



# **Informal Consultation**

## **Review of existing netting byelaw management in Sussex District:**

### **Proposed management options**

## **Summary**

The fishing method of netting is diverse and widely used within the Sussex Inshore Fisheries and Conservation Authority's District. Net fisheries provide a wide range of fish and shellfish species throughout the year. The method is used by a large proportion of the Sussex commercial fleet, most of which are below 10 metres in length.

In Sussex, the method of netting is typically regarded as highly sustainable. This is due largely to the limited gear interaction with marine habitats and the presence of management plans and quota restrictions on key target species. There are, however, aspects of net fisheries that do require local Sussex IFCA management, primarily due to their impacts on bycatch species and vulnerable stages in fish life cycles (e.g. juveniles).

The Sussex Inshore Fisheries and Conservation Authority (SxIFCA) is currently reviewing its present management of net fisheries. This is an informal consultation document intended to gather views from fishing community and other stakeholders on the future management of nearshore netting within the Sussex IFCA District. The scope of the netting consultation is wide and covers both commercial and recreational activities.

The document tries to balance the amount of information needed to understand the process whilst not providing an excessive detail for readers. The content briefly describes the Authority's management review process, and specific objectives and issues in respect to netting management. Subsequently, management options have been identified that can address existing issues.

A series of questions have been provided to support the response process and help fully develop management options. These questions are particularly important to the Authority in reviewing existing management and developing further detail in following formal Byelaw consultation processes. The questions are highlighted in section 2 of the document and include spaces to write information. If possible, please try to answer the questions, space has been left for further comments if you have additional points. The provided question sheet can be used for separate material if you wish. If you're not using the questionnaire sheet please try to reference your answers to the relevant question number.

All responses are treated as confidential, any information provided will be only be compiled and reported upon once anonymised. Information will only be used for the purposes of the current IFCA management review process.

# 1. Introduction

## 1.1 Background on fishery

Netting is an important commercial fishing method for the Sussex District industry. Nets are widely used by many vessels within the under 10 metre element of the fleet. The main target species are sole and plaice, with other species including cod, skate, mackerel, herring, cuttlefish, spider crab, brill and turbot. Species are caught with a variety of specialised nets including fixed nets gill, tangle nets, and trammel nets, drift nets are used for pelagic species such as herring and mackerel.

Netting activity is widely spread throughout the IFCA District with some areas of higher fishing effort identified in specific areas and periods. Fixed nets are more commonly used than drift nets and the deployment of both nets and pots from the same vessels is common place.

According to Marine Management Organisation (MMO) information, for 2012 to 2016, there were 350 vessels landing catch from netting gear into Sussex ports. Annual average live weight landed was 1077 tonnes. 51% of these landed less than 1 tonne per year and 80% landed less than 5 tonnes per year. Thirty three vessels landed 50% of the total annual average weight of fish. The overall average was three tonnes per vessel per year and the maximum landing from a single vessel was forty tonnes in a year. It should be noted that MMO statistics do not differentiate landing from inside or outside the Sussex IFCA District.

The MMO information shows that gillnets accounted for 48% of landings by weight, trammel nets 41%, driftnets (prior to prohibition on drift netting for bass) 8%, set gillnets 2%, gillnets and entangling nets (trammel nets) 1%. Species diversity was high with greatest live weights being for sole at 25%, plaice a 16%, bass at 16%, cod at 7% and smooth-hounds at 5%. It should be noted that bass fisheries are now subject to European catch limit regulations for all fisheries methods.

In 2017 Sussex IFCA issued a questionnaire for the netting sector and received six replies (all but one was from the commercial sector) in an evidence gathering phase of the netting regulation review. The results included a majority of respondents requesting that the smaller boats be better protected from other vessels fishing effort.

## 1.2 Present netting management

The Sussex IFCA already has in place Byelaw regulations (originally established in the 1990's) that control various aspects of netting by restricting the areas and periods in which nets can be set. These original regulations were introduced by the Sussex Sea Fisheries Committee based upon available evidence at that time.

Byelaw regulations are intended to address specific local needs, whereas National and European regulations are often linked to broad scale generic issues such as mesh sizes for target species and species catch composition. Since its establishment the SxIFCA has been reviewing existing management measures. This particular consultation supports the review of netting management a further informal consultation on towed gears is also available.

## 1.3 SxIFCA's Duties & Obligations

The Authority's key duties, obligations and internal policies in respect to introducing appropriate net management are summarised as follows:

- Marine and Coastal Access Act 2009 (MaCAA 2009) Section 153 to manage the exploitation of fish stocks within the Authority's jurisdiction, to ensure sustainable commercial and recreational fisheries and continued social-economic benefits from the fisheries.

