

# Wash cockle Fishery 2024: consultation outcome document



This document details the outcomes of the consultation about management measure proposals for the 2024 Wash Cockle Fishery. The consultation was held between 17 and 28 May and included a industry meeting (Curlew Centre, Sutton Bridge).

## We asked:

The views of Wash cockle fishers were sought in relation to the proposals for a cockle fishery to open in The Wash. The consultation included a questionnaire and an industry meeting to gather views and inform decisions on the management of this fishery.

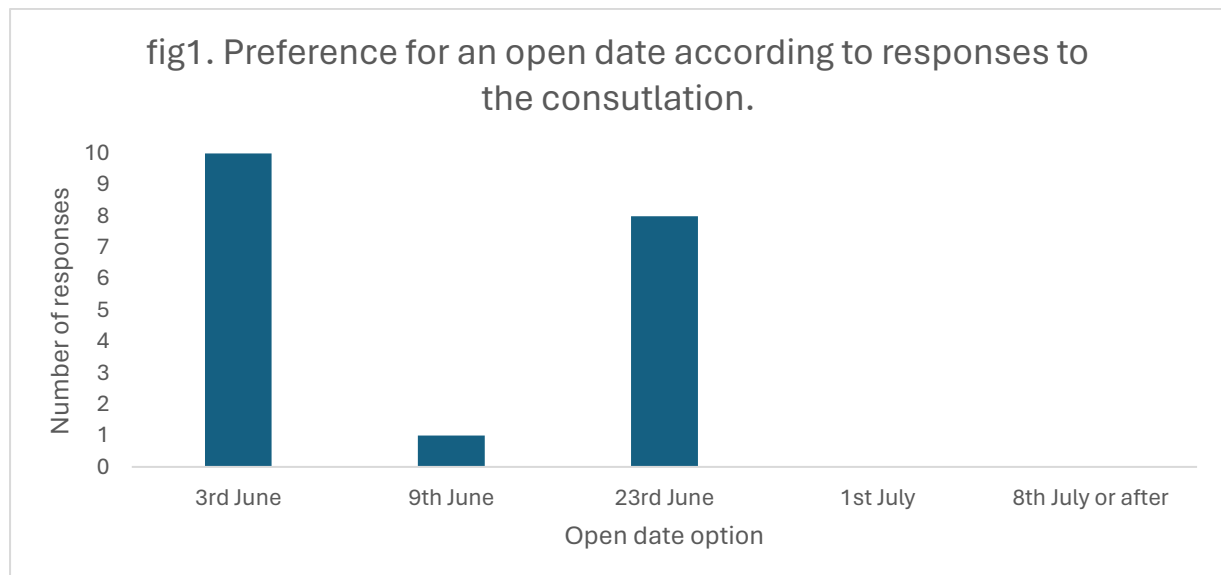
A short consultation was held to facilitate a decision on an early opening for the fishery following representation made that this would be preferred this year.

## You Said and Our Response:

Consideration of proposals is divided into sections, focusing on the key measures.

### Opening date of the fishery

Open date options were provided in the questionnaire and respondents were asked to provide an indication of their preference and rationale to support this view. The responses identified that preference was relatively evenly split between 3 June 2024 and 23 June 2024 (fig.1), with a slight majority in favor of the earlier of the two dates<sup>1</sup>.



Rationale provided for opening the fishery on 3 June included the following:

<sup>1</sup> Two responses were received after the deadline and after a decision had been made which are not included here but are included in the consideration of other management measures.

- Reduces risk of cockles lost due to atypical mortality before the fishery has opportunity to take them.
- Increases the likelihood that the full Total Allowable Catch will be taken, noting that it was not fully exploited last year when the TAC was lower.
- Cockles will yield less at the end of the season and so effort should be focussed earlier in the season.

Rationale in favour of opening the fishery later (23 June) included the following:

- Provides more notice of the fishery opening, giving fishers the chance to get vessels ready.
- Provides time for fishermen to walk the intertidal areas and investigate the cockle beds and place markers down for where they intend to fish.
- Cockles yield likely to be less in early June.
- Reduces the risk that the fishery will end early, reducing risk of over-fishing in the shrimp fishery.
- There is a long gap between the 3 June opening and the next available open period which could result in cockles being lost if not spread back over the ground effectively.

