



Agenda Item C6 Compliance and Enforcement Update

Enforcement report for the period September - November 2023

Introduction

In undertaking its regulatory responsibilities, KEIFCA starts from the position that most people, organisations, and industries that use the marine area in the KEIFCA district are compliant with the regulations and controls that affects them. KEIFCA works to try to ensure that all parties understand both what rules apply to their industry and the justification for this regulation. Full compliance with national and local legislation is the overall aim of the Authority.

This aim is best achieved through the adoption of an adaptive co-management approach to fisheries management. Adopting the 'Prevention, Intelligence and Enforcement' model used by police forces across the UK, we are making best use of proven methods, using a proportionate approach and ensuring the taxpayer receives value for money.

Prevention Activity

Engaging and educating stakeholders is key to achieving compliance objectives and is promoted in person during patrols and remotely via social media and our website. We continued to promote and educate on compliance with recreational angling measures by distributing free minimum size stickers and business cards at angling hotspots and tackle shops. Over the summer we have ramped up visible presence in favoured angling locations both at sea and on the coast to promote awareness of minimum size and seabass recovery measures. We have also renewed key legislative infographics to be printed in local 2024 tide tables for Port of London, Crouch Harbour Authority and other key ports. As always, we encourage the fishing community to communicate with IFCOs, and have responded to numerous enquiries from commercial and recreational fishers where they require clarification on our byelaws or other legislation.

Intelligence Activity

Being a shorter period, there have been fewer intelligence reports processed by KEIFCA between September and the start of November, with a total of 33 reports. These reported on issues such as illegal bass fishing activity in the commercial and recreational sectors, iVMS compliance and uptake for the under 10m fleet, illegal lobster fishing gear, whelk fishery compliance issues, and marine protected areas among other issues. All intelligence reports are assessed

and collated, and then used to inform the prioritisation of enforcement objectives through the biweekly Tasking and Coordination Group (TCG) meetings. TCG taskings give enforcement officers clear direction to focus on significant non-compliance issues, and therefore plan targeted patrols to have the greatest impact.

Enforcement Activity

Joint working

Joint agency patrols in this period have been conducted with Southeast MMO officers, Essex Police Marine Unit and Eastern IFCA. Our frontline officers in Kent played a pivotal role in developing intelligence regarding a commercial fishing vessel breaching bass regulations in South Kent, which culminated in a joint inspection with IFCO and MEOs and the detection of a suspected fishing gear infringement on the vessel of interest. This is the latest in a series of successful targeted joint inspections to combat illegal bass fishing with our partners from the MMO. Working relationships such as this are sending a strong compliance message to industry, promoting positive communication between our organisations, and ultimately delivering tangible enforcement outcomes.

Cockles

The Thames Estuary Cockle Fishery Order (TECFO) remained open until the start of October this year, and in the final weeks of the season only one verbal warning issued.

KEIFCA are continuing to investigate two TECFO vessels for suspected fishing activity in a closed area and have conducted interviews under caution with the masters and owners of vessels to further the investigation. The case file is currently being built and will then be reviewed by legal advisors to assist in the determination of an outcome.

For first time in 2023, the Cockle Permit Fishery was opened at the same time as the TECFO fishery, for one trip per week with a 3 tonne catch limit per vessel. Both FPV Nerissa and FPV Vigilant were deployed at sea to monitor the permit fishery and conduct damage rate inspections. KEIFCA targeted damage rate inspections on cockle fishing vessels that were fishing exclusively in the permit fishery (i.e. non-TECFO boats) and encouragingly all those boarded at sea passed inspection with damage rate below the required 10%. Catch limits were all adhered to on landing inspection for the permit fishery, however IFCOs did issue four verbal warnings for relatively minor infringements including failure to give notice of departure on a permit trip.

Marine Protected Areas

Marine Protected Areas continue to be monitored from sea, from shore and remotely using AIS and VMS vessel tracking. Sea patrols in Essex have been conducted aboard FPV Vigilant to monitor Essex Estuaries SAC and BCRC MCZ and no infringements were detected. In Kent, further intelligence has been developed regarding occasional bait digging in the Medway No Take Zone, and in response our officers have increased patrols in the area over low water.

Whelk Fishery

Whelk fishing has only just started to pick up as the water temperature has dropped off, however this has been delayed by the unseasonably warm weather throughout September and October. Whelk inspections to assess compliance with KEIFCA's permit byelaw conditions will be high on the priority list over the winter, with a regime of landing inspections from shore and gear inspections at sea planned for the next period.

Bass

Bass catches have been high in September and October. Compliance within the recreational angling community has been good with no persons being found to retain undersize bass, or more than 2 per day. In the commercial sector, there have been ongoing compliance issues. These include retention of undersize fish, and gear infringements including drift netting and use of multiple gears. KEIFCA continue to work closely with the MMO to conduct targeted inspections based on the best available intelligence. Following joint work in South Kent in the last period there was yet another offence detected following an inspection of a vessel of interest. MMO are leading the investigation which is ongoing.

Offence Reports in the last quarter - 9 offences detected in total

X1 offence for retention of undersized bass by a commercial vessel.

X1 offence for carriage/use of multiple gear types by a commercial vessel on a bass fishing trip.

X1 offence for illegal netting in private grounds.

X1 offence for recreational angler retaining undersized mackerel - suspect interviewed under caution and issued with official written warning.

X5 offences for commercial cockle vessels failing to provide 2 hour notice of landing or departure.

Scientific dispensations issued:

Ten scientific dispensations have been issued since May, granting exemption from KEIFCA byelaws for scientific research including trawl, seine netting and crab sampling surveys.

Hayden Hurst, Lead Compliance Officer