- In carrying out S.153 duties, to manage marine fisheries to protect salmonid and other relevant species as defined with section 153,(11) Marine and Coastal Access Act 2009.
- Conserving stocks through management of inshore nursery area helps protect a wide range of commercial and non-commercial fish stocks and can help increase local fish stocks.
- Manage netting within nursery areas that provides further protection to currently depleted bass stocks that are currently subject to EU and UK emergency management measures.
- Preventing or removing any netting pressures would reduce the potential for damage to designated Marine Protected Area features and contribute toward Authority S.153 & s.154 duties within the Marine and Coastal Access Act 2009.
- Helping to achieve the broad scale objectives of the EU Marine Strategy Framework Directive intended to ensure a sustainable marine environment (meeting descriptors 1 Biodiversity, 3 Commercial Fish Stocks and 4 Food Web).

#### **1.4 Netting management within IFCA Review of Management**

In 2013 the Authority established its current approach to reviewing its existing management measures. As part of the process the Authority conducted a comprehensive public consultation exercise. The resulting strategy identifies future priorities and objectives. The five core strategic priorities and objectives are as follows:

- Implement measures to manage the statutory marine protected area network in Sussex
- Apply appropriate minimum sizes to fish and shellfish
- Manage effort on key stocks (including gear identification) and establish objectives to manage shellfish
- Effectively manage fishing close inshore
- Reduce unwanted bycatch

In turn, these objectives were prioritised into work packages with common themes encompassed within a strategic review of management measures. Existing byelaws that fit within these themes are reviewed in context of latest evidence, economic value, duties and community expectations.

The common themes agreed were:

1. Marine Protected Area management
2. Shellfish
- 3. Netting (static and mobile)**
4. Trawling
5. Bait digging/hand gathering

The Authority has significantly progressed Themes 1 & 2 and is now focussing upon themes 3 & 4. This document relates to theme **3. 'Netting'**.

#### **1.5 Netting (static and mobile)**

In summary the purpose and scope of the review of netting is as follows:

- To establish long term sustainable netting fisheries within the District
- Achieve necessary salmonid protection in coastal and transitional waters
- Effectively manage commercial and recreational netting close inshore
- Reduce unwanted bycatch
- Review existing IFCA 'Fixed Engine' and 'Fishing Instruments' Byelaws
- Provide appropriate protection for relevant stocks (e.g. Bass) at key life stages (e.g. spawning, nursery areas)
- Recognising changes to wider UK/EU regulatory framework including: National Bass Nursery Areas, EU Technical Conservation Regulations 850/98 & 517/2008.

- To recognise developments in commercial fisheries (effort and mechanisation)
- Effectively manage recreational net fisheries (e.g. level of effort and shore based activity)

The suite of management measures available to the Authority through byelaw provisions are wide ranging and include:

- Establishing netting permits
- Spatial (defined areas) and Temporal (defined periods) controls
- Limit the amount of netting effort exerted by individual fishers
- Control effort by recreational netting activity
- Enable clearer marking of gears
- New measures in transitional waters (e.g. Medmerry coastal realignment)
- Reduce fish and shellfish bycatch
- Minimise bycatch of PTE (Protected Threatened or Endangered) species
- Configuration of netting gear (e.g. Mesh sizes)
- Enable netting refuges for mature spawning fish
- Control the setting of nets from the shore

## 1.6 Issues under consideration

### **Salmonid (salmon and sea trout) protection in coastal and transitional waters**

Sea trout are widely found in Sussex rivers according to Environment Agency (EA) information. Sea trout migrate up, and spawn in all but one of the Sussex rivers. Sussex Sea trout are known to reach a large size and be stocky in proportions making them a somewhat unique strain of English sea trout. The trout smolts migrate back down the rivers and out to sea having developed from trout fry after hatching from eggs laid upstream. The migratory and feeding patterns of sea trout means that they are at risk from nets set close to the shore, high in the water column and at the entrance to river mouths.

The productive and diverse coastal habitats in Sussex can provide a good environment and support the sea trout's rapid growth in coastal waters before maturing to return to their 'home' river to spawn.

Salmon are known to be present in coastal waters, but due to the low numbers detected their behaviour and distribution is far less understood than sea trout. Given the presence of sea trout it may be possible that salmon have a presence in one or more Sussex rivers.

Like most fish species that are pelagic and active in nature any salmonids caught as bycatch in nets are subject to high mortality resulting from physical damage and asphyxiation. Therefore the required discarding sea trout is in its self-insufficient to address the management need.

The SxIFCA's present netting byelaw regulations (<http://www.sussex-ifca.gov.uk/fixed-engines> & <http://www.sussex-ifca.gov.uk/fishing-instruments>) are largely designed to limit the impact of commercial net fisheries on salmonid stocks and juvenile bass. Evidence suggests that the current time periods and areas in which netting is managed do not best reflect current evidence on salmonid movements and behaviour.

