

Kent & Essex Inshore Fisheries and Conservation Authority

MINUTES of a meeting of the Authority held at the Garden Suite, Thurrock Hotel, Ship Lane, Aveley, Thurrock at 10.00am on Tuesday 25 May 2021

Present: Cllr J Lamb (Southend BC), Mr J Nichols (MMO), Mr A Rattley (MMO), Mr E Hannam (MMO), Cllr T Hills (KCC), Mr J Rowley (MMO), Mr R Turner (MMO)

Apologies: Mr P Wexham (MMO), Dr L Fonseca (MMO), Ms G Wright (NE), Mr A Cansdale (EA), Ms B Chapman (MMO), Cllr A Goggin (ECC), Cllr H Tejan (Medway Council), Cllr J Fleming (ECC), Cllr M Skeels (ECC), Ms T Ferry (MMO)

In Attendance: Mr A Tait (Clerk, KCC), Miss C Green (Financial Advisor, KCC), Dr W Wright (Chief IFC Officer), Mr D Bailey (Assistant Chief IFC Officer), Mrs D O'Shea (Office Manager)

By Invitation:

The Chairman drew Members' attention to correspondence received in respect of Agenda item B3; four letters requesting consideration for a licence to fish in the TECFO fishery and a letter from Thames Estuary Fishermans Association. In respect of Agenda item B6, a letter and email from the Kent & Essex Fisherman's Group. Members had been sent an electronic copy of these letters prior to the meeting.

The Chairman updated Members on changes to the membership of the Authority;

- Cllrs Channer (ECC), Bowles and Hurst (KCC) did not stand for election at the recent Local Government elections so would no longer be attending as Local Authority representatives
- Cllr Walsh (ECC) was not re-elected so would no longer be attending from Essex CC
- The Thurrock BC representative, Cllr Allen, was also not re-elected.
- Mr Simon Abbotson has come to the end of his term of appointment with the MMO as an IFCA representative and was no longer a Member.
- Ms Rebecca Korda had moved to the national fisheries team with Natural England. NE's new representative was Ms Gina Wright who is the Essex senior marine adviser for NE
- The MMO had appointed two new Members to the IFCA, Ms Tanya Ferry and Mr Richard Turner.
- Essex CC had appointed Cllrs Jane Fleming and Michael Skeels to the IFCA.

1. ELECTION OF CHAIRMAN AND VICE CHAIRMAN (A1)

The Clerk to the Authority was in the Chair for this item.

Members were advised that they were required each year to nominate and select a Chairman and Vice Chairman.

Mr Nichols nominated Cllr John Lamb as Chairman seconded by Mr Rattley

No other candidates were proposed so Cllr Lamb was elected unopposed as Chairman.

Mr Rattley nominated Mr John Nichols as Vice Chairman, seconded by Mr Hannam

No other candidates were proposed so Mr John Nichols was elected unopposed as Vice Chairman.

Cllr Lamb and Mr Nichols thanked the Authority. Cllr Lamb resumed the Chair.

2. DECLARATION OF MEMBERS' INTERESTS (A2)

The Chairman requested Members to declare any interests on the Agenda item prior to it being dealt with and advised that those with a disclosable prejudicial interest may not vote on that Agenda item.

Mr Rattley declared a prejudicial interest in respect of Agenda items B3 and B4

3. MINUTES (A3)

RESOLVED that the Minutes of the meeting held on 29 January 2021 were correctly recorded and that they be signed by the Chairman.

4. 2020/21 FINAL BUDGET MONITORING OUTTURN REPORT, ANNUAL RETURN AND INTERNAL AUDIT REPORT (B1)

The Financial Advisor informed Members that the revenue outturn for 2020/21 was £53,675 which had been split between unbudgeted income of £25,115 and an underspend to budget of £28,560. Savings had been made due to meetings being held virtually, reduction in travel, research and sea patrols due to COVID 19 restrictions throughout the year. This underspend had been offset in part by the purchase of two new vans to allow for officers to travel separately, the cost of a new IT server and repairs to Nerissa. Members were reminded that no contribution had been made to the Renewals Reserve during the year.

Members were advised that £53,854.20 had been drawn from General Reserves during the year to fund the Fish Local project. If the transfer of the underspend was approved then General Reserves would total £853,344.

Total reserves, including Renewals, General and Specific were £1,636,968

The Annual Return and Governance Statement had been reviewed by Kent County Council Internal Audit. This had raised an issue where although bank reconciliation had been carried out monthly this had not been signed off by a line manager. This would be rectified.

Members were also presented with the end of year report of internal audit and the proposed audit plan for 2021/22. Members were informed that this report had been amended by Internal Audit on review to include an issue found where some orders over £50 had not had a Purchase Order raised. This again would be rectified.

