



Item No.B7

By: Assistant Chief IFCO

To: Kent and Essex Inshore Fisheries and Conservation Authority – 22 May 2024

Subject: **PERMIT BYELAW COCKLE FISHERY**

Classification Unrestricted

Summary: To report on the surveys for the 2024 Permit Byelaw Cockle Fishery

1. Permitted Cockle Fishery 2023

The cockle fishery within the area of the Cockle Flexible Permit Byelaw opened between 11 September 2023 and 6 October 2023. At the May 2023 Authority meeting, Members approved a TAC of 432 tonnes, spread over 4 fishing trips per vessel. Of the 30 vessels which held a permit for the 2023 fishery, 19 participated.

Catches of the maximum of 3.39m³ or approximately 3 tonnes were consistently landed. In general, weather was good during the season, with less extreme heat than was seen during 2022 and good amounts of rainfall.

Yields were, as expected, lower than on the main TECFO beds, averaging around 12%. The first week of fishing resulted in large numbers of clams being mixed in with the catches, up to approximately 25% of the catch. By the second week, the percentages of clams had reduced to 5-10% as the vessels mapped out the beds and located patches which were primarily comprised of cockles.

Catch rates varied but the best was around 1 tonne per hour. Catch rates were lower than would be expected on a TECFO bed as the vessels were trying to avoid patches of clams and in fishing less known areas, the catch rates did decrease. 159 tonnes were landed by the fleet by the end of the fishery.

2. Moving forwards with development of a small scale fishery

Outlook for 2024

Comments made by some of the fleet regarding the management for 2023 were that an earlier start time in 2024 would make better use of the available fishing time and enable permit holders who are not full time cockle fishermen to access the fishery early in the week and undertake other employment in the latter part of the week. Fishermen agreed that opening the fishery during the TECFO fishery was very sensible as it allowed factories to cook permit fishery cockles at the same time as the far larger quantities landing from the TECFO. Some suggested that opening the fishery earlier in the year would avoid the worsening weather as autumn approaches.

Officers are working with Thanet District Council to enable classification of the cockle beds in Area 14 – namely South Margate Sands and Minnis Bay. KEIFCA vessels began collection of samples in April 2024.

The review of cockle fishery management within the District (TECFO review) has concluded that the previous setup of the Permit Fishery did not result in a sustainable fishery due to too many vessels, working patches of ground which are too small and taking too much in one go. The fishery was not consistent, with only four fishing trips between 2014 and 2022 and it was recognised that elements of the management need change in order to address this significant problem.

The 2023 fishery was the first opportunity to start making a sustainable fishery and officers made best endeavours to set up a fishery which can develop and evolve over time, establishing a small-scale fishery which takes less per trip to enable a more flexible approach to area management and fleet management. This will continue to enable the Authority to open up more beds across the District and spread the fleet out more both spatially by encouraging different boats to go to different beds and temporally by spreading out the effort and allowing the ground time to recover between fishing trips.

During 2023, the Authority only issued Category 2 permits, this approach was retained for the 2024 fishery and is discussed in more detail below.

3. Appropriate Assessment

The Authority is required under Regulation 48(3) of the Conservation (Natural Habitats) Regulations 1994, Wildlife and Countryside Act 1981 and the Countryside and Rights of Way Act 2000 the Authority to give notice to Natural England of intention to issue permits to fish for cockles within designated SSSI, SPA and Ramsar inter-tidal sites. The Authority is also required to submit an "Appropriate Assessment". This assessment includes survey data, fishery monitoring and details of mitigation implemented to ensure that there is no adverse impact upon these sites as a result of the Authority's action. The Appropriate Assessment has been discussed informally with Natural England and a formal submission will be sent taking into account the Authority's decisions regarding this paper.

4. Number of Permit Applications

The process for the management of this fishery is that anyone wishing to apply for a permit is required to apply before 31 March in that year and all stock assessment surveys are completed before the May Authority meeting. This ensures that the Authority can be presented with a complete picture of the fishery, including the amount of stock available and the number of vessels wishing to work it.

For 2023, the number of permits was 30, all of which were category 2 permits. For 2024, 31 applications have been received for category 2 permits which allow up to 3.4m³ per trip to be landed.

5. Spring 2024 Cockle Stock Surveys

Stock surveys commenced at the beginning of April 2024 and concluded on 14 May 2024. At this time of year, the cockles are coming into condition for their spring spawning following the winter dormant period. These surveys use Day Grabs, deployed from both FPV Tamesis and FPV Nerissa, and cover a total area of 37.6 km² (14.5 miles²).

The areas surveyed cover the Buxey, Dengie and Ray Sands, Minnis Bay, South Margate Sands and Leysdown. These areas include all of the current main production areas outside of the TECFO (a chart showing the production areas is attached at Appendix A).

