

By: KEIFCA Chief Fishery Officer

To: Kent & Essex Inshore Fisheries and Conservation Authority – 14 June 2022

Subject: Framework options to take through to Consultation 2

Classification Unrestricted

Summary: This paper builds on the feedback from the oral and written evidence collected as part of Consultation 1. Framework options are evaluated, and Members are asked to vote on their preferred frameworks to develop further in the next step of the process Consultation 2.

Recommendation:

It is **RECOMMENDED** that:

1. the Authority vote for suction dredge and small-scale framework options, which would mean the CAYMAN and the CAYMAN 28 outline frameworks would be discarded from the process;
2. the Authority vote to take **NEW JAMAICA** and **NEW HAITI** framework options through to the Consultation 2 stage; and
3. Members **VOTE** on one of either **NEW BERMUDA, NEW ARUBA, ARUBA+CAYMAN** to take into Consultation 2 or none of these options and **VOTE** for **ONLY DEVELOP 2 OPTIONS**

Background

Consultation 1 ran from 25 March 2022 until 9 May 2022 and included an oral evidence session as well as a written consultation document. Using the evidence from the consultation replies, the feedback for each option was compiled and amendments made to the options to best take into account comments and suggestions from stakeholders. In addition to compiling stakeholder feedback per option, officers have written a technical overview of each option using the evaluation criteria as a framework.

The consultation document also outlined the process the Authority would follow at its meeting on 14 June 2022 in deciding which options to develop further in Consultation 2; the first vote deciding which group of options to take forward, either framework models that accommodate a small scale cockle fishery and a suction dredge fishery or framework models that are suction dredge only. Then the second vote deciding the final three framework models to develop further in Consultation 2.

To help make an informed decision officers have compiled a detailed standalone report for consideration by Members of each of the options to accompanying this paper that outlines in detail each option and its advantages and disadvantages - **Results of Consultation 1 – Management Options**. Officers would recommend that the reports are read in conjunction with the summary responses per option that are on our website (<https://cocklereview.kentandessex-ifca.gov.uk/consultation-1>) as officers have tried their best to summarise feedback but sometimes points need to be read in context.

What happens next, Consultation 2 – Agree access arrangements for framework models and a single framework to take to next stage

Consultation 2 looks to explore the different methods, systems or criteria that the Authority might use to manage, limit or control access to a specific cockle management area. Building on the decisions made in Consultation 1 the wide range of different possible access arrangements or criteria for potential permit or licence holders can be thoroughly discussed and evaluated within the context of each agreed framework model.

This is a complex legal area with very far-reaching long-term consequences which can not only impact current fishermen but also possibly a generation of future fishermen. The Listening Phase highlighted that this was an area poorly understood by fishers outside the current cockle fishery and it was important to spend time to clearly work through the mechanisms, outcomes and impacts to different sectors of different possible access arrangements.

At the end of this step in the process the Authority would agree the final framework model and access arrangements/ criteria to develop further and move into the technical development phase.

Regulating Order and Byelaw models

There was very significant support across the spectrum of stakeholders for the Authority to develop a new Regulating Order. Options were put forward to create a two zoned fishery with a small-scale hand rake fishery on the Southend foreshore and a suction dredge fishery covering the rest of the Thames. While there was a minority view that the new Regulating Order should encompass all the cockle beds in the Thames, making a simple one size fits all system, the predominant view was that the Regulating Order should cover the main cockle beds, with a permit byelaw used to manage the cockle beds outside this area (the current system).