In response to a Members question on the increased interest that had been received, the Financial Advisor stated that at the time of the budget setting the increase in levies had not been taken into account. Members discussed the value of investing some of the underspend in a high investment account rather than transferring the full amount to General Reserves

Members **RESOLVED** that:

- (i) £30,000 of the underspend be placed in a short term investment account;
- (ii) The remaining £23,675 from the underspend be transferred to General Reserves;
- (iii) the Annual Return and Governance Statement be approved;
- (iv) the findings of the Internal Audit report for 2020-2021 be noted; and
- (v) The Internal Audit Plan 2021-22 be approved

5. TREASURY MANAGEMENT STRATEGY 2021/22 (B2)

Members were provided with details of the treasury management strategy for 2021/22, which mirrored Kent County Council's strategy. Members discussed the possibility of investing funds in accounts that gave a higher rate of interest; in particular 30 day accounts rather than 7 day

Members **RESOLVED** that:

- (i) Kent & Essex IFCA monies would continue to remain on deposit with Kent County Council;
and
- (ii) Consideration be given by the Financial Advisor to invest in 30 day accounts

6. COCKLE TECFO LICENSED FISHERY MANAGEMENT (B3)

Members were provided with a summary of the Spring 2021 cockle stock assessment surveys that had taken place. High numbers of cockles had been found on the Maplin and Foulness Sands, however adult stock was lower than the previous year. The East & West Burrows were surveyed with very little stock found. At Industry request and as a result of their finding quantities of good

quality cockles in 2020, Area 15 was also surveyed. In 2020 1500 tonnes of cockles were harvested from this site. The last time any quantity similar to that had been taken was in 1988 when 900 tonnes were harvested. The survey carried out this year found very good sized cockles but not at the number found in 2020, sufficient for one trip only.

As a result of the expected poorer recruitment in 2019 and 2020, a conservative approach to the setting of the TAC was prudent. Members were advised that this period of decline was normal and expected. It was probable that the stock in 2022 would be lower but would then increase in the following year. Part of the recommended management would be to close Area 15 (Margate Sands) in anticipation that recruitment would also be experienced at this site in 2021. The proposed TAC would be set at 6160 tonnes and took into account all areas within the TECFO. Although the majority of the stock came from the Maplin Sands, it would be a requirement that Area 6 was fished. The licence fee would remain at £6,244.

The ACFO informed Members that the Licence Holder meeting had been held as usual prior to the IFCA meeting. There had been strong representation from licence holders that they be allowed to fish Area 15. As a result it had been decided that Area 15 would be resurveyed in July to see if spat could be found. Members had been provided with a letter from the licence holders which expressed concern that the survey method used was not suitable for this particular area. The ACFO informed Members that this survey method had been set up in 1984 and had been used on all beds since then. He had checked with the skipper of the vessel that had carried out the survey who had reported that the day grab had fired correctly and had been 80% full of sand. Industry had asked that they be allowed to send boats to the area to see for themselves what stock was available. It was acknowledged that if a boat went to the area that had been fished previously then it was likely that cockles would be found, however that survey would not be comparable with the surveys undertaken throughout the rest of the TECFO. The Maplin Sands and other beds were part of MPAs designated for in part for birds, of which cockles made up their food. Margate Sands was an MPA designated for sand and closed to bottom towed gear. If this area was worked long term then there would be a need to revisit the HRA and request NE to consider the impact of suction dredges on that designated feature.

Mr Rattley spoke on behalf of the licence holders. He stated that it was very clear from speaking to the Industry that they were not questioning what had been done or the ability of officers to carry out the survey. The reason the survey had been questioned was that North Margate Sands was seen as a unique area where the sand was different. It had been hard to understand why so few cockles had been found when the tonnage return for 2020 had been 1500 tonnes. Fishing last year in this area had been sporadic with boats finding that they would tow along for a period before hitting a patch that would then fill twelve bags in one hour. The Industry had asked if an officer could go out with them on a vessel in order to help to understand how/why they had found so little. It had also been suggested that when the area was resurveyed in July that officers considered having a dredging vessel alongside. If at this time sufficient cockles were found it was suggested that consideration be given to opening Area 15 for an increased limited number of TAC days.

Members discussed this matter in detail, in particular the difference in survey methods and whether any decision to open Area 15 would mean an increase in TAC.

In response to a question over the comparability of different survey methods (day grab and suction dredge), the ACFO stated that the two methods were not directly comparable. The grab sample took a randomised sample across the area. Some samples would come from high density areas, some from low density areas. It was important that the sample method was directly comparable each year.