These factors were discussed to the industry meeting in detail. At the meeting, there appeared to be a consensus that opening on 3 June 2024 would not be preferred because fishermen would be provided with only limited notice of the fishery opening.

It was proposed at the meeting that an open date of 20 June would be preferable and present something of a compromise between the two favored options and there was also consensus at the meeting that this would be an appropriate open date.

On balance, an opening date of 20 June is considered to be the most appropriate option because:

- There was no overwhelming consensus for a 3 June opening.
- The limited notice which could be provided for a 3 June opening.
- A 3 June opening would not have provided industry with time to survey the fishing grounds themselves to determine the best areas to attend, potentially leading to damage to the site (noting point 2 of the code of best practice in particular: *“Ensure the area to be harvested is assessed and marked out prior to the day that harvesting occurs, in order to understand the distribution and abundance of the stock to be harvested”*).
- An Open date of 20 June is still ‘early’, albeit only by a matter of a week or so, compared to the ordinary opening date, which is typically subsequent to a June Authority meeting.
- There was consensus during the industry meeting for this date, which was arrived at after considered deliberation or the views of industry provided via the consultation.

## Closed Areas

Closed areas are often required as mitigation against impacts to the Wash Marine Protected Areas (MPAs). Proposed closed areas for the 2024 cockle fishery and key feedback are set out below.

### High density Juvenile cockles

These closures are implemented to protect areas of high density juvenile cockles which will likely contribute significantly to future fisheries.

Most respondents were in agreement with the closures although some were of the view that the closures should be monitored for ridging out (where cockle growth causes cockles to force each other out of the sediment and then perish) and consider opening where die-off is considered likely as a result.

Monitoring of these closures typically relies on cockle fishers visiting sites and reporting on potential ridging out during the fishery and where this is the case, the areas may be visited to determine if opening is appropriate.

### Seal Haul-out closures

These closures are in place to prevent disturbance to seals during the period that they feed their young at low water on intertidal areas (between 1 June and 31 August inclusive).

Generally respondents were of the view that the closures were not necessary on the basis that seals are not disturbed by hand-gathering activity, that the seal haul-out areas are not accurate and because the areas closed are in excess of the minimum needed (i.e. some closures are larger than the seal haul-out site).

Harbour (common) Seal populations are in an unfavourable and declining condition and so a greater degree of precaution is needed to conclude that the fishery will not have adverse effects on them. However, management to protect seal populations will be limited to that which is necessary so far as is possible. It is also noteworthy that an investigation into the extent to which seals are disturbed by cockle fishing is noted as a future priority in the 2024-2029 Business Plan and funding is being sought to start such an investigation.

To ensure an early opening was possible, fishers were provided with potential worst case closures prior to further analysis and dialogue with Natural England. It is always the case that the management measures are developed which provide protection required to MPAs but with the minimum impact on fishing industry.

As a result of further analysis, revised seal closures have been developed and agreed with Natural England. The revisions have resulted in smaller closures

### Closures to protect shellfish lays

These closures are in place to protect shellfish stocks which were, prior to the expiry of the Wash Fishery Order 1992, areas where private rights were provided to 'lay holders' for the purpose of aquaculture. The closures are in place as an interim

measure whilst the application for a new Several Order to manage lays is underway which will enable shellfish to be reinstated as 'private fisheries'.

There was limited commentary on these closures although several respondents highlighted the need for lay holders to mark the boundaries of their lays. This is an existing measure within the conditions on lay holders and reminders will be sent to that effect to reflect the concerns of cockle fishers.

### Operating times

Operating times are developed in the first instance in a manner seeking to achieve the following established principles:

- 4-day week open periods;
- Weekday openings (Mon to Fri);
- Minimum tide height of 6m.

Often, Sunday openings are included to provide access to the Holbeach cockle cockles which are not accessible to hand-work fishers during weekdays when the area is used as a military bombing range. In addition, 5 (or more) day open periods are also often included to make up for lost fishing opportunity due to unsuitable tides.

Respondents were asked to indicate, given the proposed operating times, what their views were on key aspects of the operating times (figs 2 to 4).

