

## **Kent & Essex Inshore Fisheries and Conservation Authority**

**MINUTES** of a meeting of the Authority held in the Kent Room, Gravesham Borough Council, Windmill Street, Gravesend at 10.00am on Friday 28 January 2022

**Present:** Cllr J Lamb (Southend BC), Mr J Nichols (MMO), Mr A Rattley (MMO), Cllr A Goggin (Essex CC), Mr J Rowley (MMO), Ms T Ferry (MMO), Mr P Wexham (MMO), Mrs E Gilson (MMO), Mr E Hannam (MMO), Cllr T Hills (KCC), Cllr N Collor (KCC), Mr A Baker (NE), Mr R Turner (MMO). Ms B Chapman (MMO), Cllr M Coxshall (Thurrock Council)

**Apologies:** Cllr L Parfitt-Reid (KCC), Cllr M Skeels (ECC), Cllr J Fleming (ECC), Dr L Fonseca (MMO), Cllr H Tejan (Medway Council), Dr W Wright (KEIFCA), Mrs D O'Shea (Office Manager)

**In Attendance:** Mr A Tait (Clerk, KCC), Ms S Martin (Financial Advisor, KCC), Mr D Bailey (Assistant Chief IFC Officer), Mr H Hurst (Snr Enforcement Officer)

**By Invitation:** Mr F Ameye (Seafish), Mr R Clarke (AIFCA)

The Chairman welcomed Ms Su Martin to the Authority as the Authority's Financial Advisor.

### **39. DECLARATION OF MEMBERS' INTERESTS (A1)**

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 Pecuniary Interests and Other Significant Interests may not vote on that Agenda item. The Chairman reminded Members that they could declare an interest either at this time or prior to the agenda item being discussed.

No interests were declared

### **40. MINUTES (A2)**

Ms Ferry requested that in respect of item 32 – the use of the word "useful" be replaced with "necessary"

Mr Rattley queried the omission of the statement he had made on leaving the meeting in respect of Agenda item B8. The Chairman advised that he would consult with the office manager and ask for this to be included in the minutes

**RESOLVED** that the Minutes of the meeting held on 26 November 2021, as amended, were correctly recorded and that they be signed by the Chairman.

### **41. REVENUE BUDGET MONITORING 2021/22 (B1)**

The Financial Advisor informed Members that the report showed the financial position of the Authority at 31 December 2021 and that the majority of income and expenditure had been received and spent as planned. The underspend for the year was forecast at £27,461 with full details of the variances provided for within the report. A projected increase in spend for fuel was highlighted to Members due to increases in fuel prices. Members were reminded that it was important to note that the underspend included unbudgeted income of £12,105 as well as savings

from not replacing a member of staff and a reduction in travel expenses claimed. Without these elements then the budget would be in deficit.

The Chairman highlighted some anomalies within Appendix 1 where budget figures and spend did not appear to show the correct outturns. This would be taken back by the Financial Advisor to review and correct as necessary.

Members **NOTED** the underspend of £27,461

#### **42. DRAFT BUDGET 2022-2023 (B2)**

Members were provided with details of the draft budget and Reserves position for 2022/2023. Members were reminded that no increase in budget had been requested in 2021/2022 and that it was proposed to increase the total levy by 5.6% so that with the Government funded Area Specific Grant the total payable to the IFCA would be £955,242.

The Chairman advised Members that the relevant Local Authorities had been spoken to prior to the meeting and had been notified of the proposed increase. An increase of 5.6% might seem high but Members should remember that the baseline that the IFCA worked to was much lower than that of a Local Authority budget. Members should take into account the information provided within the last agenda item and be mindful of the need to try to recoup funds and that an increase would also be required the following year.

In response to a question on the amount that the IFCA was required to hold in reserve, the ACFO advised that the IFCA was required to hold 1 year's annual expenditure in reserve. This amount was held within the renewal and general reserves.

