

By: Principal Compliance and Enforcement Officer

To: Kent and Essex Inshore Fisheries and Conservation
Authority – 14 September 2026

Subject: Shellfish gathering activity

Classification **Unrestricted**

Summary:

This report provides a summary of work undertaken to tackle illegal shellfish gathering in the district and in particular, Southend

Recommendations –

For **NOTING** and **COMMENT** only

Shellfish gathering activity in the KEIFCA district

Shellfish gathering has long taken place throughout the KEIFCA district. Activity includes legitimate commercial harvesting, principally targeting Pacific oysters and periwinkles, alongside recreational gathering for personal consumption under the public right to fish.

A significant increase in suspected illicit commercial shellfish gathering activity was first observed nationally during the COVID-19 lockdown period in 2020. Within the KEIFCA district, this led to a number of targeted multi-agency operations to address the issue, including Operation Gull in Southend and Operation Sealion in Kent. Interestingly, during the 2020 peak most reports related to activity on the Isle of Sheppey rather than Southend. Following this relaxation of lockdown restrictions, reports of shellfish gathering generally reduced across the district.

In the last two years however, KEIFCA has observed an increase in reporting specifically relating to Southend. Shellfish gathering activity along the Southend

foreshore has attracted increasing public and stakeholder attention. While concerns are often raised regarding public health, food safety and the apparent scale of gathering activity, the legal and regulatory framework surrounding shellfish gathering is complex and involves a number of different authorities.

Partner agencies and legislative context

The public right to fish in tidal waters extends to the foreshore and includes the collection of shellfish for personal consumption. This is the same common law right exercised by recreational sea anglers throughout the UK, meaning that individuals do not require a licence to catch sea fish or shellfish for their own personal use. However, this right does not extend to commercial harvesting. Shellfish harvested for commercial purposes must comply with a range of food safety requirements administered by Local Authority Environmental Health Officers (EHOs). Commercially harvested shellfish must originate from classified harvesting areas (tested to ensure they are safe for human consumption) and be accompanied by appropriate registration documents to enable traceability throughout the supply chain.

Distinguishing between recreational and commercial shellfish gathering can be challenging. There is no statutory definition of a "commercial quantity" and the public right to fish does not prescribe limits for personal consumption. Food Standards Agency guidance states that quantities up to 5kg per person per day may be considered recreational, although the inspecting Environmental Health Officer can exercise discretion if they suspect the shellfish may be destined for commercial use.

These food safety regulations are not within the remit of IFCA officers, however. KEIFCA's duties relate to the sustainable management of fisheries rather than public health. KEIFCA officers have powers to enforce regulations such as minimum conservation reference sizes and permit requirements for certain species, whilst Environmental Health Officers are responsible for food safety, shellfish hygiene and traceability requirements. Other agencies may also be involved with shellfish gathering enforcement, including the police and the Fair Work Agency (previously Gangmasters and Labour Abuse Authority), where organised criminality, labour exploitation or other offences are suspected. KEIFCA officers therefore work closely with Southend City Council EHOs and other partner agencies through joint patrols and intelligence sharing where relevant and necessary.

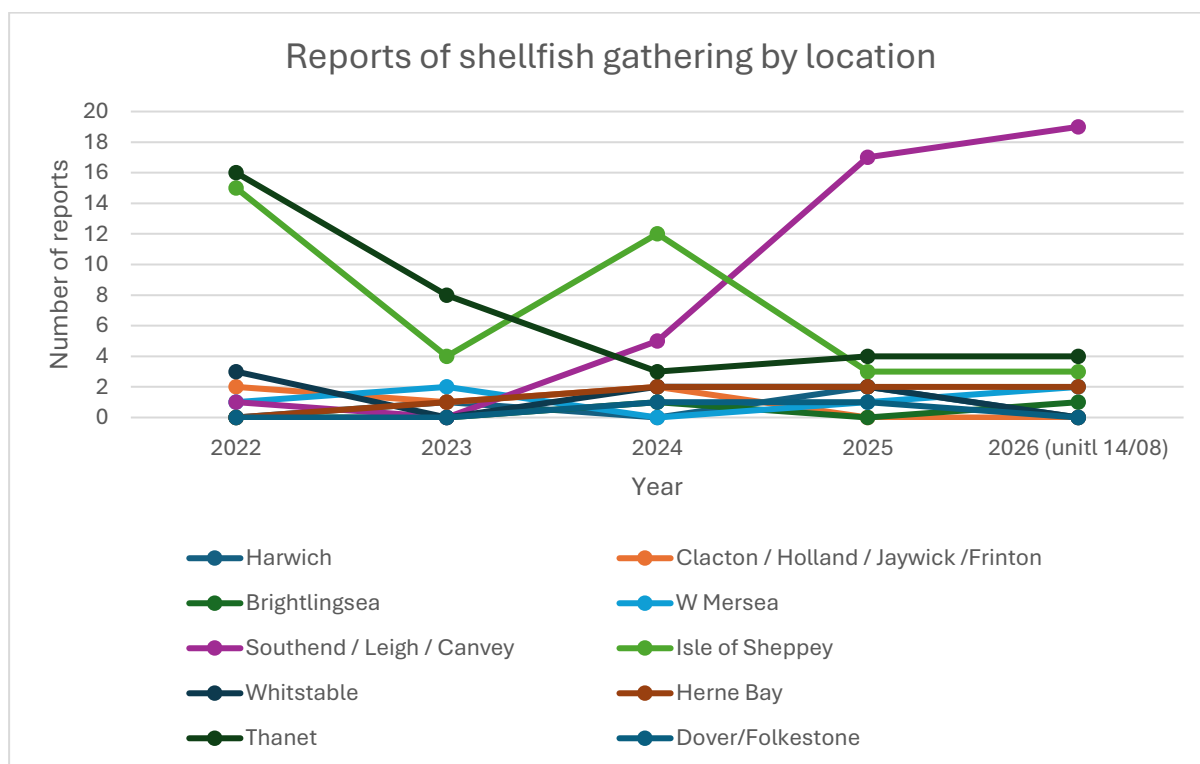
Joint Working with Southend City Council