The ACFO advised that it could be arranged for a licence holder to come on board Nerissa when she undertook the survey and also for a cockle boat to be present. He pointed out that Area 15 had not been surveyed in 2020 so it was not known what year class had been on there. If 1500 tonnes had been taken in 2020 then using the rule of thirds that the TAC was based on, it would be expected that there should have been 4500 tonnes in that area. In addition to the original sample points, other areas which had been subject to intense fishing in 2020 would be surveyed in July. However, this would mean that the survey would not be comparable with all other surveys and could cause problems with NE and MSC seeing that different methodologies had been used.

Members advised that it would be useful to carry out more surveys to obtain as much data as possible with the aim of opening Area 15 if sufficient stock were found.

In respect of the number of licences to be granted, all existing licence holders were entitled to receive a licence for 2021. Eight letters had been received requesting that consideration be given to granting additional licences. The ACFO advised that the stock was in a period of decline and that the Regulating Order would run out in September 2024, which left three seasons. At the end of 2021 officers would begin consulting with stakeholders on what would replace it. The current Cockle Permit byelaw exempts the TECFO from requiring a permit. Therefore, all cockle fishery management would need to be reviewed by 2024. The IFCA had relied on QC opinion on whether they could issue and if so how they would issue additional licences. The membership of the IFCA had changed from when the QC opinion was obtained and officers needed to start briefing Members on this opinion and what has happened in the past.

Members **RESOLVED** that:

- (i) The Total Allowable Catch (TAC) should be set initially at 6,160 tonnes and that information related to the stocks will be continually reviewed throughout the season to ensure future sustainability.
- (ii) Allocation of additional TAC, and therefore extension of the fishing season, may be made in the event of significant new beds of cockles being located in the first four weeks of the fishery, to allow time for any necessary survey work. Reduction in TAC, and therefore a reduction in the number of trips, may be made in the event of very poor growth in the size of cockles.
- (iii) That the Chief IFCO be authorised, after consultation with the Chairman and Vice Chairman, to implement changes to fishing controls to ensure future sustainability including for the purposes of (ii). These will be communicated to Members following decisions being made.

(iv) That the fishery will commence at 1800 hrs on 20 June 2021.

(v) Provisional fishing allocations will be as follows, this will also be subject to further amendment;

The fishing season will be divided into weekly specified fishing periods which will run from 1800 hrs on Sunday to 1900 hrs on Friday and during these periods licence holders will be permitted to make the following specified numbers of landings (Reg. No. 7). This will maximise production when meat yields and quality are at their best.

20 June – 16 July (4 weeks) per period	2 specified landings
18 July – 10 September (8 weeks) per period	3 specified landings
12 September – 8 October (4 weeks) per period	2 specified landings

(vi) The maximum quantity of cockles that may be landed or carried on board will remain at 13.6m³/500 baskets per fishing trip (approx. equivalent 11 tonnes).

(vii) All areas of the TECFO will remain open, with the exception of Area 15 which remain closed throughout the length of the fishery, unless further surveys show sufficient cockles are available to allow it to be opened. These surveys should be carried out with a Licence holder present and to allow a cockle boat to be present

(viii) As is usual it is recommended that sections of Areas 1, 2 and 3 should be closed at all times during the period June - September inclusive. These areas are defined as inshore sections of Areas 1, 2 and 3 from Two Tree Island at Leigh-on-Sea in the West to The Coastguard Station at Shoeburyness in the East and also within the area of Shoeburyness East Beach. (This closure applies only to the area inside the moorings and where there are no moorings closer to the shore than a distance of 300 metres measured from mean high water mark.)

Note: Within Areas 1 and 2 Southend Borough Council licencing conditions apply.

(ix) The licence fee will remain at £6,244

(x) That the number of licences should be restricted.

(xi) The Regulating Order gives a right, to those that held a licence last year, to be granted a licence for this coming season and therefore those 14 licences should be granted as adequate stocks are available.

7. PERMITTED COCKLE FISHERY MANAGEMENT (B4)

Members were advised that 28 permits had been applied for and that surveys had been carried out in April 2021. A total of 287 grab samples were taken from an area that covered the Buxey and Ray Sands, Minnis Bay and Leysdown and South Margate Sands.

Analysis of the survey data had shown that very few cockles had been found suitable for commercial harvesting aside from Minnis Bay. Unfortunately Minnis Bay, although contained good densities of cockles, was a site of 1.2km², too small an area to allow 28 boats to fish in.

Members were advised that therefore the cockle fishery did not meet the criteria for opening specified in the Management Plan and so it would seem prudent to not open the fishery this year and refund the permit fees which have been paid with each application as specified in the byelaw.