A Member commented that he was concerned that with the current rate of inflation it would become necessary to rely on reserves in order to maintain a level of service and that a larger increase might be necessary. Local Authorities benefited from the fishing industry within their districts. The Chairman in response advised that Local Authorities were constrained by Government in the amounts they could raise their council tax by, however he felt that the following year would require a further increase.

Members **AGREED** the draft budget of £955,242 and the total levy payable by each Local Authority for 2022/2023 as follows:

- |                                   |          |
|-----------------------------------|----------|
| • Kent County Council             | £411,900 |
| • Medway Council                  | £72,121  |
| • Essex County Council            | £411,900 |
| • Thurrock Council                | £36,204  |
| • Southend-on-Sea Borough Council | £23,117  |

#### **43. WHELK PERMIT BYELAW UPDATE (B3)**

The ACFO advised Members that the number of whelks landed in the District had reduced. Officers had spoken to Industry regarding this and had been informed that the market for whelks had decreased in part due to Covid, the hesitation of the Far East market to import whelks and the difficulties caused by Brexit in sending whelks for processing to Ireland. Both Eastern and Sussex IFCA's had reported similar findings. Positive reports had been received from Industry on year classes of whelks coming through.

Members were reminded that the permit conditions were required to be reviewed not less than every three years, which at this time was August 2024. However, officers considered it prudent to review the measures each year in order to ensure Members could react and respond quickly to any changes in stock levels. At this time they were not recommending any changes to the current management measures.

Members stated the following:

- Agreed that there were major problems with the Asian market which had caused the price of whelks to crash. It was important that stocks were not interpreted as being in decline as a result of this. With regard to the data that had been supplied on B3:8 it was requested that this was checked and reviewed as having spoken with fishers in area 2 they did not believe it was a correct representation of the whelks landed or days fished. In response the ACFO confirmed that the information was provided from catch returns. He would check to make sure there had not been any error when inputting data and would report back to Members
- In response to a question from a Member whether any fishermen had complained recently on keeping the byelaw as it stood, the ACFO advised that some catch returns had been received which stated that whelks had not been fished for because of the management measures.
- In response to a question on offences detected, the Lead Enforcement officer advised that gear inspections had been primarily carried out during 2021 rather than landings. A number of offences had been detected. Some were minor, however in some cases gear had been set without a permit or escape holes or permit tags were not fitted on the whelk pots. These offences were still under investigation.
- Mrs Gilson and Mr Rattley advised that the whelk fishermen in Whitstable and South Essex were happy with the current management measure

The Chairman invited Mr Andrew Lawrence from the public to speak to Members on the subject. Mr Lawrence informed Members that he supported the management measures and felt that the increased riddle size had resulted in more stock being available to fishermen

Members **NOTED** the report and **RESOLVED** that the pot limit, riddle size and the number and size of escape holes should be maintained as per the current byelaw requirements

#### **44. UPDATE ON FISHERIES MANAGEMENT PLANS AND 2022 INTERNATIONAL FISHERIES MANAGEMENT (B4)**

Members were provided with an update on the progress of the Fisheries Act 2020. They were advised that the Act would create a legal requirement for the four national authorities to produce a joint fisheries statement (JFS) which would set out Fishery Management Plans (FMP) to explain how its objectives would be met. This would be required to be produced within two years of the Fisheries Act being passed. Official consultation had begun which would run until 12 April 2022. Members were informed that KEIFCA had worked with DEFRA and the AIFCA during 2021 to ensure local fishermen's requirements would be taken into consideration in future UK fisheries development. The AIFCA had also worked with the New Economics Foundation to produce a report, supplied to Members, for consideration in the process. Members were informed that as

these FMPs were developed it was likely they would become an increasing workstream for the IFCA's. The ACFO was aware that there were pilot FMPs for cockles as well as whelks, lobsters and crabs.

Mr Rowley as representative for the MMO informed Members that they should be aware that whatever was decided within the Fisheries Management Plans would be legally binding for the MMO.

In response to a question from a member on how the IFCA's were feeding into the process, the ACFO advised that the AIFCA was coordinating and leading the input of information into the consultation.