Fig2. views on the number of Sunday Openings

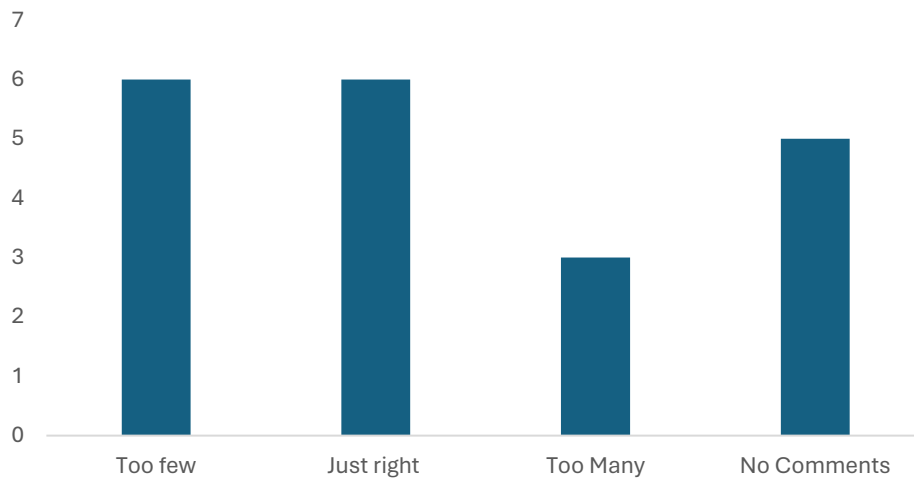
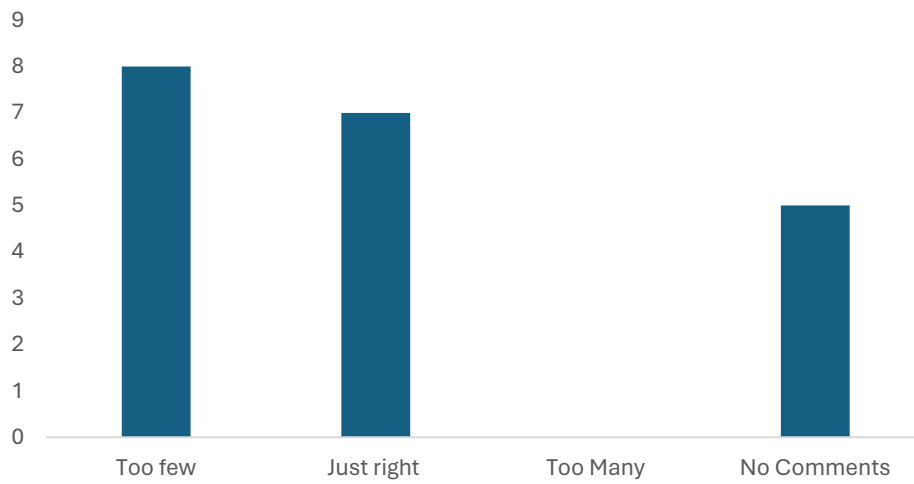
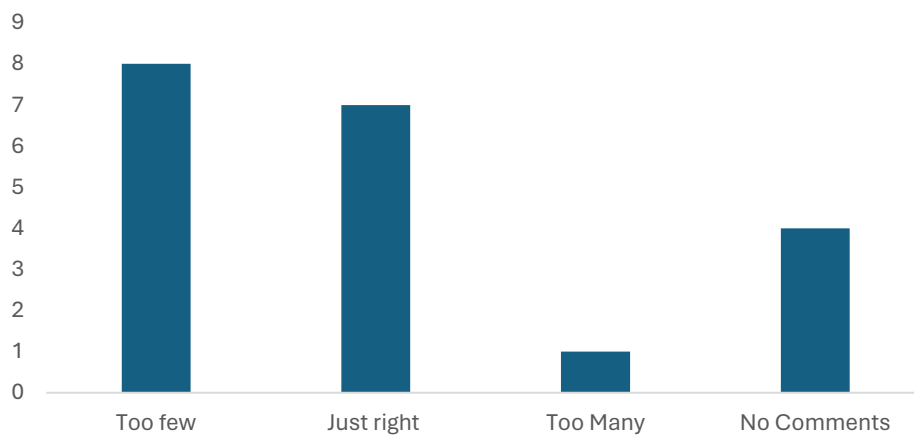


