



## **Agenda Item C6 Compliance and Enforcement Update**

### **Enforcement report for the period September to November 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.

#### **Engagement 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.

This October our officers have been exceptionally busy undertaking a new engagement focused project with local fishermen, running a trial Manila Clam fishery in the Thames. This exciting opportunity to engage with industry to develop a sustainable new fishery has resulted in patrol vessels from both sides of the Thames converging on designated trial areas on almost a daily basis to carry out monitoring boardings of boats participating in the trail. Twenty-five boardings were carried out during the fishery, gathering vital data on various types of experimental dredges, minimum size grading, and damage rates. The teams also carried out four landing assessments of clam catches to monitor volume and compliance with minimum size. Feedback from officers and industry alike has been overwhelmingly positive, and we hope this ongoing workstream will result in an exciting, sustainable and profitable future fishery for the inshore fleet.

As ever, we have 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. 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**

IFCAs and MMO have continued to develop and improve the new purpose-built intelligence system "Clue" this autumn. This system standardises and modernises intelligence reporting and sharing between partner organisation on the coast, making information more searchable, creating links between compliance risks, and allowing more effective enforcement planning.

Intelligence reporting more than doubled in the last period with 164 reports received and triaged by KEIFCA. These reported potential breaches of legislation including categories such as bass regulations infringements from both the commercial and recreational sector, illegal whelk fishing, unregistered netting, and shellfish gathering. All intelligence reports are assessed and collated, and then used 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 working has continued in autumn with a joint agency operation to target non-compliance in the bass fishery in Essex. This dedicated operation to inspect commercial vessels across North Essex ports with East Marine Team MMO officers, with a 48-hour coverage in key ports by officers during the operation. This resulted in the inspection of three commercial vessels of interest and one offence being detected for MMO investigation.

We have also carried out RIB training with Essex Police Marine Unit, Eastern IFCA and Northumberland IFCA.

#### *Cockles*

The Thames Estuary Cockle Fishery Order (TECFO) and the cockle permit fishery were both open during September. For the TECFO, twenty-two inspections were carried out resulting in two offences being detected. One was for giving less than two hours' notice of landing and was dealt with at the time by means of verbal warning. The other was an offence of minor overloading, and was also dealt with by means of verbal warning due to it being a first offence. For the permit fishery, thirteen inspections were carried out in September and a watchful presence at sea was maintained to ensure that spatial restrictions were complied with. No offences were detected in this fishery. Both cockle fisheries closed at the end of September.

#### *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, several patrols have covered prohibited areas for bottom towed gear including Thanet Coast and Folkestone Pomerania with no compliance issues, and also shore patrols have covered the Medway No Take Zone with no incidents reported.

### *Whelk Fishery*

Whelk fishing has started to pick up at the end of this period as the waters off Kent and Essex cool, and netting opportunities for finfish such as sole have started to slow down. FPV Nerissa carried out whelk gear hauling inspections in the South Kent area, and found a fleet of whelk pots that did not have the correct escape holes or permit tags, constituting an offence under the KEIFCA whelk permit byelaw. All forty-nine pots were seized as evidence, and the owner has been contacted. An interview under caution with the owner of the seized gear has been arranged, and the investigation remains ongoing. Moving into the next period, whelk fishery inspections will become a key priority, including further gear inspections at sea, and landing inspections to assess catch from shore.



*Above: FPV Nerissa hauling whelk pots to check compliance with the KEIFCA Whelk Fishery Permit Byelaw. All surface gear must be clearly marked with the PLN of the permitted vessel, and pots must be fitted a uniquely numbered permit tag and a minimum of ten 25mm escape holes.*

## *Bass*

Bass catches have continued to increase throughout autumn, and as such KEIFCA have responded with a drive to target vessels catching bass to ensure compliance with national bass regulations. KEIFCA officers have been carrying out targeted inspections of both charter and private recreational boats to check compliance with minimum sizes and the two bass per day bag limit. Some offences were detected for undersized mackerel and skinning shark species at sea, but no bass offences were found. Furthermore, an unregistered shore netter was inspected and found to be retaining bass and other undersized fish species. This offence is being treated seriously and remains under investigation.

In the commercial sector, netters have been targeted to ensure that catch limits are adhered to and that no vessels are using illegal drift nets, as this gear type is prohibited to be used when catching bass. In order to maintain compliance KEIFCA carried out seven targeted inspections of commercial bass vessels, however no offences were identified. KEIFCA has also carried out a joint operation with East Marine Team MMO to inspect commercial bass vessels, which has resulted in an MMO investigation being launched for a trawler infringements.

### **Offence Reports in the last quarter – 29 offences detected in total**

- X2 offences in the Thames Cockle fishery for first offence minor overloading and failure to give 2 hours' notice of landing, both dealt with by verbal warning.
- X2 offences for undersized Mackerel being retained by recreational anglers.
- X1 offence for skinning dogfish and smoothound at sea contrary to shark finning regulations.
- X1 offence for unregistered shore netter retaining undersized fish contrary to KEIFCA byelaws and retaining bass contrary to national bass regulations.
- X2 offence notices for unmarked lobster pots
- X1 offence for breaching gear construction requirements of whelk permit byelaw. 49 whelk pots seized as evidence and investigation is ongoing.

### **Scientific dispensations issued:**

Three scientific dispensations have been issued since September, granting exemption from KEIFCA byelaws for including Environment Agency trawl surveys.

*Hayden Hurst, Lead Compliance Officer*