In response to concerns raised by a Member in respect of the report commissioned by the AIFCA through the New Economics Foundation, the Chairman commented that it was important that these concerns be communicated directly to the CFO with reasons so that they could be addressed by the AIFCA.

Members **NOTED** the report

Mr Felix Ameye provided Members with a presentation on the work of Seafish

#### **45. FISH LOCAL PROJECT UPDATE (B5)**

The ACFO reminded Members that they had received a presentation from the team running this project on the work that they had carried out.

They had now compiled their findings into a summary report, provided to Members, with a recommendation that they focus their efforts of the marketing of Herring. The ACFO stated that there were a significant number of herring in the Thames whose stocks could be exploited. The issue most recently had been one of marketing which Fish Local was looking to address to allow more opportunities for the Kent and Essex fishermen. Members were provided with a background to the three separate herring stocks within the North Sea, together with its management by both the MMO and the IFCA.

Mr Rowley, MMO, informed Members that they issued licences in September each year to allow fishing for the Thames and Blackwater herring from September to January. This year there was a delay in their issue due to serious concerns that Cefas had in the quantity of herring available. The MMO were having a meeting with Cefas next week to discuss this issue so it would be worth Fish Local bearing in mind that Cefas have said that they consider that the biomass was quite low. In response the ACFO informed Members that the Thames and Blackwater herring were a specific sub species of herring which had not been surveyed by Cefas in recent years. The reduction in landings was because of a lack of market demand rather than a lack of stock. KEIFCA had spoken with Cefas in the past over the science that backed up the Thames and Blackwater licence. In the IFCA's opinion the stock was there but the ACFO was aware that there was an issue over how the science supported the stock TAC. Mr Rowley advised that the fishery had been opened with a TAC of 10 tonnes. He was aware that 2 tonnes had been caught, however the species was not included within the catch recording app and had to be submitted manually which could cause errors with data. Mr Rowley would speak with the ACFO following the meeting with regard to a meeting the MMO would be having with Cefas regarding this matter to see if he could be involved.

Members discussed the matter and made the following comments:

- The Fish Local project document would benefit from more detail on routes to market.
- Defra were beginning to make money available for fish support so it would be advisable to see whether these funds could be accessed for advertising
- Reassured that the sustainability aspect of the species was being addressed. The promotion of herring had to be underpinned by the sustainability of the species.
- Marketing was seen as a major concern by local fishermen. Historically this was a sort after fishery, however in modern times this was not the case. Marketing of herring would need £100,000s required to allow it to be successful. Fish Local had originally been set up to help the local fishermen. They had made it clear from the start that they only wanted to catch and land onto the quayside. They did not have the facilities, funding or knowledge to add value to that catch. It was important that consideration was given to not using herring only because it had attracted MSC accreditation in the past.
- The report mentioned Chapmans Fish who are major processors who supply supermarkets. If they were involved then it would suggest there was money to be made.
- Whitstable fishermen did not support the choice of herring and much preferred smooth hound

Members **NOTED** the report

#### **46. INITIAL RESEARCH INTO MEETING NET ZERO CARBON EMISSIONS BY 2050 (B6)**

Members were reminded that at their November meeting Members had asked that KEIFCA meet with industry and representatives to investigate different ways that carbon footprint could be reduced. The ACFO advised that officers had met with Port of London Authority, Thanet Fishermen's Association and Cefas. From these meetings officers had felt that the two main tasks for the IFCA were:

1. To reduce the carbon footprint of KEIFCA to meet UK targets
2. To work collaboratively and help facilitate the local KEIFCA fishing fleet reduce its carbon footprint and meet UK targets

The ACFO advised members that some work had already been carried out on the baseline CO<sub>2</sub> levels which had shown that the patrol vessels were the major source of emissions for the IFCA. It was intended to adopt the use of HVO fuel via TFA Fuel as discussed at the November meeting. Officers would undertake a CO<sub>2</sub> audit across the IFCA and produce a baseline to use to measure progress. Members would be presented with a draft short term action plan at the September meeting with a medium and long term plan by the end of 2022

In respect to working with the fishing fleet; from initial research it appeared that although there were a number of CO<sub>2</sub> reduction plans available to industry, the needs of the inshore fishing fleet were either too small to be included or seen as a lower priority with efforts initially focused on larger vessels. It would appear that the role of the IFCA would be to ensure that the small fleet was not forgotten.