These issues may be addressed through:

- Maintaining netting controls in rivers all year round over entire tidal influence.
- Maintaining and developing restrictive netting 'boxes' where rivers enter the sea.
- Establishing a minimum distance from high water that provides an equivalent or greater level of protection than that associated with the present 'headline distance to surface (1.5 metre) restriction'.

### **1.7 Effectively manage commercial and recreational netting close inshore**

Netting close to shore and within intertidal areas can result in unintended and negative impacts (e.g. killed or disturbed non retainable bycatch) in regard to sensitive habitats and certain fish populations. These areas are often associated with juvenile populations of fish and shellfish species, many of which can have commercial and recreational significance (e.g. sole, plaice, lobster, bass and black bream). Although not related to fisheries impacts and the SxIFCA MaCAA 2009 duties, the intensive level of human activities along the Sussex coastline and nearshore creates additional issues in regard to netting in these areas. These include risks to bathers, small craft. In the case of intertidal set nets entanglement of various animals are a serious risk.

These issues may be addressed through:

- Establishing a minimum distance from high water that provides an equivalent or greater level of protection than that associated with the present headline restriction.

### **1.8 Reduce unwanted bycatch**

Netting fisheries targeting any commercial species typically result in bycatch, this part of the catch may either have additional value and be retained or it may be discarded. The Authority wish to see that net fisheries are as 'clean' as possible and where practically possible unwanted bycatch is minimised. It is also very important that catches of Protected Threatened or Endangered (PTE) species (e.g. diving sea bird species) is prevented.

These issues may be addressed through:

- Preventing the use of some gear types that result in significant impacts
- Avoiding the use of specific mesh ranges that might result in unnecessary bycatch.

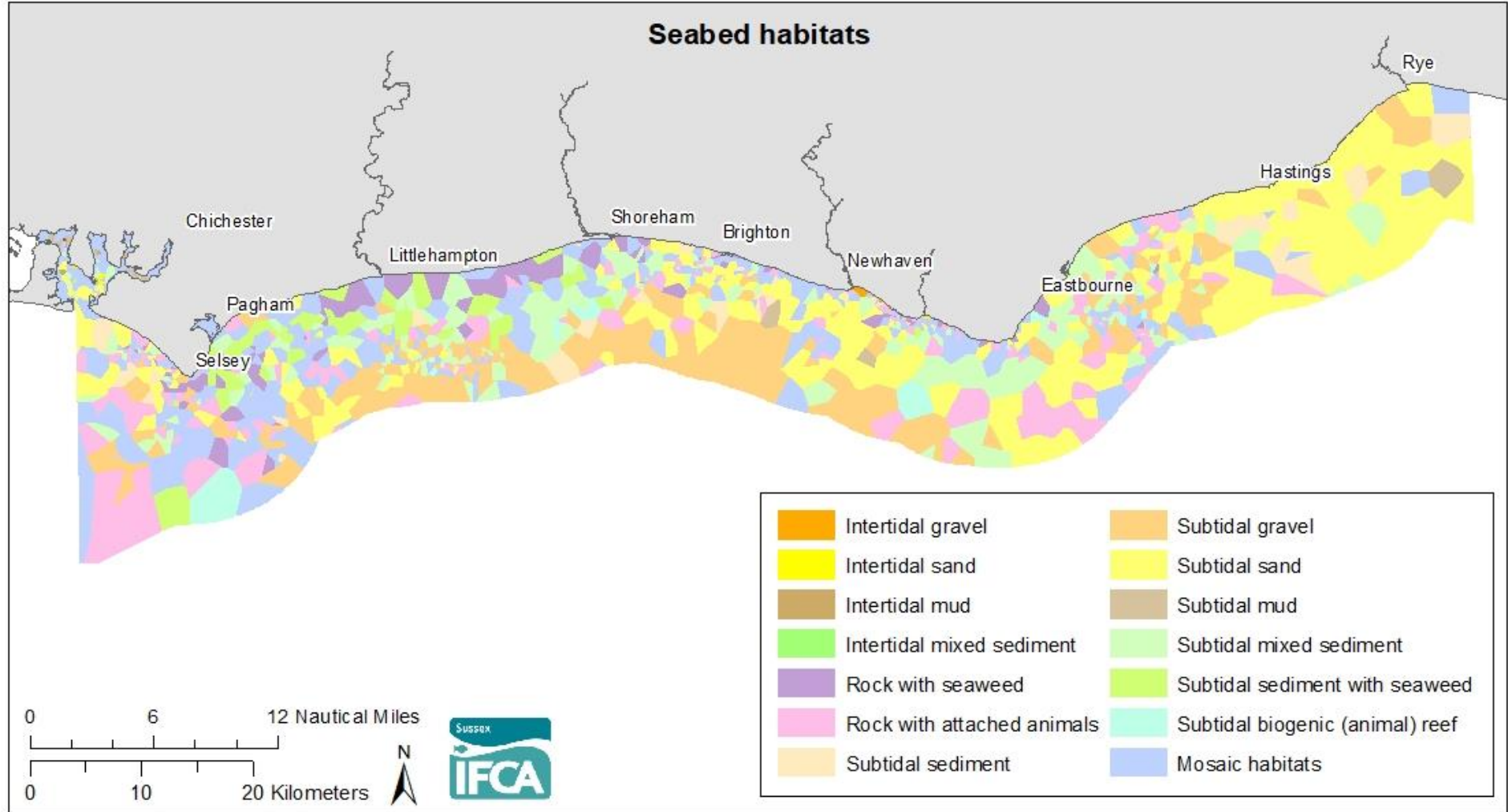
### **1.9 Provide appropriate protection for relevant stocks at key life stages (e.g. spawning, nursery areas)**

