

The Wash Cockle Hand-work Fishery 2023

Consultation June 2023: Outcome



This document presents the outcome to the consultation on the proposed Wash hand-worked cockle fishery 2023 which ran from 2 June to 19 June 2023.

We asked

Eastern IFCA's annual intertidal cockle surveys conducted in spring 2023 concluded that it would be possible to open a cockle fishery in The Wash. Management measures for a fishery were developed in accordance with the Cockle Fisheries Management Plan¹, taking into account the outputs of a Habitat Regulations Assessment.

We sought the views of stakeholders on our proposed management measures.

You said and our response

108 Letters were sent to persons involved in the Wash Cockle fishery including 'entitlement holders' and skippers.

22 people responded (20%), 12 of which were 'entitlement holders' (31% of Entitlement holders) representing 30 separate 'entitlements' (49% of all entitlements to a licence).

Revised TAC

Fishermen were asked for their views on a revised methodology for calculating the Total Allowable Catch (TAC). The proposal was to determine the TAC as 1/6 of the total cockle stock rather than 1/3 of the 'adult stock' such that the TAC better reflects the cockles available to the fishery, primarily as a result of die-off due to 'atypical mortality'.

All respondents bar one non-entitlement holder agreed with the revised methodology.

Comments largely focused on the 1/6 TAC being a better representation of the available stock.

However, amongst those who agreed with the new methodology, there was concern that the revised TAC would encourage the targeting of smaller cockles and thereby compromise future stocks.

¹ <https://www.eastern-ifca.gov.uk/wp-content/uploads/2019/09/WFO-Cockle-Fishery-Management-Plan-2019.pdf>

Other concerns largely revolved around whether the change is a permanent one, potentially compromising future fisheries, or whether it was on a trial basis with potential for reverting to the 1/3 model.

IFCA Response:

Natural England have raised concerns regarding the adoption of a new TAC methodology, particularly in the context of the limited adult stock of cockle available this year.

Due to concerns raised by Natural England regarding total adult stock levels, the TAC will initially need to be limited to 500 tonnes regardless of TAC calculations. In the interest of ensuring a fishery is available to industry, this 500 tonne TAC will be adopted initially, and further TAC will be pursued going forward. This will provide time to consider the TAC calculation methodology and the limited adult stock whilst a small fishery is underway.

Proposed Technical Measures

The proposed management measures mostly reflected the 'usual' measures implemented each year. This includes, for example, the Wash Fishery Order Regulations which are well established and have been consulted on previously.

Key additions to the management measures related to protecting small cockle (less than 10mm). New conditions were proposed to the effect that catch had to be sorted with a net which will reject cockles smaller than 10mm and that the Authority may close areas where high levels of smaller cockles are being landed.

Overall respondents were in favour of management measures

- About 3 quarters of entitlement holders & overall respondents in favour
- By entitlement, only 60% in favour

There were significant concerns about the effectiveness of the measures from those not in favour, with many suggesting in particular that rakes and nets were not effective, and that as a measure they would only have effect when fishermen wanted them to, and so are easy to subvert as a management measure. It was also suggested that a shovel with slits should also be allowed. Other respondents suggested that the measures should be limited to very mixed beds.

Several respondents felt there should have been information regarding the mesh size of the net in the consultation.

Finally, there were a number of comments regarding the good intentions of most of the fleet but the inevitability of small cockles being mixed in with catch, and how the focus should be on preventing deliberate targeting of small cockles, rather than the total elimination of catching them.

IFCA Response:

The effectiveness of measures being dependent on the fishermen themselves is largely unavoidable, as most practical sorting methods are manual. However, as

restrictions are moving from a voluntary basis to a written requirement, the degree of deterrent provided is greater as it is backed up with enforcement capability (i.e. fishermen can be prosecuted for failure to comply).

Regarding allowing the use of slitted shovels, and other suggested gear, the wording of the condition has been revised to enable this as follows:

Exemption Condition 8: Measures for the protection of small cockles

- 1. It is prohibited to fish for, take or remove from the fishery any cockles unless such have been sorted using an implement which is capable of rejecting the majority of cockles which are under 10mm (width) and / or are of the 2022-year class of cockles;*

This allows fishermen to select whatever methodology they feel is most practical for any given bed.

The request for the measures to only hold on mixed beds is understood, however, given the importance of protecting the smaller stock, it is still necessary for a sorting mechanism to be deployed even on high-density adult stock. This inconvenience is mitigated by the above wording, allowing fishermen to use whatever implement they feel is most appropriate for each bed. In addition, it is unlikely that the cockle stock survey results have sufficient resolution to distinguish between beds and areas where this should apply. Often, patches of small cockle may form within otherwise adult beds. Therefore, such a provision would make the measure potentially overly complex and therefore difficult to understand, comply with and enforce.