Members **RESOLVED** that:

- (i) The beds in the permitted cockle fishery would remain closed; and
- (ii) All permit application fees would be refunded

8. MARINE PROTECTED AREAS – TRANCHE 3 MCZ UPDATE (B5)

The CFO informed Members that a number of productive meetings had been held with the MMO and NE regarding the Goodwin Sands MCZ. This MCZ was the biggest of the Tranche 3 designated sites in the Kent & Essex district which straddled both the IFCA and MMO districts. The MMO had over 50 sites that they were required to develop management for. The IFCA had been advised it was likely that it would not be until 2024 that the MMO would consider management of the Goodwin Sands MCZ. In order to speed up this process the MMO had agreed that Kent & Essex IFCA would take the lead in the site. This would allow the project to be more locally focused with the aim that management measures could be agreed by the end of the year.

The designation of the site was Ross Worm reefs (Sabellaria), blue mussels and sand. It was necessary to carry out surveys to establish the location of Sabellaria on this site which would be carried out using a drop down survey using video and sound imaging partially funded by NE. The aim would be to carry out a ground truth survey to determine the accuracy of the data provided by JNCC and Defra. Stakeholders including IFCA members, the Goodwin Sands Conservation Trust and fishing industry representatives would be invited to join Nerissa to see the survey carried out first hand.

Members **NOTED** the report and **AGREED** that Kent & Essex IFCA should be the lead Authority for the management and assessment of the Goodwin Sands MCZ

9. OUTCOMES OF THE FISHERIES REGENERATION WORKING GROUP (B6)

The CFO advised Members that the Working Group had been created to better engage with and involve the local fishing industry in maximising outcomes.

Two meetings had been held with the notes from these meetings provided to Members for information. More fishermen had been invited to attend than were on the Group. Efforts to recruit more on board would be renewed.

The first meeting had discussed quite broad issues. The key themes that had emerged were:

- The importance of the fishing industry in aiding the regeneration of coastal communities
- The need to find ways to increase demand for local species
- Develop better ways to educate and promote local species
- Promote local supply chains and reduce carbon footprint

The second meeting looked at what was already available and the funding options that could be available. The key actions taken from that meeting were:

- To engage with DEFRA, Seafish and supermarkets to discuss new ways of selling and promoting regional fish.
- To explore and develop project ideas to brand/ promote a local species for the group to discuss.
- To update the Fish Local website to focus more clearly on educating and promoting locally caught fish

Members were also updated on the Regional Fisheries Meetings that Defra had started as a new format for working more closely with the inshore fisheries sector with the goal of breaking down the layers of governance to allow fishermen to talk to policy makers. The CFO stated to Members that these meeting allowed fishermen to express their concerns and that the issue of bass raised by the Kent & Essex Fishermens Group would be something that this group would be best placed to address. The CFO had asked that the MMO present to the Working Group on funding opportunities. They had not been able to attend but he had been provided with a briefing. It was proposed that Members invite the head of fisheries funding to attend the next IFCA meeting to present to the Authority on the historic allocation of grant funds and the opportunities afforded by the new Fisheries and Seafood Scheme.

Members **NOTED** the report and **APPROVED** the formal invitation to Maria Lacunza, Head of Fisheries Funding Policy, Defra to present to the Authority on the historic allocation of grant funds and the opportunities in the new Fisheries and Seafood Scheme

10. TERMS OF REFERENCE AND STANDING ORDERS (B7)

Members were advised that the existing Terms of Reference and Standing Orders had been reviewed by the Clerk to the IFCA and at present no changes were recommended.

The Clerk acknowledged that for a number of Members the ability to hold meetings virtually was very useful and that he would look to carry out research to see how and what meetings could be held virtually.

Members **APPROVED** the current Terms of Reference and Standing Orders

11. APPROVAL OF THE ANNUAL PLAN 2021/2022 (B8)

The Plan had been provided to Members at the previous meeting when they had been asked to contact officers with any changes they wished to have made.

Members **APPROVED** the Annual Plan

12. MATTERS FOR REPORT (C1-6)

Members received:

- Quarterly Report of the Kent IFCO (C1)
- Quarterly Report of the Essex IFCO (C2)
- Quarterly Report of the Patrol Vessel 'Tamesis' and 'Vigilant'(C3)
- Quarterly Report of the Patrol Vessel 'Nerissa' (C4)
- Sea Angling Report (C5)
- Enforcement Report (C6)

13. AOB

A Member advised that the Admiralty Pier at Dover had recently been closed. This pier was used by a number of recreational fishermen and had good disabled access. It was requested that the IFCA write a letter to the management of the Pier supporting its re-opening.

12:35 Meeting closed to the public.

Members were provided with a report from the ACFO which updated them on the work carried out to ensure that Health & Safety requirements and legislation were complied with. Members were notified of one recorded incident and the steps undertaken to ensure that the risks involved from this type of incident occurring in the future were mitigated.

Meeting closed 12:50