The SxIFCA District contains some important marine areas for key life stages for both commercial and non-commercial species. Nursery areas for species such as bass, black bream, sole, plaice and crustacea can be associated with specific marine habitats nearshore and natural harbour areas. In these localities juveniles can find suitable food sources, shelter and avoid some predators.

Notable sites include Chichester Harbour, Pagham Harbour and many intertidal kelp and reef locations.

The habitat map below (Figure 1) represents our best broad scale understanding of the habitats in Sussex coastal waters. It is based on over 2500 data points from video, grab and dive surveys. The polygons have been drawn with their boundaries equidistant between neighbouring data points and in reality boundaries between habitats are not as distinct as those illustrated.

Figure 1, Indicative habitat map of Sussex District from the Sussex Coast Habitats Inshore Project II.



### 1.10 Zonal approach west to east

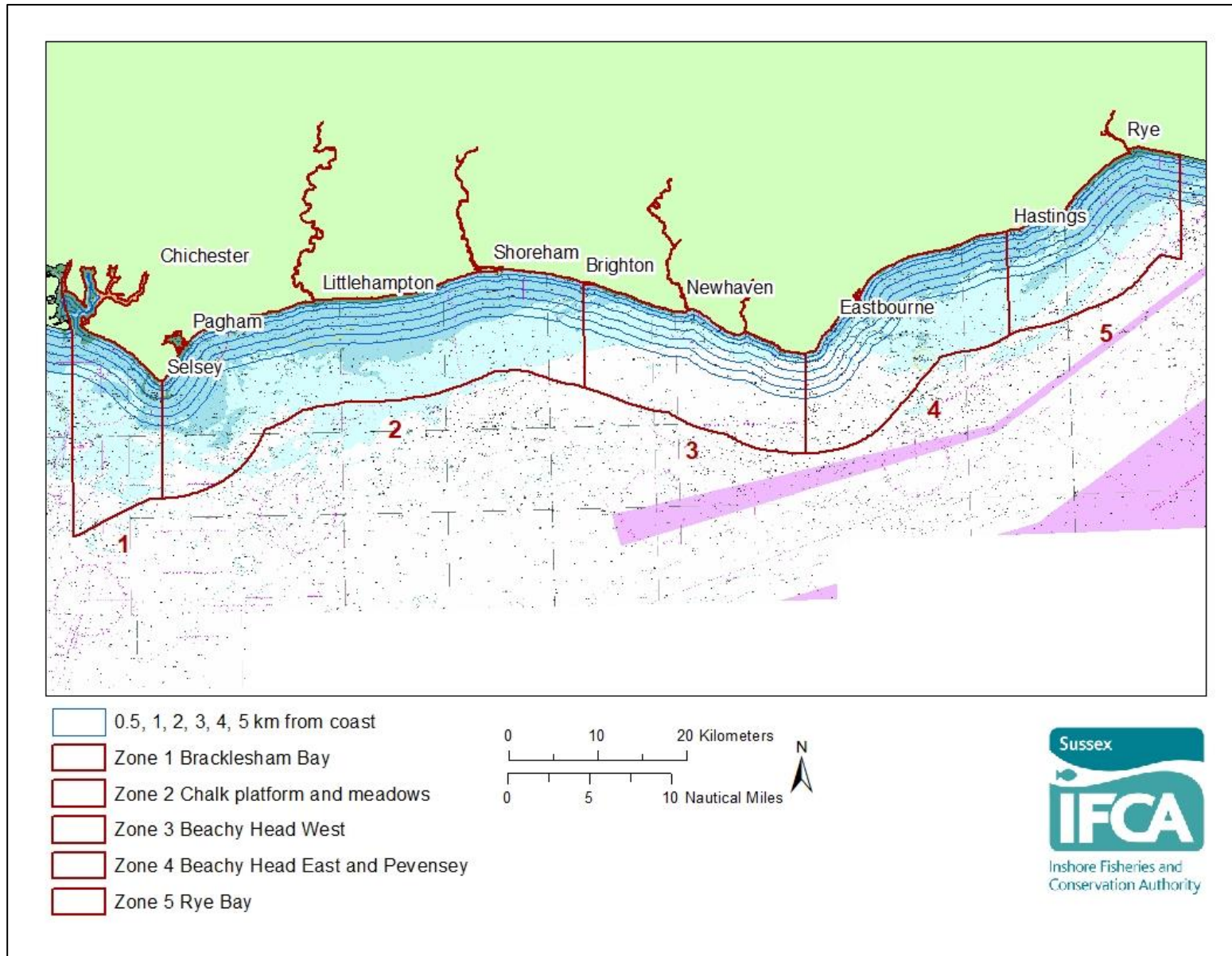
Like many coastal areas the SxIFCA District shows significant local variations in nearshore bathymetry, for example rapid drop offs exist around Beachy Head and shallow gradients are present in Rye and Pevensey Bay. The local fisheries and fleet characteristics vary along the coast reflecting the habitats and species they support.