Analysis of the survey data collected has been completed. The survey shows that Area 7 (Buxey Sands) and Area 14 (Minnis Bay, South Margate Sand) both contain stocks of cockles. Both areas seem to have good numbers of sizeable adult cockles. The Dengie Sand and Ray Sand, both within Area 7, do have good numbers of cockles but all are well below minimum size and wouldn't be expected to reach minimum size this year. In addition, the Ray Sand contains good numbers of sizeable manila clams.

Area	Bed	>16mm biomass (tonnes)	TAC (max 1/3)
7	Buxey	551.28	184
14	Minnis Bay	112.56	34
14	Margate Long Sands	387.14	129
14	Margate Hook	154.62	46
	TOTAL	1206	393

6. Management of Area 7

Area 7 contains three main beds. The Buxey Sand, Ray Sand and Dengie Sand. Whilst the Buxey contains 551 tonnes of sizeable adult stock, the Dengie and Ray combined contribute less than 30 tonnes of TAC – less than one trip each of the fleet. In addition, whilst the majority of cockles on the Buxey are over 16mm minimum size, those on the Dengie and the Ray are generally less than 14mm at present. Finally, the Ray contains a good size stock of Manila Clams. Therefore, it

is proposed that zonal management of Area 7 will be undertaken. The Dengie Sand will be closed to cockle dredging for 2024, the Ray Sand will be closed to cockle dredging but will be used as part of the manila clam trials discussed elsewhere in these papers. The Buxey then will be open to cockle dredging for the 2024 fishery. In addition, as is usual, Foulness North, which is the northerly edge of the Maplin Sands will be closed to harvesting. This zonal approach is shown below in Figure 1.

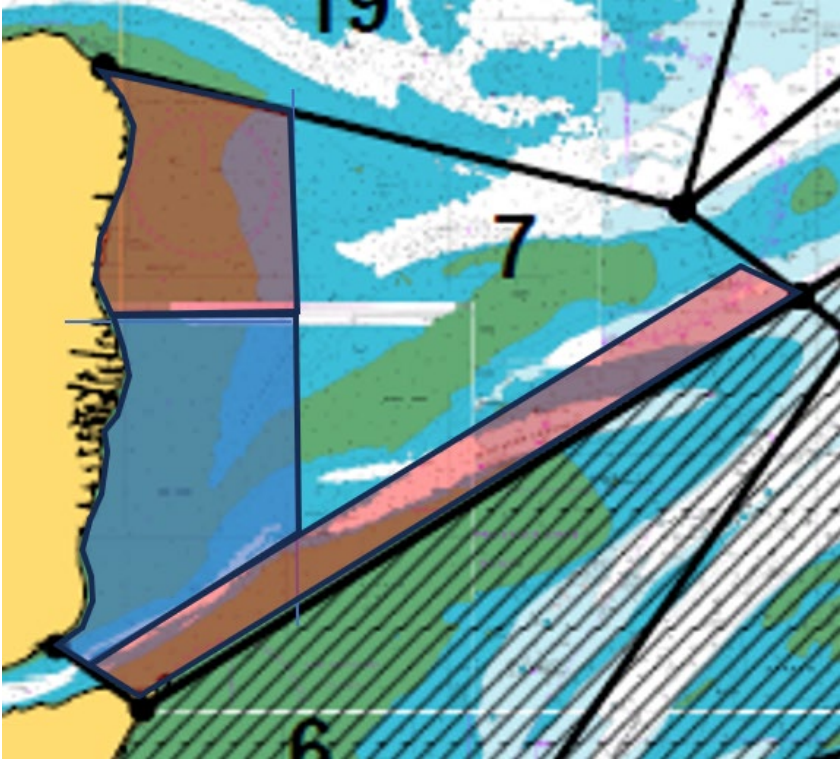


Figure 1. Zonal management of Area 7, red areas closed, blue area closed to cockle harvesting for manila clam trial

7. Limiting the tonnage per trip

In a similar manner to last year, and following the direction of the Authority, only category 2 permits have been issued for this year. Category 2 permits are limited to a maximum of 3 tonnes per trip, with an option to limit to 1.5 tonnes per trip where required.

We need to be mindful of how we operate the fishery, balancing the needs of the various industry voices, but an irregular, unsustainable fishery is in nobody’s interests and a fishery which operates, albeit at a low volume, low level, is far more beneficial than a fishery which does not open at all. If a small fishing opportunity is made available then individual fishers can make an informed decision about whether to take part or not.

Three tonnes per trip allows vessels far more flexibility in where individual vessels work and allows the fleet to exploit smaller beds of cockles than was possible whilst operating on the previous 12-tonne limit. This makes full use of the stocks within the District and allows an economic return by the fleet.

