



## **Agenda Item C6 Compliance & Enforcement Report Kent & Essex Inshore Fisheries and Conservation Authority Quarterly Report for the period May 2023 to September 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 conservation measures. 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 more than doubled in the last period with 114 reports processed by KEIFCA. These reported potential breaches of KEIFCA byelaws, issues of fish transport and traceability, health and safety aboard fishing vessels, wildlife crime, updates of vessels of interest, and illegal bass fishing activity in the commercial and recreational sectors. 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*

It has been an excellent summer of joint working, with multiple joint agency patrols both at sea and on shore with our partner enforcement agencies including East and Southeast MMO officers, Local Authority Environmental Health Officers, Environment Agency fisheries enforcement teams, Essex Police Marine, and Kent Police Rural Taskforce. In particular, two targeted joint operations with each of our respective local MMO coastal teams in Kent and Essex have led to the detection of offences for breaches of bass regulations by commercial fishing vessels, specifically the use of an unauthorised gear type (drift nets), use of multiple gears and misallocation. These suspected offences are currently under investigation and enforcement outcomes are yet to be determined.

### *Cockles*

The Thames Estuary Cockle Fishery Order (TECFO) opened at the start of July this year, and as usual KEIFCA have implemented a comprehensive operation order to address compliance and enforcement of this key fishery in 2023. Both FPV Nerissa and FPV Vigilant were deployed at sea extensively over the first month of the fishery, with officers carrying out at sea boardings to assess damage rates of all vessels in the fleet. Most vessels passed their initial assessment with less than 10% damaged cockles in sampled catches, however some vessels failed initially and were advised to make alterations to the gear to reduce damage to cockles. All but one vessel passed on second inspection, and the remaining vessel passed on the third and final inspection, meaning all licence holders were issued with gear approval for the rest of the season. After damage rate inspections were complete, the enforcement focus turned to landing inspections from shore to check compliance with catch limits. Load lines have not been exceeded by any vessel so far this season, however, there have been a small number of infringements detected with regard to vessels giving the required 2-hour notice of landing, for which warnings have been issued by officers. The main compliance concern in the 2023 cockle fishery has stemmed from the detection of suspected incidences of three different vessels fishing inside a closed area. These suspected offences are being treated extremely seriously but the investigation remains in the early stages at the time of writing. Once the full circumstances surrounding these events have been investigated, KEIFCA will provide a full report on any outcomes.

### *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, a trawler operating close to the Thanet Coast SAC bottom towed gear prohibited area was warned to stay clear of the area. There has also been intelligence to suggest infrequent incidences of bait digging and recreational angling inside the Medway No Take Zone, and in response

our officers have increased shore patrols to the area, especially outside of office hours including early mornings, evenings and weekends.

### *Whelk Fishery*

Whelk fishing has dropped off in the Thames during this period as fishers have sought to exploit other fisheries over the warmer months. Fishers have continued to fish for whelks in the deeper waters offshore to the east of Thanet, Folkestone and Dungeness however, and landing inspections of catches have shown good compliance overall with minimum size, with only 1 verbal warning issued to a skipper for retaining a very small percentage of <45mm whelks caught outside of the KEIFCA district.

### *Bass*

Bass catches were good for both commercial and recreational vessels in spring and early summer, before dropping off in mid-summer, only to bounce back again in August. 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, fishing by drift nets remains an ongoing issue, as this gear type is prohibited to be used when catching bass. KEIFCA have worked closely with the MMO on both sides of the Thames to combat illegal drift netting and other gear related offences with targeted operations based on the best available intelligence. Following joint agency inspections of vessels that presented a compliance risk the MMO is currently investigating two separate vessel owners for breaches of bass regulations. The investigations are ongoing and therefore the outcomes are pending.

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

- X9 offence notices for unmarked gear.
- X7 offence notices for undersized escape gaps on lobster parlour pots, legal size escape gaps issued by KEIFCA at the time of inspection.
- X3 offences where lobster pots were seized for significant breaches of the parlour pot byelaw – no identifying marking, no/incorrect/obstructed escape gaps, pots cable tied shut.
- X2 unmarked and abandoned gillnets nets seized and removed from the marine environment. Large quantities of dead fish have been disposed of, and no ownership has been established.
- X1 offence detected on landing inspection of commercial whelk fishing vessel for retention of undersize whelks (small percentage 45mm statutory size) - verbal warning issued to skipper for first offence.
- X1 offence for commercial netter retaining undersized spider crab, verbal warning issued to skipper for first offence.
- X2 offences for commercial cockle vessels failing to provide 2 hour notice of landing.
- X3 offences for commercial cockle vessels fishing in a closed area. The case is currently under active investigation by KEIFCA.

**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*