

Kent & Essex Inshore Fisheries and Conservation Authority

MINUTES of a meeting of the Authority held at the Marconi Room, Chelmsford Council offices, Duke Street, Chelmsford, Essex on Thursday 26 May 2022 at 10am

Present: Cllr J Lamb (Southend CC), Mr J Nichols (MMO), Mr J Rowley (MMO), Mr P Wexham (MMO), Cllr A Goggin (ECC), Cllr H Tejan (Medway Council), Cllr J Fleming (ECC), Cllr M Skeels (ECC), Ms T Ferry (MMO), Cllr M Coxshall (Thurrock Council), Mr A Barker (NE)

Apologies: Mr E Hannam (MMO), Cllr T Hills (KCC), Mr R Turner (MMO), Cllr M Dendor (KCC), Cllr L Parfitt-Reid (KCC), Mrs E Gilson (MMO)

In Attendance: Mr A Tait (Clerk, KCC), Ms S Martin (Financial Advisor, KCC), Dr W Wright (Chief IFC Officer), Mr D Bailey (Assistant Chief IFC Officer), Mr P Haupt (Lead Scientific Officer) Mrs D O'Shea (Office Manager)

By Invitation: Dr P Buchan (Motion for the Ocean), Mr J Seaward (Fish Local)

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

- Dr Leila Fonseca and Ms Bryony Chapman had both reached the end of their appointment periods as MMO representatives and had each decided not to reapply for appointment. In addition, Mr Andrew Rattley had made a decision to resign as an MMO representative. The Chairman recorded his thanks on behalf of the IFCA for the service and hard work undertaken by these Members.
- Cllr Nigel Collor had stepped down as a KCC representative and would be replaced by Cllr Mike Dendor.
- Mr John Nichols had been reappointed by the MMO as a representative for a further three years

1. ELECTION OF CHAIRMAN AND VICE CHAIRMAN (A1)

In the absence of the Clerk to the Authority, the Vice Chairman 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 Wexham nominated Cllr John Lamb as Chairman seconded by Cllr Skeels

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

Cllr Lamb took the chair

Mr Wexham nominated Mr John Nichols as Vice Chairman seconded by Cllr Tejan

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

Cllr Lamb and Mr Nichols thanked the Authority.

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.

Cllr Goggin declared an interest as his ward included the area where the Essex office was based

3. MINUTES (A3)

RESOLVED that the Minutes of the meeting held on 28 January 2022 were correctly recorded and that they be signed by the Chairman.

4. 2021/22 FINAL BUDGET MONITORING OUTTURN REPORT, ANNUAL RETURN AND INTERNAL AUDIT REPORT (B1)

The Financial Advisor informed Members that the revenue outturn for 2021/22 was £17,247.34 which had arisen from unbudgeted income of £10,158 and an underspend to budget of £7,089. Full details of the variances to the budget were provided with the report.

Members were advised that £95,494.29 had been drawn from the Renewals Reserve to fund Tamesis' refit which would allow an extension to her asset life of an additional 10 years.

Total reserves, including Renewals, General and Specific were £1,586,002

The Annual Return and Governance Statement had been reviewed by Kent County Council Internal Audit and was presented to Members for approval. No issues had been raised.

Members were also presented with the end of year report of internal audit 2021/22 and the proposed audit plan for 2022/23. Members were informed two issues had been raised regarding the monthly reconciliations of the bank cash log to the control budget and the need for more robust separation of duties with regard to the authorisation of BACs transactions and signing of cheques. Both these issues were bring resolved

Members **RESOLVED** that:

- (i) The underspend of £17,247.34 be transferred to General Reserves; and
- (ii) the Annual Return and Governance Statement be approved.

5. TREASURY MANAGEMENT STRATEGY 2022/23 (B2)

Members were provided with details of the treasury management strategy for 2022/23, which mirrored Kent County Council's strategy. Members were advised that investing with KCC gave the

best return for the IFCA as KCC paid interest at base rate even when the interest rate was negative.

In response to a question from a Member on how often the investments were reviewed, the Financial Advisor stated that within KCC there was a requirement to review annually.