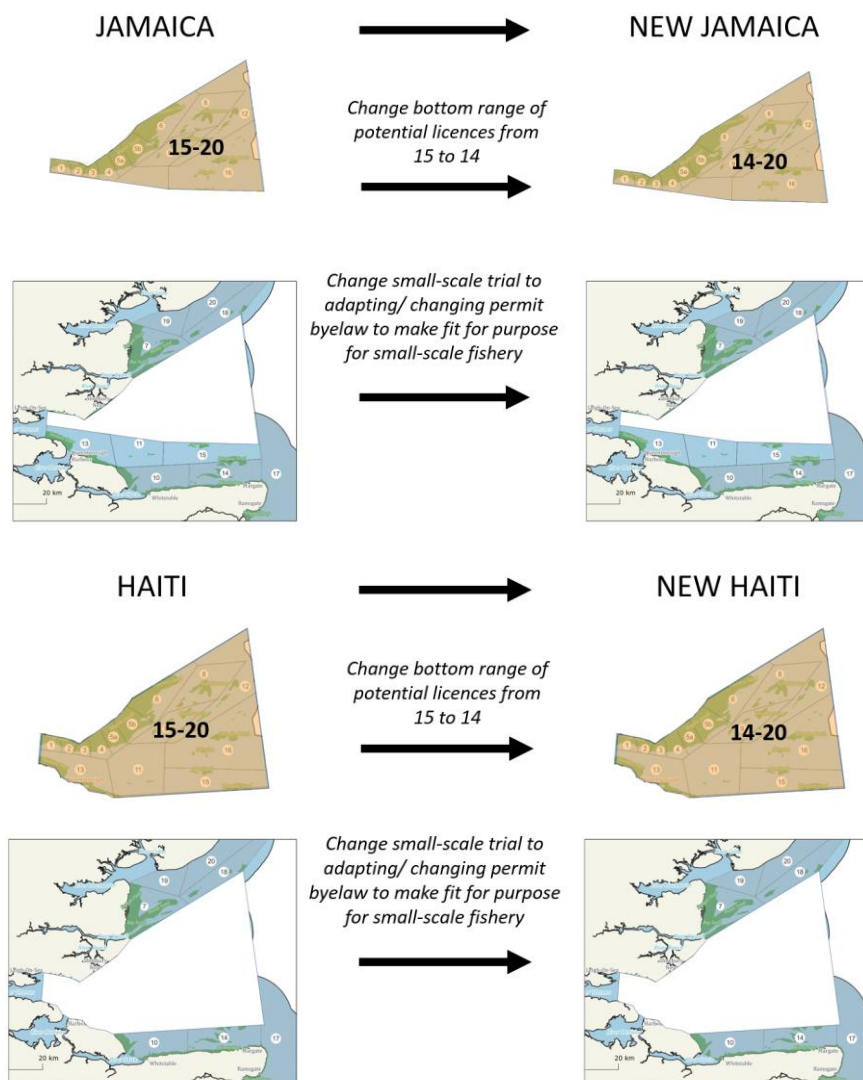
From a technical KEIFCA officer perspective, creating a small-scale fishery is likely to evolve significantly over time as fishers work out what type of fishing is cost effective and what type of gear set up would work for their business. Byelaws are better suited for this more flexible, evolving approach to fisheries management as they can be changed and updated, compared to a regulating order that once set up is far more static.

Amending options based on feedback from Consultation 1

NEW JAMAICA, NEW ARUBA and NEW HAITI options

A number of changes have been made to some of the options building on the feedback and suggestions from the consultation process. The first significant change was to create new options that replaced the small-scale fisheries trial in the areas outside a new regulating order with a proposal to develop a small-scale permit fishery. The plan would be to use Consultation 2 to consult in more detail on adapting our current cockle fishery permit byelaw to create a long-term opportunity for the inshore non-cockle sector that seeks to better mirror their needs.

Based on the overwhelming feedback from the consultation process the second change was to modify the number or range of potential licences issued in the Regulating Order to include the potential to issue 14 licences (new range 14-20 licences). This amendment was made to the JAMAICA, ARUBA and HAITI options. This created the NEW JAMAICA, NEW ARUBA and NEW HAITI options.