To best achieve the intended outcomes from the netting management review including continued successful commercial net fisheries, the Authority is considering the use of series of fisheries management zones in which netting management can be designed to suit local fisheries and fleet needs.

The boundaries for the suggested zones are based on a range of factors including similar bathymetry, habitat type, active fisheries existing boundaries of Marine Conservation Zones.

<b>Zone number</b>	<b>Zone description</b>
1	Chichester Harbour to Selsey
2	Selsey to Brighton marina
3	Brighton marina to Beachy Head
4	Beachy Head to Hastings
5	Hastings to Rye

Figure 2, Potential management zones 1 to 5 illustrating standard distances from Mean High Water Line (MHWL).





## 2. Proposed Management Options

The Authority is considering a range of new netting management measures which are described in the following section listed **A to M** within the boxes shown. The summarised options described in brief are followed by one or more questions with a space for the reply. There is also a space to provide any additional comments.

The options may not be fully defined as the process to define management is developing and the Authority wish this consultation to feed into that future process. As appropriate the option of no change to existing regulations will also be considered by the Authority.

If necessary please use additional pages as you require and reference you answer with the relevant question letter and number (e.g. A1 for the first question). If yes no options are provided please highlight (circle/underline your choice).

### A, Sussex Rivers (tidal reaches)

#### Management Options

Maintaining a year round prohibition on use of all fixed, drift, seine, cast and unlicensed (according to Environment Agency regulation) fyke nets in tidal reaches of Sussex rivers within the Sussex IFCA landward District.

#### Questions:

**A 1. Are you aware of present fisheries legislation that prohibits the taking of any migratory salmon, sea trout or eels with an unlicensed fishing instrument (including any net) within Sussex rivers and coastal waters within the Sussex IFCA District.**

**Yes/No** (please circle your answer)

**Any comments:**

### B, Enclosed Coastal Water Bodies

The Sussex District contains several significant water bodies connected to the sea that are both tidal and saline in nature. These areas have a high fisheries value as nursery sites for many marine species including bass. The areas are not subject to commercial fishing but are considered as appropriate to include within any netting management review.

#### Management Options

Maintaining a year round prohibition on use of all fixed, drift, seine, ring and cast nets in:

1. Pagham Harbour
2. Medmerry
3. Newhaven Tidemill Creek
4. Other identifiable discrete transitional water bodies

#### Questions:

**B.1 To your knowledge do you know of any netting taking place in these localities?**

**Yes/No** (please circle your answer)

**B.2 Do you know of any other similar water bodies (not 'open sea' or tidal rivers) in which marine fish may be present?**

*Please specify and provide any further comments:*

### **C, Chichester Harbour**

Chichester Harbour is a unique natural harbour and has multiple marine related conservation designations. It is currently the only formally designated Bass Nursery Area (defined in UK statutory legislation) within the Sussex IFCA District. The natural harbour area is subject to significant existing netting byelaw regulations. As a result any net fisheries are extremely limited and need careful management to avoid additional risks in regard to their impact on protected bass and sensitive habitats and animal life.

#### Management Options

Extending existing netting restrictions to introduce a year round prohibition on use of all fixed, drift, seine, ring, cast and unlicensed EA fyke nets.

Consider providing specific netting provisions that may enable the commercial netting of mullet from unpowered vessels to facilitate limited existing fishing activity.

