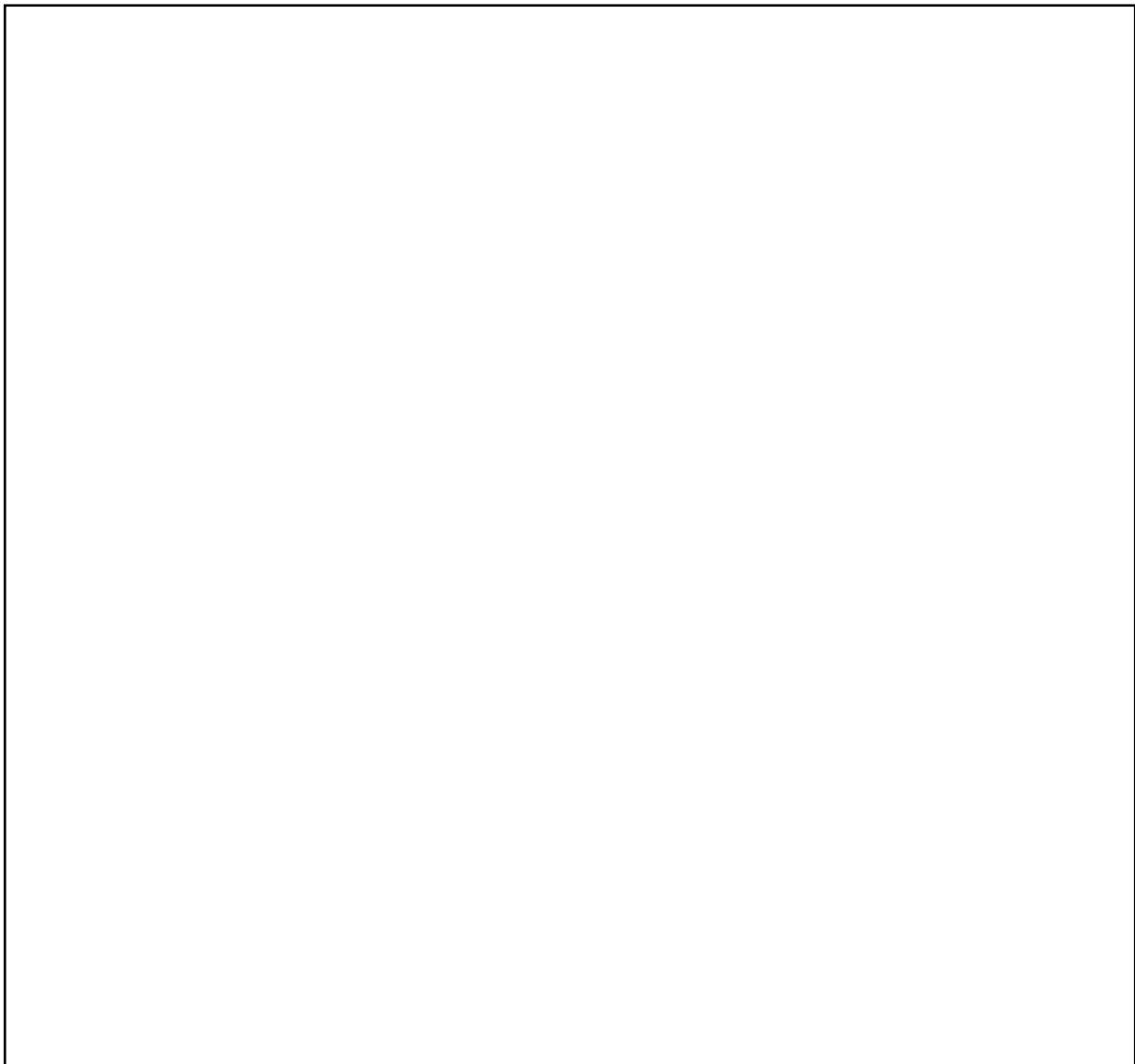
4. Managing access

The byelaw proposes to enable the Authority to manage access in the following ways:

- Limit the number of permits issued
- Issue, vary or revoke eligibility criteria for issuing permits

Decisions on what the eligibility criteria or the limit to permits will be, have not yet been made. They will be decided separately to this consultation, informed by the outcome to the economic assessment and further discussion with industry over the next two years. Changes to eligibility criteria must include at least a 4-week consultation and decisions can only be made by the Authority or a sub-committee of the Authority.