Given the differing powers available to KEIFCA and Environmental Health Officers, partnership working remains essential to achieving effective regulation of shellfish gathering activity. Joint patrols allow officers to share intelligence, increase operational presence, improve interception rates and apply the full range of available legislation from both agencies. They also ensure that specialist

expertise from both organisations is available during inspections and enforcement activity.

This collaborative approach has proven particularly valuable where activity raises both fisheries management and public health concerns, enabling officers to address matters that might otherwise fall outside the powers of either organisation working independently.

KEIFCA maintains records of intelligence relating to shellfish gathering activity from a wide range of sources. Whilst the volume of reporting has increased in recent years, increased reporting does not necessarily indicate a corresponding increase in the number of gatherers. It may also reflect heightened public awareness of the issue and increased willingness to report activity.



In response, KEIFCA has continued to undertake targeted shore-based patrols in areas where gathering activity is known to occur. During 2026, officers have carried out 19 patrols in Southend where shellfish gathering formed a specific inspection objective. These deployments have included both independent KEIFCA patrols and joint operations with Southend City Council Environmental Health Officers.

Enforcement Challenges

Recent joint patrols have highlighted a number of practical challenges associated with enforcing legislation relating to shellfish gathering. While many individuals gather shellfish legitimately for personal consumption, officers continue to encounter individuals collecting larger quantities and exhibiting behaviours consistent with commercial activity. It is important to recognise that not all shellfish gathering is unlawful and that each situation must be assessed on its individual circumstances.

Officers have observed increasingly sophisticated methods being used to evade enforcement. Shellfish and associated products have been found buried in the sand or concealed within vegetation for later collection. Such tactics make it significantly more difficult to establish ownership and possession of shellfish products.

Gatherers have also been observed splitting up and running away from the area on the arrival of enforcement officers. These behaviours reduce interception rates and require greater enforcement resources to address effectively.

Language barriers can present additional challenges, particularly when attempting to establish identity and obtain accurate personal details. Whilst translation tools have improved officers' ability to communicate with gatherers, obtaining reliable names and addresses can remain difficult, and police support may be required to verify identity for enforcement purposes. Officers have also identified a number of repeat offenders. Although enforcement action can be taken where offences are identified, false names and addresses are often provided, making it difficult to reliably identify individuals and pursue enforcement action where appropriate.

Fisheries Management Considerations

The total quantity of shellfish being removed from the Southend foreshore remains uncertain. However, officer observations and intelligence reports indicate that gatherers regularly target Pacific oysters and Manila clams, together with smaller quantities of winkles and other species.

The impact of these removals on local shellfish stocks is currently unknown. It should also be noted that Pacific oysters are an invasive non-native species and, therefore their removal has not been viewed as detrimental from a conservation perspective. Nevertheless, the scale of activity and the quantities being removed remain poorly understood. However, the extent to which harvesting activity may affect other shellfish species, particularly Manila clams, remains uncertain.

For this reason, officers are continuing to develop a more robust evidence base to better understand the extent of shellfish gathering activity and how it is changing over time. This work will help identify trends, assess potential impacts, and support informed management decisions.

Southend City Council Environmental Health has agreed to provide additional historical information relating to observations, interventions and shellfish seizures, which will assist in building a clearer picture of activity levels over time.

Next Steps

Officers will continue to undertake intelligence-led patrols, work closely with Environmental Health Officers and other partner agencies, and record intelligence and inspection outcomes to improve understanding of shellfish gathering activity within the district.

At this stage, officers consider that continued evidence gathering and partnership working remain the most appropriate response within the current regulatory framework. Information currently being compiled by Southend City Council Environmental Health will help improve understanding of long-term trends and inform any future fisheries management considerations that may arise.

Recommendations –

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