#### **Questions:**

**C.1 To your knowledge do you know of any netting taking place within Chichester Harbour. If you know of existing netting if possible please make reference to:**

- **The type of net (drift, trammel etc.)**  
*Please specify*
- **The species and quantity caught**  
*Please specify*
- **The periods in which the nets are used**  
*Please specify*
- **The locality of the nets**  
*Please specify*
- **If the nets are deployed from powered or unpowered vessels**

*Please specify*

*Please provide any further comments:*

**C.2 Do you currently undertake any netting in Chichester Harbour?**

**Yes/No** (please circle your answer)

*If yes please provide details.*

*Any further comments*

## **D, River Mouths and Harbour entrances**

Sea trout are widely found in Sussex rivers, trout smolts migrate back down the rivers and out to sea having developed from trout fry after hatching from eggs laid upstream. The migratory patterns of sea trout require that the entrance to river mouths are adequately managed for netting activity.

### **Management Options**

Year round prohibition on use of all fixed, drift, seine, ring, cast and unlicensed EA fyke nets within existing boundaries (currently these typically extend 200 metres seaward and 400 metres along the coast from Sussex river mouths).

Year round prohibition on use of all fixed, drift, seine, ring, cast and unlicensed EA fyke nets within existing Harbour boundaries where existing navigational controls restrict netting (existing port boundaries vary depending on location).

Year round prohibition on use of all fixed, drift, seine, ring, cast and unlicensed EA fyke nets within new 'mouth boundaries' for locations requiring protection including Pagham and Medmerry Harbours.

**D.1 Do you know of any netting taking place in vicinity of harbour mouths?**

**Yes/No** (please circle your answer)

*If yes please provide details of species and time of year.*

**D.2 Do you know of any netting taking place in the immediate vicinity of Pagham harbour or Medmerry harbour mouths?**

**Yes/No** (please circle your answer)

*If yes please provide details of species and time of year.*

*Any further comments:*

## **E. Zonal Management East to West**

Sussex IFCA is proposing that a zonal approach in respect to spatial management for open coast nearshore shallow waters (less than approximately 10 metres depth) is introduced for the District. The application of zonal management will enable the Authority to introduce appropriate management whilst reducing the impact on existing fishing activity. Five coastal zones are proposed as follows, with boundaries as illustrated in Figure 2.

<b>Zone number</b>	<b>Zone description</b>
1	Chichester Harbour to Selsey
2	Selsey to Brighton marina
3	Brighton marina to Beachy Head
4	Beachy Head to Hastings
5	Hastings to Rye

**E.1 Do you agree with the reasons for using zonal management as opposed to a broad scale blanket approach which is less tailored to varying fisheries needs within the District.**

**Yes/No** (please circle your answer)

*If no please provide details:*

**E.2 Do you think using a zonal approach would enable better management.**

**Yes/No** (please circle your answer)

*If no please provide details:*

**E.3 Do you think the number of zones and the east west boundaries (illustrated in figure 2) are broadly appropriate.**

**Yes/No (please circle your answer)**

***If no please provide details:***

***Any further comments:***

## **F. Management immediately adjacent to shore**

Current SxIFCA netting byelaw regulations seasonally prohibit the use of fixed nets near to shore from May to September inclusive. The currently permitted minimum height (1.5 metres) between any fixed net headline to the water's surface is under review for reasons including; new biological evidence and compliance needs.

To describe current restrictions in practical terms; since a fishing net is typically between 1-2 metres in depth, at all states of the tide a net would need to be set in approximately 2.5 to 3.5 metres below chart datum (equivalent to Lowest Astronomical Tide) to reasonably ensure compliance in all tidal and sea state conditions. However, it is recognised that lowest astronomical tide is an exceptional reference point, and recognition of the normal spring to neap tidal ranges should be considered when identifying alternative regulations.

Further consideration is being given to the impact on juvenile fish and shellfish populations from netting activities immediately adjacent to the shore. In respect to non-fisheries management duties other issues exist regarding safety and navigation of craft and interactions with shore using public.

### **Management Options**

Establishment of a best fit depth contour boundary (constructed from a single standard distance from chartered Mean High Water Line (MHWL), within which no person is permitted to use any fixed, drift, seine, ring, cast and unlicensed fyke net during all, or that part of the year currently restricted.

The interpolated line (defined distance constant from MHWL in each zone) will be derived from the appropriate 2 metre (datum) depth contour or alternative greater depth contour.

The proposed lines and limits may differ in distance from MHWL from zone to zone according to bathymetry. It would be expected that in zones where the depths were greater nearer shore the best fit contour line would be closer to land.

Retention of the existing 1.5 metre headline restriction throughout the District during all or part of the year.

Increase of headline restriction to 2 or 5 metres throughout the District during all or part of the year.

**F.1** Do you consider the use of an appropriate 'nearshore limit' to manage netting an improvement on the use of 'headline restrictions' for nearshore netting activity?

**Yes/No** (please circle your answer)

*Please give your reasons why:*

**F.2** Do you consider an increase in minimum headline restriction a better alternative than a nearshore limit approach?

