



Agenda Item C6 Compliance and Enforcement Update

Enforcement report for the period January 2024 to May 2024

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. Angling activity has increased rapidly with improved weather and the emergence of bass in local waters, and officers have continued to patrol key locations both at sea and on the coast to promote awareness of minimum size and bass regulations, particularly with respect to the bass closed season in February and March. 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

Intelligence reporting has risen steeply as fishing activity has picked up with 38 reports processed by KEIFCA between February and the start of May. These reported on issues such as bass regulation breaches, shellfish gathering, unlicensed shore netting, fyke netting, and Marine Protected Area infringement. 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 the MMO, Environment Agency, and Essex Police Marine Unit. This has included dedicated operations with the MMO to target illegal bass fishing by commercial operators during the closed season in February and March, and with the EA to prevent illegal use of fyke nets which are a licenced fishing instrument used to target the highly valuable yet threatened European eel. Attendance from partner agencies at KEIFCA TCG meetings has been excellent, with representatives from the abovementioned agencies in addition to neighbouring IFCA's, Border Force, and MMO intelligence teams. This type of ongoing cooperation and information sharing is key to ensure all partner agencies maintain an understanding of current and emerging compliance risks from other organisations, promoting inter-agency intel dissemination which enables us all to work more effectively.

Cockles

All cockle fisheries remained closed throughout this period, however KEIFCA has concluded two investigations relating to TECFO vessels fishing in a closed area during the August 2023. Following legal advice, KEIFCA dispensed with these offences by means of Financial Administrative Penalties (FAP) in both cases, and as a result these investigations are now being closed.

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. KEIFCA are eagerly anticipating the long-awaited Statutory Instrument that will introduce Inshore Vessel Monitoring Systems as a legal requirement on all commercial fishing vessels in the coming months. This technology will greatly assist with remote monitoring of fishing vessels, particularly in respect of vessels operating in and around MPAs with byelaw restrictions such as prohibitions on bottom towed gear.

Whelk Fishery

Whelk fishing activity has been high throughout the period, and in response to this KEIFCA have escalated the priority for whelk inspections to assess compliance with the permit byelaw, in line with our annual enforcement risk matrix. Officers have primarily been tasked with carrying out landing inspections to assess minimum sizes of commercial whelk catches. Nine inspections have been carried out since February, with two offences detected for undersized

whelks. One of these was a relatively minor infringement and dealt with by means of a verbal warning, and the other was more significant which has triggered an investigation. The master of the vessel has been interviewed under caution and the case file is currently under review, with the outcome pending legal advice.

Bass

February marked the start of the bass fishery closure for both commercial and recreational fishers, and accordingly patrol efforts to promote compliance were prioritised, especially when bass catches during January had been maintained by a number of netters. KEIFCA carried out targeted operations with colleagues at South East MMO in response to intelligence received regarding commercial retention of bass during the closed season, with six vessels inspected and a target premises searched. KEIFCA also seized an abandoned drift net at sea which was likely deployed to illegally target bass in the closed season, however we were not able to determine ownership and investigate the offence further. In terms of recreational bass fishing activity, KEIFCA have inspected charter vessels, and individual shore anglers, with no offences found.

Since April the bass fishery has opened again, and saw reasonable quantities being landed initially before an algal bloom known as "may-weed" suppressed catches. KEIFCA will continue to work with partners and maintain a vigilant watch over the coming months to ensure that bass is only caught in compliance with regulations, which restrict gear type and catch limits. As ever, preventing illegal drift netting for bass will remain a key priority.

Offence Reports in the last quarter

- X1 offence for not reporting gear lost at sea. Abandoned drift net seized – no ownership established
- X2 offences for commercial retention of undersized whelks. One dealt with by means of verbal warning, and the other remains under investigation.
- X1 offence notice issued for unmarked gear

Scientific dispensations:

Nine scientific dispensations have been issued since May, granting exemption from KEIFCA byelaws for scientific research including international stock assessment surveys, juvenile fish sampling, and berried lobster retention for a hatchery.

Hayden Hurst, Lead Compliance Officer