What are your views on the proposals for **how** the Authority will be able to manage access?



5. Flexible management

The byelaw proposes to enable flexible management of the fishery in the following ways:

- Opening and closing of fisheries
- Setting operating times for the fishery
- Issuing, varying or revoking permit conditions

Where these provisions are used, the Authority must consult with stakeholders and undertake an impact assessment of the proposals. The Authority can issue vary or revoke these measures without consultation under certain circumstances, but any such measures will expire within two months unless a review is undertaken which will include consultation with industry and consideration of the impacts.

These flexible measures will be used to manage the fishery annually taking into account the annual stock surveys, the protection of the marine protected areas of The Wash and the views of fishery stakeholders.

What are your views on the proposals for flexible management of the fishery?

6. Technical measures and restrictions

The byelaw proposes the following restrictions to activity (please refer to the full wording of the byelaw for the detail of the restrictions):

- Any fishing gear must be certified by the Authority
- Vessel length is limited 14 metres with an exemption for those with established track record of operating within the fishery with a vessel greater than 14 metres
- Daily catch restrictions (depending on the fishery)
- Mussel dredge restriction (number of dredges and width of opening)
- Where catch is sorted (for size or to remove shell etc.), and some of the catch is rejected, it must be returned immediately to the sea or seabed
- Prohibition on transshipping catch
- Catch must be landed after it is removed from the fishery (except for catch returned as a result of sorting)
- Restriction on fishing for cockles or mussels if these have been removed from any other fishery during the same calendar day
- Catch must be landed in bags of a specified size
- Restriction on using an anchor in the process of 'prop-washing', any cockles disturbed using this method if the daily quota is removed must be redistributed.
- Restriction on the size of any tender carried aboard or towed by a vessel operating within the fishery

These measures **reflect those established under the Wash Fishery Order 1992**. The wording of these measures has been amended in places to enable them to be changed via permit conditions as may be required.

What are your views on these technical measures and restrictions?

7. Exemptions

The byelaw will not apply to:

- Any person taking no more than five kilograms of mussel or cockle for personal consumption
- The area of The Wash which is within the boundary of the le Strange Estate

What are your views on these exemptions?

8. Amendments and revocations

When the byelaw comes in to force it will result in amendments to, and revocations of, existing byelaws.

The byelaw will revoke Byelaw 4: mussel (*Mytilus edulis*) minimum sizes

The byelaw will amend the following byelaws in the following ways:

- Minimum Sizes Byelaw 2019 – addition of the minimum size for mussels
- Closed Areas Byelaw 2020 (not yet in effect) – will change reference from 'WFO licences' to Wash Cockle and Mussel Permits' in relation to the exemption for fishing on mussel beds;
- Byelaw 3: Molluscan shellfish methods of fishing – this will change references within the byelaw from the 'Wash Fishery Order 1992' to the 'Wash Cockle and Mussel Byelaw 2021'

What are your views on the amendments and revocations to existing byelaws?

QUESTIONNAIRE END.

Thank you for taking the time to complete this questionnaire. Please post your responses to:

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

Your questionnaire responses will be forwarded to the MMO as is required. If you would prefer to respond by written representation, please send to the above address AND send a copy to:

Marine Conservation and Enforcement Team, Marine Management Organisation, Lancaster House, Hampshire Court, Newcastle-Upon-Tyne, NE4 7HY,

MMO email: IFCAbyelaws@marinemanagement.org.uk

This consultation closes at midday on the 3rd May 2021.

Contact Us

The office is closed because of the COVID-19 crisis, but officers remain at work based at home. Should you need to contact us please use the email or mobile number provided below:

Phone: (during office hours) 07385 769305

Email: mail@eastern-ifca.gov.uk

If you require this questionnaire in a larger format, please contact the office and we can provide one for you.

If you would prefer, you can complete this questionnaire easily online. Once your questionnaire is completed online, your response is directly available to us. To access the online version questionnaire, scan the code here, or follow the link on our website:

www.eastern-ifca.gov.uk/consultations