Inshore vessels already had a relatively low carbon footprint per kg fish compared to other fishing fleets and had the ability to supply local markets reducing the carbon cost of transport.

Members were advised that the Department of Transport had written a Clean Maritime Plan in 2019 which outlined the UK's path to zero emissions in shipping although again this primarily addressed the needs of large ships.

In addition, KEIFCA would take steps to:

- Liaise at a regional level with PLA and TFA to look at the practicalities of local issues.
- Look at a regional plan for the fishing industry on carbon reduction similar to that of the PLA
- Work with Cefas using the March meeting run by DEFRA as an entry point
- TFA Fuel to adopt use of biofuel and report back on update and any issues

Members discussed the report and made the following comments:

- Disappointed with the paper in that it was less scientifically and robustly presented than was normally seen in reports to Members. It ignored the Defra policies and statements that had been produced for IFCAs and did not take into account the consequences of switches beyond just that of economics; air quality, areas around practicality and safety. Concerned that Cefas were carrying out work when there was an entire department that was responsible for boats and technical quality and safety in the industry. The MCA and DFT were already spending a lot of time on this. Ports are concerned that Cefas has not engaged with the fishing harbours on this as they would be the bodies agreeing if hydrogen was acceptable. The paper significantly misses the risk to the IFCA if a fishing vessel is running hydrogen and the IFCA has a battery/electrical vessel in how they could conduct themselves safely. This could be because the paper lacks structure and may need more process within it. Reassured that the paper talks about the carbon footprint however in the annual plan it talks about already reducing without conclusions. Would prefer the language to be a little more consistent so that as an Authority we are saying this is our footprint, this is what we are doing and why; there is a plan. It is not just about 2050, there are intermediary goals and a number of the Councils around this table have made goals for 2030 for eliminating. Aware that for the maritime sector this is very challenging but is part of an organisation that has been working on this for a very long time and has worked on a number of the areas that the IFCA and the fishing industry are going to work within. Engagement with the Ports, the Harbours, the Boroughs and the Councils in the districts that run them is going to be key and is where the focus should be rather than with Cefas/Defra report. Concerned that that from the Port of London Authority perspective the meeting on 7 January with Cefas was rushed into and that historically the IFCA had not engaged with the Port of London Authority on many things. With this topic the IFCA needed to change in how the river runs and how the fuel comes in future. The IFCA should consider bringing together the fishing associations with the local harbours and councils together to work on this, perhaps as a working group as it would be difficult to undertake this in isolation

In response the Chairman acknowledged the work that Port of London Authority had undertaken on this topic and requested that the ACFO arrange to speak with the Member following the meeting in order to ensure that a dialogue between the organisations was set up.

The ACFO stated that Members should remember that the IFCA had just started to address the issue, resources were an issue and that this topic was not within their normal expertise.

- The Vice Chairman advised that TFA were taking delivery of a 35 tonne tank that would be used for HVO 30 fuel (30% vegetable oil) that would be supplied to them from the Purfleet

refinery from April 2022. There had been problems with industry being unsure if they could use it and the cost of it. TFA had received advice from Port of London Authority and the harbourmaster at Ramsgate. They were aware that Port of London Authority used HVO100% but this was not readily available in the quantity that they required. The cost of this fuel would be 10p per litre more. He was aware that the windfarm boats and pilot boats in the area would use this fuel