A Member queried the amount of £4,430,294 in the report that was invested with KCC. Members were referred back to Agenda item B1, Appendix 3 (Balance Sheet) which showed that value within the current assets.

Members were reminded that no contributions had been made to renewals last year and again this year. Tamesis had just been refitted, however Nerissa was now six years old and would require work carried out on her to extend her life as there was insufficient money in renewals to replace the boat. Previously it had been possible to make use of EU grant money. Central Government were investigating whether a similar fund could be set up in the future to assist in the purchase of vessels, but currently there was nothing that could be accessed.

In response to a question from Members on how the IFCA costed out vessels when chartering them, the ACFO advised that currently the IFCA had an agreement with the MMO that set out a daily rate which included fuel and staff salaries. In light of the increases in fuel this contract would need to be revisited. In respect of other organisations that chartered the IFCA vessels the rate used to charge the MMO was used as a starting point, from which the IFCA took a flexible approach dependant on whether the work being undertaken coincided with any work the IFCA needed to carry out.

The Financial Advisor confirmed that the defined benefit pension scheme the IFCA contributed to was the Kent Scheme. Members noted the liability in 2021/22 and requested a copy of the IS19 report be forwarded to them.

Members **RESOLVED** that Kent & Essex IFCA monies would continue to remain on deposit with Kent County Council;

6. COCKLE TECFO LICENSED FISHERY MANAGEMENT (B3)

Members were provided with a summary of the Spring 2022 cockle stock assessment surveys that had taken place. Lower numbers of adult cockles had been found on the Maplin and Foulness Sands, with small numbers of 2019 and 2020 cockles. The better spatfall seen in 2021 had not yet reached minimum size and were not expected to do so until the end of 2022. As a result, they could not be included in the Total Allowable Catch (TAC) and it was therefore necessary to consider setting a conservative TAC for the 2022 fishery. Areas 8, 9, 12 and 15 had been surveyed. Areas 8, 9 and 12 did not appear to have as many cockles as in previous years and not in sufficient quantities to increase the overall TAC.

Members were reminded that Area 15 had been closed in 2021 due to insufficient stock. Surveys carried out suggested that there would be sufficient adult cockles to allow each vessel to make one trip during the fishery. Should growth of the younger cockles to minimum size be seen then Members could consider increasing the number of trips to this area.

The proposed TAC would be set at 5852 tonnes and took into account all areas within the TECFO. This would mean a decrease in trips from 40 in 2021 to 38 in 2022.

The ACFO informed Members that the Licence Holder meeting had been held as usual prior to the IFCA meeting. The Licence holders requested that they be allowed to undertake a yield test of cockles from each of the harvesting areas. This was carried out each year and officers were happy to allow it. Licence Holders also had requested that if the cockles in Area 15 grew as quickly as expected that they be allowed more trips within the area.

In response to a question from a Member whether any surveys had been carried out to see if there were any deep water cockles, the ACFO advised that 10% was added to the overall stock assessment to take into account un-surveyed areas. However, all areas previously identified had been surveyed as well as those recently worked by the fleet.

Members **APPROVED** the following management measures:

(a) The Total Allowable Catch (TAC) should be set initially at 5852 tonnes and that information related to the stocks will be continually reviewed throughout the season to ensure future sustainability;

(b) 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 or in the event of significant mortality of the older cockles which comprise the majority of the adult population;

(c) 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 (b). These will be communicated to Members following decisions being made;

(d) That the fishery will commence at 1800 hrs on 26 June 2022;

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

(f) The fishing season will be divided into weekly specified fishing periods which will run from 1800 hrs on Sunday to 1200 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.

Dates Specified landings per period

26 June – 29 July (5 weeks) 2

31 July – 23 September (8 weeks) 3

25 September – 7 October (2 weeks) 2

(g) As part of the specified trips laid out in (f), licence holders will be required to undertake a minimum of 2 trips during the season within Area 6 and no more than 1 trip within Area 15;

(h) 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); and

(i) 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.

Member were reminded that there had been no increase in the licence fee since 2018. It was proposed that the licence fee would increase by the RPI of 7.2% to £6,694.

Members queried the need to raise the licence fee by this amount. The ACFO advised that management of the fishery was run on a cost recovery basis and was not profit making. It was expected that the cost to the IFCA to manage the fishery would increase. The increase in licence fee would give an additional income to the IFCA of £6150pa.