**Yes/No** (please circle your answer)

*Please give your reasons why:*

**F.3** Do you consider the 2 metre contour a suitable depth from which the line should be developed? Do you think it should be more or less?

**More/Less** (please circle your answer)

*Please give your reasons why:*

**F.4** Do you think the existing headline restriction is adequate?

**Yes/No** (please circle your answer)

*Please give your reasons why:*

**F.5** Have you ever had a bycatch of salmonids that had to be discarded whilst netting for marine fish, if so please describe any details.

**Yes/No** (please circle your answer)

*Please provide details:*

**F.6** Do you undertake any netting close to the shore during the year?

**Yes/No** (please circle your answer)

*Please provide details of methods and target species:*

**F.7 What positioning method do you have available on your vessel?**

*Please circle as applicable.*

- a. Nothing*
- b. Basic GPS (coordinates)*
- c. Plotter display with GPS*
- d. RADAR*
- e. Other (please specify)*

*Any further comments*

## **G. Measures to protect and sustain small scale netting operations nearshore.**

During the course of SxIFCA consultation processes to date and respondents' feedback, it has been found that it may be appropriate to introduce management proposals that recognise the specific needs of small scale netting operations. The Authority is conscious of how their needs might be balanced with the impact of high effort capacity inshore vessels, working relatively large volumes of nets in the same nearshore areas.

High levels of netting fishing effort from may displace and disadvantage smaller vessels with less range, adversely impact upon commercial fish stocks and marine environment not managed through any quota system.

It is recognised this is a complex management issue, given various issues that can influence fishing effort including size of vessel, period at sea, volume and scale of fishing gear and soak periods for nets.

At this stage the Authority remains open to suggestions on possible management mechanisms from the netting sector. Possibilities may include the maximum length of net set from a vessel within a specific period. Alternatively restricted access to areas based upon the characteristics of the vessel such as length or power a measure of both (e.g. Licence Vessel Capacity Units) are also possibilities. Any defined measures could be applied to specific areas such as bands defined by distances measured from MHWL as illustrated in figure 2 (distances from the shore are illustrated from 0.5km to 5km)

### Management Option

Consideration of spatial management measures (e.g. contour bands from the MHWL) in which netting effort could be limited by use of either a restriction on vessels characteristics or the quantity of net fished.

**G.1 Do you consider it necessary to introduce management that controls the amount of netting effort applied by specific vessels within any areas within the IFCA District?**

*Yes/No (please circle your answer)*

*Please provide details:*

**G.2 If you think a form of effort management is appropriate please indicate how you think that it could be achieved?**

*Any further comments:*

## H. Maximum periods for setting nets

The use of long soak periods (the time for which a net is set to fish at sea) can be caused by the shooting of excessive quantities of gear from vessels without sufficient hauling capacity. It is recognised that some net fisheries have long soak times e.g. skate and turbot netting, this would need to be recognised in any management measure.

### Management Option

Limit the period during which certain gauge nets for specific fisheries (e.g. dover sole) are allowed to be set at sea to reduce by-catch and waste catch and encourage good practice as regards recovery and clearing of nets.

**H.1 Do you consider it necessary to introduce any management limiting the period during which any defined type of net should be left at sea?**

*Yes/No (please circle your answer)*

*Please provide details:*



**H.2** If such a measure was introduced it would be necessary to recognise unforeseen circumstances such as sea state or mechanical failure, do you agree exceptional circumstances would need to be considered.

**Yes/No** (please circle your answer)

*Please provide details:*

## **I, Recreational Netting**

The use of nets for recreational fishing is considered a significant concern to the Authority. Currently no IFCA management exists as regards those vessels that may set nets and the quantity of net they may use. The Authority is proposing to introduce significant controls on the use of any nets for recreational fishing from vessels.

The issues associated with unregulated recreational netting include: quantity of fish caught, discarded bycatch including juvenile fish, poor selectivity due to mesh sizes.

Complete prohibition on the use of nets from unregistered vessels.
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### **Question**

**Do you support a prohibition on the use of nets from unregistered vessels?**

**Yes/No** (please circle your answer)

*If no please explain why:*

Prohibition on deployment of net above a specified length e.g. 50 metres from unregistered vessels
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### **Question**

**Do you support a prohibition on deployment of net above a specified length e.g. 50 metres from unregistered vessels?**

**Yes/No** (please circle your answer)

*If no please explain why:*

## **J. Drift Netting**

The Authority has basic existing management in respect to drift netting; defining a prohibited mesh size of between 65 to 89mm in order to reduce bycatch of juvenile bass and salmonids

The presence of drift nets has declined dramatically within the IFCA District following a prohibition on the use of drift nets for bass. The Authority recognises there are important sustainable fisheries for pelagic species within the District including mackerel and herring.