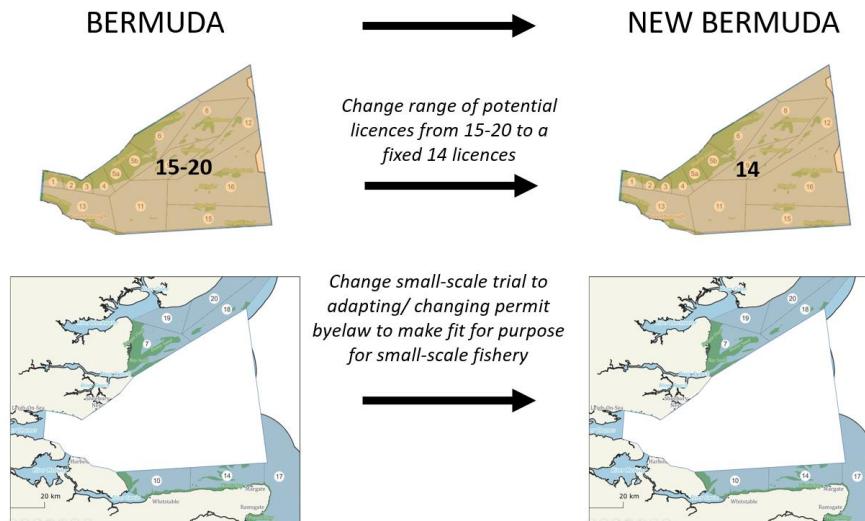


NEW BERMUDA option

A number of changes have been made to the BERMUDA option building on the feedback and suggestions from the consultation process to turn it into the NEW BERMUDA option. The first significant change was to replace the small-scale fisheries trial in the areas

outside a new regulating order with a proposal to develop a small-scale permit fishery. The plan would be to use Consultation 2 to consult in more detail on adapting our current cockle fishery permit byelaw to create a long-term opportunity for the inshore non-cockle sector that seeks to better mirror their needs.

Based on the overwhelming feedback from the consultation process the second change was to modify the option to fix the number of licences issued within a new Regulating Order at 14 rather than a range from 15-20 as had previously been outlined. The GRENADA option was dropped as it was effectively covered by the other new options that had been created.



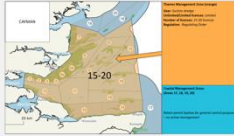
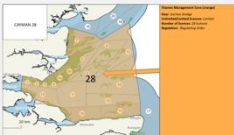



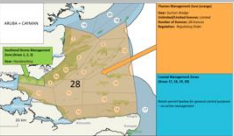

Incomplete Frameworks

There were two other suction dredge and small-scale options that were suggested as part of the consultation. One option looked to create a much larger small-scale permit fishery including Areas 1-3 for the Southend inshore fleet, Area 15 for the Kent fleet as well as Area 8 the East Barrow for the North Essex fleet as well as the Areas currently in the permit fishery (Areas 10,14,17,7,19,20 and 18). The other option looked to make the East Barrow, West Barrow and the Maplin Sands (1-6 and 8-9) into a small-scale fishery area that would be run either before a suction dredge fishery starts or maybe as a winter fishery. While both these options outlined areas the inshore fleet could access, the options did not form a framework outlining either how a suction dredge fishery might be set up and work (range of licences etc) or how a small-scale fishery would work, as such these options were not developed into full frameworks.

The process for choosing framework options to take through to Consultation 2

After making the changes to framework options outlined above and including two framework options that were suggested by stakeholders from Consultation 1, CAYMAN 28 and ARUBA+CAYMAN. There are 7 framework options for the Authority to consider taking through into Consultation 2 (CAYMAN, CAYMAN 28, NEW JAMAICA, NEW HAITI, NEW BERMUDA, NEW ARUBA and ARUBA+CAYMAN).

Following the process agreed at the November 2021 Authority meeting, the first decision the Authority needs to make is to choose between two types of options; options that include a small-scale fishery or options that are suction dredge only and don't include a small-scale fishery. Then the Authority needs to choose which of the remaining options to take through to the Consultation 2 process. Taking into account the Authority members comments in selecting the options in the first place and the feedback from Consultation 1, officers have divided this step into 2 parts; the first part consisting of two recommended options and the second a choice between the remaining options or an agreement just to take 2 options into the Consultation 2 stage.