Members considered the number of licences to be granted. They were informed that all existing licence holders were entitled to receive a licence for 2022 and that eight letters had been received requesting that consideration be given to granting additional licences.

Members **APPROVED** the following management measures:

- (k) That the number of licences should be restricted; and
- (l) 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.

The ACFO advised Members that the HRA for 2022 had been submitted to Natural England for advice and had received a positive response. Members would be forwarded the HRA for information.

7. PERMITTED COCKLE FISHERY MANAGEMENT (B4)

The ACFO reminded Members that the permitted cockle fishery had not opened in 2021 due to insufficient numbers of adult cockles. As part of the management of the fishery, anyone wishing to fish for cockles must apply for a permit before 31 March in that year. All stock assessments were completed before the May meeting and usually Members were asked to make a decision on whether to open it and decide management measures at this meeting.

Members were advised that 26 permits had been applied for, twenty five of which were category one and one category two. Stock surveys had been carried out in April 2022 and would continue until the end of May. Grab samples had been 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 the Ray, Dengie and Buxey Sands contained sufficient cockles with approximately 400 tonnes available as a provisional TAC. Minnis Bay and Pegwell Bay contained good densities of cockles, but the sites were too small an area to allow 26 boats to fish in. South Margate Sands did not contain sufficient stocks to allow the area to be opened.

Members were informed that they would not be asked to make a decision on the management of the fishery at this meeting but would be asked to make that decision at the meeting due to be held on 14 June 2022 when the option of a small scale fishery trail would be discussed.

Members asked whether there was a reason why category two permits were rarely applied for. In response the ACFO said that the permit had been included as a way for fishermen to enter the fishery as they didn't need a large boat to carry the quantity of cockles. This was the first category two permit applied for since 2014.

Members **NOTED** the report

Members received a presentation by Mr Jesse Seaward on the feedback, research and recommendations formulated by Fish Local in their work to promote the Thames Variant Herring (presentation held with minutes)

8. GOODWIN SANDS MCZ SABELLARIA REEF SURVEY (B5)

The LSCO informed Members that the IFCA intended to start the second phase of surveys in the Goodwin Sands in late July 2022 with the aim of helping to improve the IFCA's understanding of the spatial distribution of these reefs within the MCZ. NE had agreed to contribute £10,000 to support the costs that would be incurred.

Surveys in 2021 had found significant areas of reef, with one very extensive reef of 1km by 200m wide. The survey would be repeated where substantial areas of *Sabellaria* were found to build a temporal database of these reefs as well as areas which were under sampled to allow for an increase in confidence in the data. These were estimated to take six to eight days to complete.

Members **NOTED** the report and **AGREED** to the continuation of the *Sabellaria* survey being carried out in 2022

Members received a presentation by Dr Pamela Buchan on the work she has undertaken to encourage Local Authorities to embed ocean recovery in all strategic decisions, budgets, procurement and approaches made by them. (presentation held with minutes).

Members received a presentation by Ms Tanya Ferry on the work undertaken by the Port of London Authority on cutting emissions in the Port and the PLA (presentation held with minutes).

12:45 Cllr Coxshall left the meeting

9. HEALTH AND SAFETY UPDATE (B6)

The ACFO informed Members that he and the Office Manager had met twice a year as required within the H&S policy to formally discuss any issues that had arisen.

One incident had occurred involving the RIB Vigilant when the aluminium A Frame had detached from its fixings and fallen on the outboard engines while at sea. Members were advised that no officers had been injured in the incident and that enquiries had shown that this was an unforeseen incident due to a welding issue on the A Frame.

Members **NOTED** the report

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 in November 2011 when changes had been made to reflect the Localism Act 2011 in relation to member interests and the inclusion of content outlining exempt and confidential information.

The Clerk informed Members that as a result of recommendations from Internal Audit, it was proposed that the Financial Regulations were amended to require two signatures when making payments from the IFCA's bank account.

Members **APPROVED** the amendment to the Terms of Reference and Standing Orders

11. APPROVAL OF THE ANNUAL PLAN 2022/2023 (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)

Meeting closed 13:20