There may be future opportunities for new developing fisheries in relation to cephalopods (e.g. squid) that need to be recognised when managing drift nets.

The impacts of drift nets in respect to bycatch including salmonids, birds and cetaceans are known. The Authority wishes to minimise impacts through the careful regulation of attended drift nets with appropriate mesh sizes and defined target species.

To consider reviewing the use of drift nets and mesh sizes in the context of current prohibitions on bass drift nets, impacts on protected, threatened & endangered species and possible future fisheries such as squid.

### **J.1 Do you undertake drift netting?**

**Yes/No** (please circle your answer)

***Please provide details of species caught and location:***

### **J.2 Do you consider it necessary to introduce any further management for drift netting?**

**Yes/No** (please circle your answer)

***If yes please provide details:***

## K. Gear Marking

Currently there are no byelaw regulatory requirements in respect to surface markers for nets used in the Sussex IFCA District. EU and national regulations do establish provisions for the labelling of the net itself.

It is necessary that netting gear is identifiable and that it can be easily distinguished from pots or traps without the need to haul and inspect fishing equipment.

Some operators' inadequate marking of gear with sufficiently clear topside markers is known to cause various problems with other marine users (including other operators using towed gear and fixed gears). Navigational risks involving entanglement of nets can result from poorly marked set nets.

The Authority introduced appropriate requirements for the marking of shellfish pots and traps within its Shellfish Permit Byelaw. These measures have been effective for both gear identification and navigational purposes.

Management Option

To ensure adequate marking of dahns marking nets to reflect those conditions within the current Sussex IFCA Shellfish Permit Byelaw.

**K.1 Do you think new requirements for the marking of netting gear is required?**

**Yes/No** (please circle your answer)

*If no, please explain why:*

*If yes, please indicate what you think the requirements should be?*

**Further comments:**

## L. Nets set from Shore

Existing Sussex IFCA byelaw regulations prohibit the setting of all nets (except licenced Keddle nets) from the shore from May to September inclusive. The use of any net, other than a 'fixed hand type net' (e.g, shrimp push net) is a concern to the Authority due to potential species of fish caught (e.g. bass or salmonids), potential discarded bycatch including juvenile fish and poor selectivity due to mesh sizes.

There are considerable risks with shore set nets in respect to entanglement with birds and interactions with the public visiting the shore. Subsequently the Authority is proposing to introduce significant controls on the use of any nets set from the shore.

To prohibit fishing with fixed, drift, seine, cast and unlicensed EA fyke net from the shore.

To seek to address any historic issues regarding Keddle Nets with a view to removing any future activity.

**L.1 Do you support a year round prohibition on the use of nets used from the shore?**

**Yes/No** (please circle your answer)

*If no, please explain why:*

**L.2 Are you aware of any netting from the shore that currently takes place.**

**Yes/No** (please circle your answer)

*If yes please provide details:*

**Further comments:**

## **M. Introduction of commercial and recreational netting permits**

The Marine and Coastal Access Act under which the Authority operates specifically provides IFCA's with the regulatory mechanism to introduce permitting on fisheries within the District. IFCA Permits provide a mechanism by which the SxIFCA can more flexibly manage a system through the use of permit conditions. Permit systems offer benefits to fishers in terms of; access to, 'ownership' of fisheries and stronger direct communications with the IFCA to inform and influence future management. The SxIFCA has already introduced a comprehensive Shellfish Permit and further permitting would be consistent in the context of the current netting management review.

Permits are issued over defined periods and have an associated cost. The existing SxIFCA shellfish permit is relatively complex in terms of setting effort controls by limiting the total amount of pots a permit holder may use, it also has a returns system requiring information on catches.

The potential cost of a netting permit in simple registry system requiring no returns administration or effort limitation could be kept to a minimum level. A permit system can be introduced for both commercial and recreational activity as with the current Shellfish Permit.

To consider the use of a Permitting Byelaw as a suitable regulatory mechanism.

To consider a 'light touch' permitting system.

**M.1 Do you think a permitting system that limits open access to net fishery would be beneficial.**

**Yes/No** (please circle your answer)

***If no please provide explain why:***

**M.2 Would you regard a minimal fee to cover administration costs an acceptable cost to gain access to the net fishery within the Sussex District for a period of two years.**

**Yes/No** (please circle your answer)

***If no please provide explain why:***

**Further comments**

## How do I respond?

*Responses can be sent in writing or by email. The summary question sheet above can be used if you wish. Please respond to the consultation by the 30th June 2018*

Contact us at [admin@sussex-ifca.gov.uk](mailto:admin@sussex-ifca.gov.uk)

or write to;

Sussex IFCA Trawling Review Consultation  
12a Riverside Business centre  
Brighton Road  
Shoreham by Sea  
West Sussex  
BN43 6RE