A degree of small catch is understood to be inevitable and captured with the 'majority' wording of the condition above.

With respect to specifying mesh sizes, further work would be required to determine the appropriate size, but the wording of the condition requires a mesh size capable of rejecting the majority of cockles which are less than 10mm. This provides scope for fishing industry to determine the most appropriate and effective methods.

Closures of The Thief

Fishermen were asked specifically to provide views and preferences with regards to three options for closures on the Thief cockle bed. Option 1 represents the option with the smallest and most limited closures, and Option 3 reflected a total bed closure.

Responses were almost exactly evenly split between the 1st (very limited closures) and 3rd (total closure) options, with an overall slight majority in favour of Option 1.

Comments with respect to Option 3 included preference for a more cautious approach to ensure a good fishery next year. With respect to Option 1, comments included that fishermen who had walked on the sand observed good levels of growth and adult cockles and good fishing opportunities. One comment did question the basis of the closures, and whether they had been confirmed with a walk on the sands or whether they were solely based on grabs.

Other comments included suggestions that monitored fishing for better cockles around closed areas should be allowed.

IFCA Response:

Given the roughly even split between the most open and most closed options, the decision has been made to take the most conservation-focussed option, Option 3. In making this decision it is acknowledged that atypical mortality appears to be causing some die-off on the bed, but this appears to be limited mostly to the older (2021) year class of cockles on the bed. The Thief is likely to support a significant fishery next year as the 2022 year class grow on to become fishable over this year and into next spring. Any fishing mortality on the 2022 year class this year will impact on the viability of a fishery next year. Therefore, on balance, it is considered that losses to the older year class as a result of atypical mortality lost this year will be made up for in cockles from the 2022 year class available next year.

This decision is further supported by the limited initial TAC, which can be fully gathered from other beds.

Operating Times

One entitlement holder abstained, one entitlement holder was opposed, all other respondents were in favour of proposed operating times.

Some comments did suggest some amendment to operating times, in particular weekends with good tides. Across all comments there was a general theme of there being a desire for slightly more open periods to ensure the fleet has ample opportunity to fish, especially in light of past performance. One comment indicated a preference for no fishing on Fridays or Saturdays, but with deference to the preferences of the fleet. Another comment suggested all Sundays should be open. Specific preferences have been considered in detail.

IFCA Response:

Suggested additional days have been added to the open times, in particular in the early weeks of the fishery. This is considered appropriate given that the rate of die-off as a result of atypical mortality is observed to have increased during mid-June and this should enable additional opportunity to fish prior to cockles being lost.

Seal Haul-out

Fishing industry were asked for their views and any additional information on areas where the fishery may be closed due to overlap between the fishery and important seal haul-out areas during sensitive pupping periods.

Many respondents questions the need for any such closures and whether such are necessary given the low level of impact fishers have on seals (widely described as being negligible). A number of comparisons were drawn to the bombing range, and why fishing was being restricted in an area with active aircraft.

One comment questioned how recently the sites have been reviewed as it suggested that they had changed and some were no longer appropriate.

Only one comment noted the closures don't seem near any beds, but did question why the areas move every year when the seals do not.

IFCA Response:

Seal Haul-out closures have been developed in lengthy discussions with Natural England, and are necessary for approval to open the fishery. This is because seals are a protected feature of The Wash and harbour seal numbers have declined recently. Whilst the fishing industry consider that fishing activity has only a limited impact (particularly compared to other activities in The Wash) advice from the Statutory Nature Conservation Advisors remains that such an impact must be mitigated. It is noteworthy that the Authority has been in dialogue with Natural England as well as other experts on the matter in coming to an agreed position.

Other Comments

Two comments stated a desire to see the Authority's officers on the sands more often, observing fishing behaviours.

Two respondents were also concerned about the lack of regulation on cockle harvesting from private shellfish lays.

One comment concerned the closures on Black Share and 'Back of the Wall', as they are fast growing fisheries which would have good potential by the time the fishery opens.

One comment was received regarding the timing of consultation, and a desire for future consultations to open earlier to allow more time for dialogue with fishermen.

Conclusions

Feedback from the consultation has informed refinement of the management measures.

Overall, the measures were in keeping with established practices, and this is reflected in the general agreement with the proposal. Refinements made as a result of the consultation are likely to make the management measures more effective and more likely to result in sustainable and viable fishing practices within environmental parameters.

Consideration of the revised methodology for determining the TAC has been overtaken by concerns regarding the amount of adult stock identified in the spring survey but the industry views, which generally support the new model, are noted and will feature in our continued consideration on this matter and dialogue with Natural England.