Both areas (7 and 14) contain sufficient stock for two trips of the fleet of 31 vessels. A fleet of this size will catch 93 tonnes of cockles per trip.

8. Limiting the number of trips per week and spreading out the effort

As for the 2023 fishery, the overarching idea is to encourage the fleet to spread out its effort, to locate new stocks of cockles which they have not had the opportunity to do with a time-compressed fishery in recent years and to allow fishers to take advantage of the fishing opportunity available to them.

If vessels spend extensive period of time in one area in an attempt to take their catch of 3 tonnes/bags then the area could be closed. The minimum catch rate which is economically viable for a cockle vessel is approximately 1 tonne per hour therefore officers would be reviewing any trips where total fishing time within an area was in excess of three hours per vessel.

In addition, officers would also recommend the removal of the 350 tonne per area requirement criteria for the 2024 fishery as was done for the 2023 fishery to allow the smaller scale fishery to take advantage of smaller beds of cockles and spread out the effort of the fleet.

One trip per week of this fishery would allow the larger number of vessels to work without being forced into small patches of ground together, with the fishery being limited to four weeks. In a situation where all of the TAC is not taken by the third week of the fishery, remaining TAC can be split between the fleet to allow a more efficient uptake of the available stock – essentially this means that if there is stock remaining at the end of the third week, the remaining TAC can be split amongst the permit holders fishery to allow all of the available TAC to be taken.

Officers are recommending opening the fishery at the start of September which would allow for tie-in with the TECFO fishery in terms of transport and cooking of cockles as well as allowing a four week fishery to take place during the summer when the cockles have had as much time as possible to grow but before poorer weather starts to limit small vessel operations in the autumn, which is often common during October.

9. Classification of shellfish beds

Bivalve mollusc (shellfish) harvesting areas are classified according to the extent of microbial contamination as shown by monitoring of E. coli in shellfish flesh. Treatment processes are stipulated according to the classification status of the area. In all cases, the health standards in Annex III of EU Regulations must be met. Molluscs must not be subject to production or collected in prohibited areas. The Food Standards Agency (FSA) has statutory responsibility for ensuring that monitoring and classification programmes are in place to meet legal requirements.

This is operationalised through the Local Authority environmental health teams who arrange for sampling to be carried out on a regular basis for all commercial shellfish beds. Most areas of the Thames have regular sampling undertaken, but Areas 10 and 14 are not currently classified as they have not been commercially viable under the recent management measures. They now contain sufficient

stocks to manage in the manner discussed above, and therefore the next step, if the Authority is minded to approve the recommendations, is to work with the local environmental health teams to ensure that these areas are classified.

Normally this process is initiated by industry as it is not a KEIFCA statutory responsibility but in the spirit of developing this new style of cockle management and setting up a small-scale fishery, officers have been working over the past year to get beds within area 14 classified. This is ongoing but it is expected that classification sampling for the beds within Area 14 will have been completed prior to the start of September. It was hoped that this classification sampling would have been completed earlier to enable a fishery starting in July however unfortunately that has not been possible. KEIFCA are continuing to work with Local Authorities to make smaller beds of stock available.

10. Vessel Monitoring Systems

Taking into consideration the longer opening period being recommended for the fishery, the much wider spatial area recommended to be opened, and the fact that the TECFO fishery and the permit fishery will be open at the same time; officers are setting out an expectation that all vessels should operate a Vessel Monitoring System (VMS). All >12m vessels are already required to be fitted with a VMS+ system which its for example utilised in the management of the TECFO fishery. The majority of <12m vessels will now have been fitted with an IVMS (Inshore VMS) system. The permit byelaw does provide a mechanism under the permit conditions where a vessel may be required to have a VMS unit fitted. Officers will be exploring the route to enacting this provision prior to the fishery starting.

11. 2024 Fishery Management

Following consideration of the previously discussed items I **RECOMMEND** the following management measures.

Recommendations:

In respect of the Permitted Cockle Fishery

- (a) The Management Plan requirement that any open areas shall contain a minimum of 350 tonnes of cockles shall be waived for the 2024 season, subject to continual review throughout the fishery.
- (b) The Total Allowable Catch (TAC) should be set initially at 372 tonnes and that information related to the stocks will be continually reviewed throughout the season to ensure sustainability.
- (c) Reallocation of TAC, and therefore extension of the fishing season, may be made in the event of any remaining TAC.
- (d) That the described zonal management of Area 7 be undertaken in order to provide for a manila clam fishery trial.
- (e) The Buxey Sand bed of Area 7 and Area 14 shall be opened to fishing, and that information related to fishing activity, catch rates and vessel density will be continually reviewed throughout the season to ensure sustainability.