- Kent CC was committed to getting to net zero by 2030. They had received a grant fairly recently from central Government of £20.6 million towards this. Had spoken to the CFO with regard to blue carbon. Would like to see use of saltmarsh and an audit of seagrass beds and how they could be regenerated. Saw this as a duty of the IFCA. There was a need to focus on this and not just shellfish
- Would be concerned at putting hydrogen aboard a boat due to its unstable properties
- Consider it to be a fair report. Particularly important to focus on how much would it cost and how to get there. 2050, rather than 2030 was a reasonable date to aim towards
- The greenest boats that the IFCA had were the ones they already owned as they had already been built and their carbon footprint would have gone, albeit they were continuing to create one while in use. Also concerned about how the deadlines would be achieved, how they would be paid for and at what cost. Not overly convinced it was the role of the IFCA

Members **NOTED** the report

Members received a presentation from Mr Rob Clarke, Association of IFCA's

#### **47. DRAFT ANNUAL PLAN (B7)**

Members were provided with a copy of the draft Annual Plan 22/23 for comment by the end of February 2022

In response to a question on where the tackling of carbon footprint sat within workstreams, the ACFO stated that he saw this as sat outside of the IFCA success criteria as these focussed on the everyday running of the IFCA. Where there had been previous actions that have not been within a specific success criteria these had been reported as a standalone item in the annual report, which the ACFO felt would be the case.

In response to a question over where within the plan details of the amount/type of resources required for a specific action would be listed, the ACFO stated that the plan gave some information in with regard to enforcement and research, but he would look to see how more information could be provided.

#### **48. MATTERS FOR REPORT (C1-6)**

Members received:

- Quarterly Report of the Kent IFCO (C1) – where the number of vessels in Herne Bay were listed as one, this should be three
- 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)

#### **48. AOB**

The Vice Chairman informed Members that until this week Southern Water had refused to engage with the fishing industry regarding the pollution of seawater off the Thames. This week they had made contact via Sarah Maloney from Environmental Health at Canterbury CC who they had set up an online meeting with. They had asked for questions from the fishing industry, however Industry would only be allowed to watch but not comment. He had met with Graham West at Whitstable who was a processor of whelks and oysters. His business was suffering immensely as he was unable to sell Whitstable oysters and was having to import them from the Channel Islands. Imported oysters were expensive and subject to 30% mortality in transit because of the stress of travel. The price of finfish caught in the Thames Estuary had also gone down as a result of the pollution. The cockle industry could be at risk as a result. No one was taking notice of them and Industry needed the help and support of the IFCA and its different departments represented at the meeting.

Mr Rattley stated that he agreed with the Vice Chairman. He had been working closely with Sarah Maloney on this matter and had also spoken with the ACFO. This was a serious issue and was nationwide rather than just the Kent and Essex district. It was evident that for many years there had been a lack of investment in water company infrastructure. Southern Water had recently been fined £90 million for discharges going back 9 years. They did not seem to understand that it was not just affecting the shellfish themselves, but the whole associated industry as people were losing confidence with it. He was aware that the IFCA did not have any statutory duty or obligations with regard to enforcement authority for this, but felt it had a moral duty to protect the industry. Through the IFCA with the MMO, the EA and Defra these water companies needed to be pushed to accept their practices were totally unacceptable. He was aware there was the same issue in Southend with Anglian water. Full engagement was needed from the bottom to the top. He asked that the local council members that sat on the IFCA took this up and passed it on to their local MPs

The Chairman acknowledged the issue was widespread and informed Members that with their permission he would take this up with the Association of IFCAs as it was a national issue to put to the Secretary of State. He stated that it was correct that the IFCA did not have a statutory role in this matter but we should make our voices heard that it was totally unacceptable that it was happening.

Cllr Hills informed Members that KCC had held emergency meetings with the new CEO of Southern Water. The problem was massive and historic and did not just involve sewage but large quantities of rain water. Southern Water were trying out 5 different schemes, 3 of which were in Kent but it did involve large amounts of money as the sewers were not designed for the use they currently received and not for what was anticipated for the future as a result of climate change

Meeting ended 12:55