Fig 3. views on the number of Friday openings



Fug 4. Views on the numbre of 5-day open preiods



Key comments about operating times were as follows:

- All tides above 6m should be open to the fishery to provide the maximum opportunity to fish in the context of potential cockle die-off and the larger TAC (compared to last year).
- The fishery should not be open on weekends.
- A 6m tide is too small to fish for cockles and is likely to cause damage to the sands especially where tides are ebbing.
- Where there is discretion, favourable tide heights (bigger tides) should be prioritised over ensuring the fishery is open on weekdays.

A number of respondents also proposed some amendments to the tide times.

Generally, commentary was in favour of seeking to increase the amount of fishing opportunity. For the most part, despite several respondents indicating additional Friday openings are preferred, consideration of the operating times did not identify any additional Fridays on which to open the fishery (with a tide height above 6m).

Having considered all the responses, and noting that the principles that the operating times are based on are well established, several revisions have been made to seek a balanced set of operating times across these views. These are predominantly opening the fishery on additional Sundays with the effect of increasing the duration of open periods, often from five to six days.

Noting that the tide times therefore deviate significantly from the agreed principles, and that the results of this consultation identify that there are significant differences in the preferences amongst industry on operating times for the fishery, further consideration of the principles on which to base operating times will be of benefit and considered at a suitable time.

### Other management measures

Very little commentary was made in relation to other management measures (i.e. the WFO Regulations and standard licence conditions) with a few exceptions.

#### Daily Catch Restrictions

Representation was made to the effect that the daily catch restriction should be increased from 2 tonnes to 2.5 tonnes on the basis that:

- this would reduce the likelihood of cockles being lost to atypical mortality which are not taken by the fishery;
- It would make the fishery more viable to all business models;
- It would make the fishery more attractive compared to the shrimp fishery for which market conditions are better, reducing the likelihood that vessels turn to shrimp fishing early with potential implications on the stock sustainability (for the season) and management of effort under the Shrimp Permit Byelaw 2018.

Counter arguments were made on this matter at the industry meeting including:

- An increased daily quota would increase the risk of damage to the sands as fishers undertake additional / more energetic prop-washing;

- The fishery would potentially end earlier, putting additional pressure on the shrimp fishery;
- The density of cockles is not great enough to warrant an increased daily quota, compounding the risk that excessive fishing / bad practice causes damage to the sands.

The 2 tonne daily quota is a well-established measure which has been varied on only a few occasions during years where there has been a very high TAC and a risk of lost fishing opportunity due to cockle die-off.

The measure is also a key aspect of the Habitat Regulation Assessment and as such any change would necessitate additional assessment and consideration by Natural England. This is unlikely to be possible prior to the opening of the fishery.

On balance, it appears that there is a case to monitor uptake of the fishery in the first instance and revisit the matter during the season if necessary which would include a wider consultation with fishing industry.

#### Load lines on bags

Several respondents highlighted a preference to move away from a daily catch restriction based on weight and instead use 'load lines' in bags (i.e. a volume rather than weight based approach).

Monitoring the uptake of the TAC is based on weight of cockle removed and moving to a volume based system would require consideration, including the potential implications on our ability to monitor the uptake of the TAC accurately and therefore risk to the MPAs.

It is proposed that further work is carried out in this regard when resources allow however that such is not considered within the scope of this years fishery.

#### Fishing method

A minority of responses also highlighted the potential for a dredge fishery (instead of a hand-worked fishery) given the lower density of cockles and presence of cockles on Holbeach.

A dredge fishery has been extensively considered, including in 2019 when the Authority decided that a dredge fishery was not permissible within the Wash and that the fishery would be hand-work only<sup>2</sup>.

### Conclusions

The consultation successfully provided additional information enabling refinement of management proposals for the fishery which are considered to provide the best balance between the different needs of the fishers and protection of cockle stocks and the environment.

---

<sup>2</sup> Action Item 11, 37<sup>th</sup> Eastern IFCA Meeting, 11 September 2019