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| <p><i>Choose between two types of options</i></p> <p>Options that include a small-scale fishery Options that are suction dredge only and don't include a small scale fishery</p> | <p>Choose which options to take through to Consultation 2 process</p> | |
| <p>VOTE 1</p> <p>Recommendation</p> <p>Chose suction dredge and small-scale framework options.</p> <p>Discard CAYMAN and CAYMAN 28 options.</p> <div style="display: flex; flex-direction: column; align-items: center;"> <div style="text-align: center;"> <p>CAYMAN</p>  </div> <div style="text-align: center;"> <p>CAYMAN 28</p>  </div> </div> | <p>VOTE 2 – PART 1</p> <p>Recommendation</p> <p>Chose both NEW JAMAICA and NEW HAITI to take into Consultation 2.</p> <div style="display: flex; flex-direction: column; align-items: center;"> <div style="text-align: center;"> <p>NEW JAMAICA</p>  </div> <div style="text-align: center;"> <p>NEW HAITI</p>  </div> </div> | <p>VOTE 2 – PART 2</p> <p>Chose <i>one</i> of either NEW BERMUDA, NEW ARUBA, ARUBA+CAYMAN to take into Consultation 2 or none of these options and ONLY DEVELOP 2 OPTIONS</p> <div style="display: flex; flex-direction: column; align-items: center;"> <div style="display: flex; justify-content: space-around; width: 100%;"> <div style="text-align: center;"> <p>NEW BERMUDA</p>  </div> <div style="text-align: center;"> <p>ARUBA + CAYMAN</p>  </div> </div> <div style="text-align: center; margin-top: 10px;"> <p>NEW ARUBA</p>  </div> <div style="text-align: center; margin-top: 10px; border: 1px solid black; padding: 5px;"> <p>Only develop 2 options</p> </div> </div> |

VOTE 1

Choosing between two types of options

- **Options that include a small-scale fishery**
- **Options that are suction dredge only and don't include a small-scale fishery**

The overwhelming feedback from both oral and written evidence, from across the spectrum of stakeholders supported the developing of small scale cockle fishery and suction dredge fishery options (NEW JAMACIA, NEW HAITI, NEW BERMUDA, ARUBA, ARUBA+ CAYMAN Appendix 3 to 8) rather than suction dredge only options (CAYMAN and CAYMAN (28) Appendix 1 and 2).

Recommendation

It is **RECOMMENDED** that the Authority vote for suction dredge and small-scale framework options, which would mean the CAYMAN and the CAYMAN 28 outline frameworks would be discarded from the process.

VOTE 2

Part 1 - Choosing which options to take through to Consultation 2 process

Of the five remaining options it is recommended that two basic frameworks (NEW JAMAICA and NEW HAITI) are taken through to Consultation 2 to develop further. These options were strongly supported by Members when agreeing the options to consult on and capture a significant amount of the suggestions and comments from stakeholders from the oral and written consultations. These options provide strong but flexible frameworks to develop further as the process progresses.

Recommendation

It is **RECOMMENDED** that the Authority vote to take **NEW JAMAICA** and **NEW HAITI** framework options through to the Consultation 2 stage.

Part 2 – Members choose between the remaining options or an agreement just to take 2 options into the Consultation 2 stage

The process paper that laid out how the whole process would run (November 2021 Authority meeting) suggested that 3 options would be taken through to the next step of the process. The remaining options are either very specific, narrowing down future flexibility or received a lot less support from a broad range of stakeholders during consultation process. Authority members are asked to discuss and review the remaining options (NEW BERMUDA, ARUBA+CAYMAN and ARUBA) and either vote for their preferred framework or to vote to only carry 2 frameworks through to the next stage.

Recommendation

Members **VOTE** on one of either **NEW BERMUDA, NEW ARUBA, ARUBA+CAYMAN** to take into Consultation 2 or none of these options and **VOTE** for **ONLY DEVELOP 2 OPTIONS**.