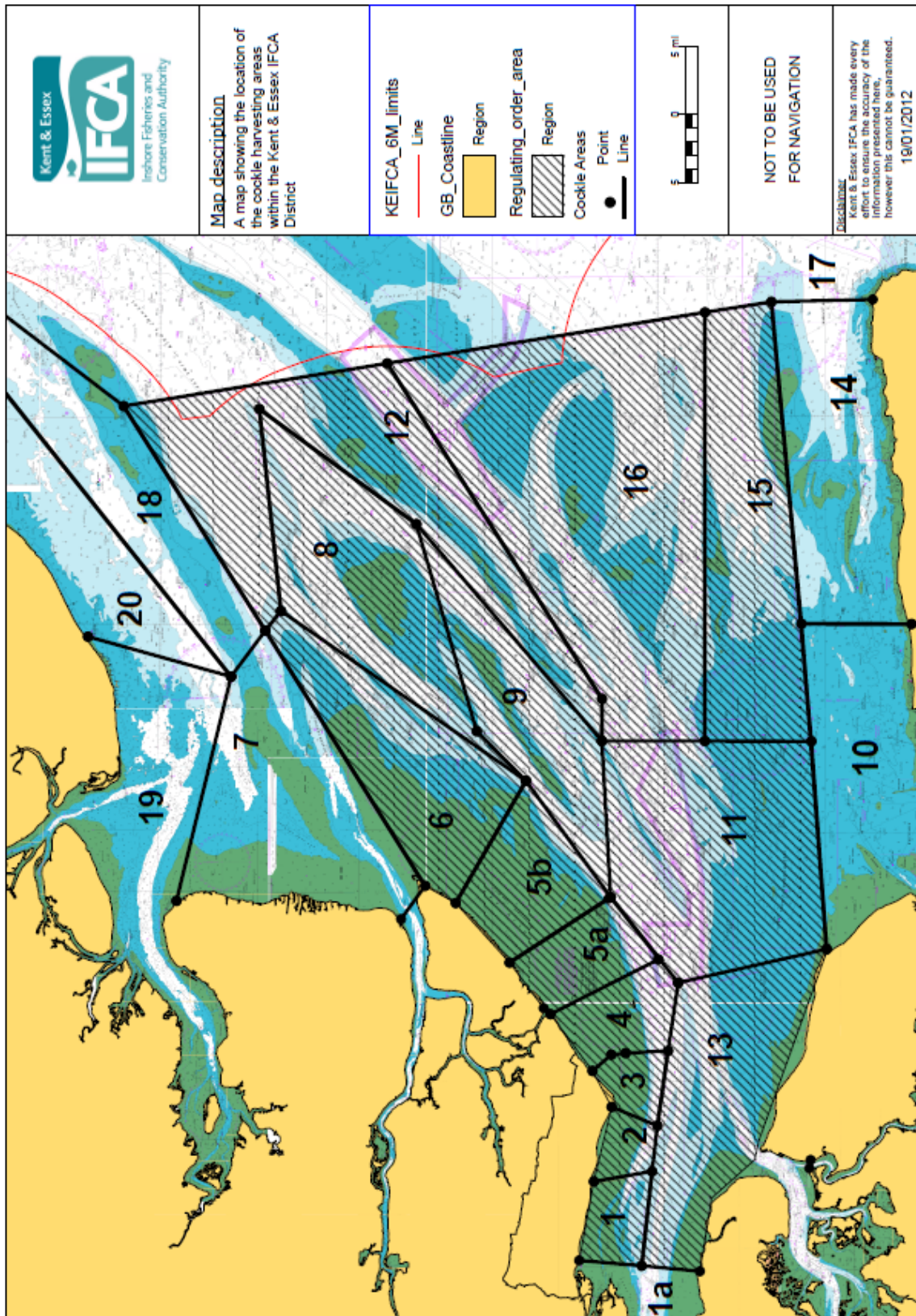
- (f) That the Chief IFCO be authorised, after consultation with the Chairman and Vice Chairman, to implement changes to fishing controls to ensure future sustainability including for the purposes of (b). These will be communicated to Members following decisions being made.
- (g) That the fishery will commence at 1800 hrs on Sunday 1 September 2024.
- (h) Provisional fishing allocations will be as follows, this will also be subject to further amendment;
- (i) 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 permit holders will be permitted to make the following specified numbers of landings.

Dates	Specified landings per period
1 September – 27 September	1

- (j) The maximum quantity of cockles that may be landed or carried on board will be 3.39m³/125 baskets per fishing trip (approx. equivalent 3 tonnes).

The Authority is asked to **APPROVE** the above recommendations.

Appendix A



A chart showing the cockle production areas within the Kent and Essex IFCA District