

By: KEIFCA Chief Fishery Officer

To: Kent & Essex Inshore Fisheries and Conservation Authority
– 7 March 2023

Subject: **Boundaries of the regulating order**

Classification Unrestricted

Summary:

The paper outlines the finalising of the boundaries of the regulating order and reviews feedback from the consultation.

Recommendation

Members are asked to:

1. **APPROVE** and **COMMENT** on the boundary lines as consulted upon.

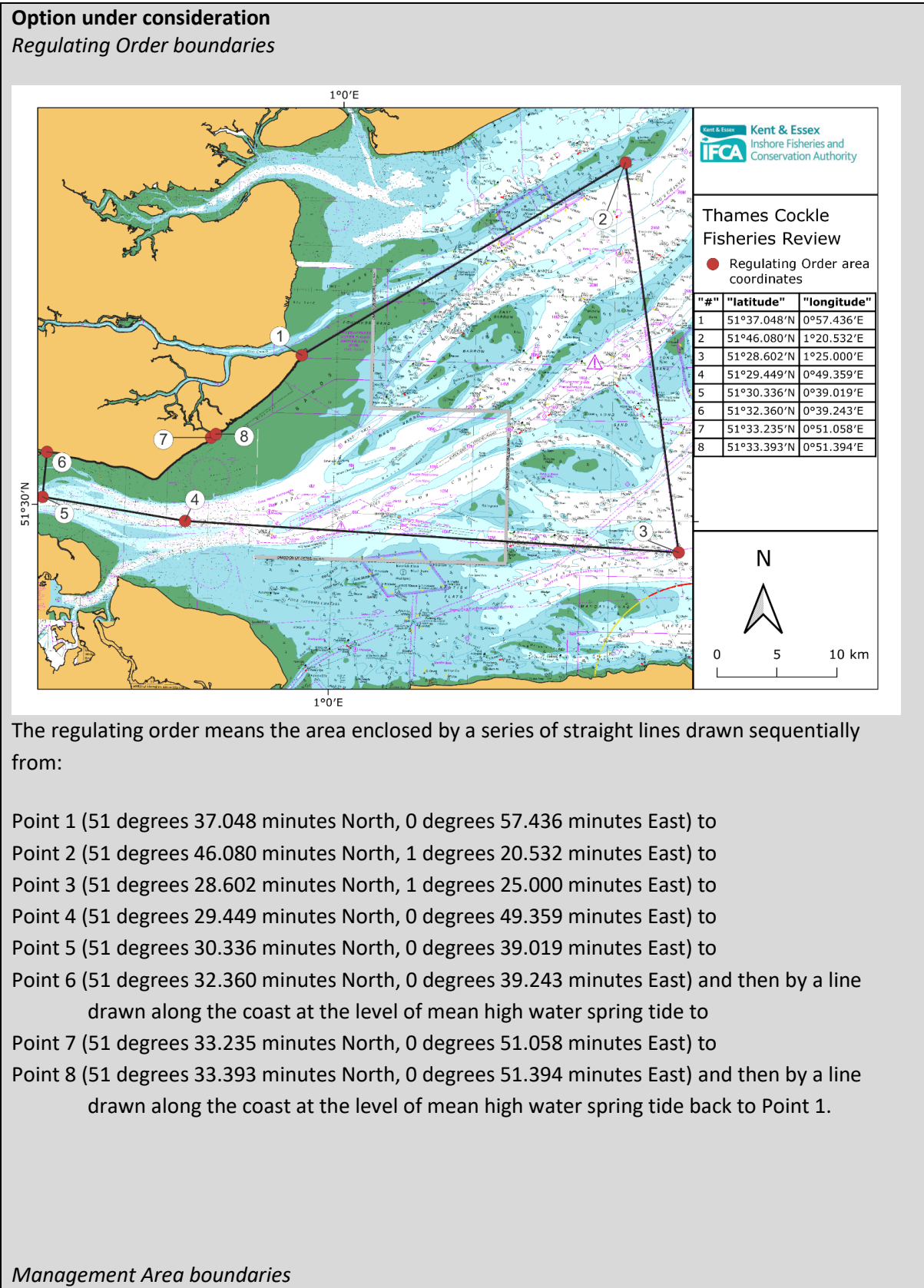
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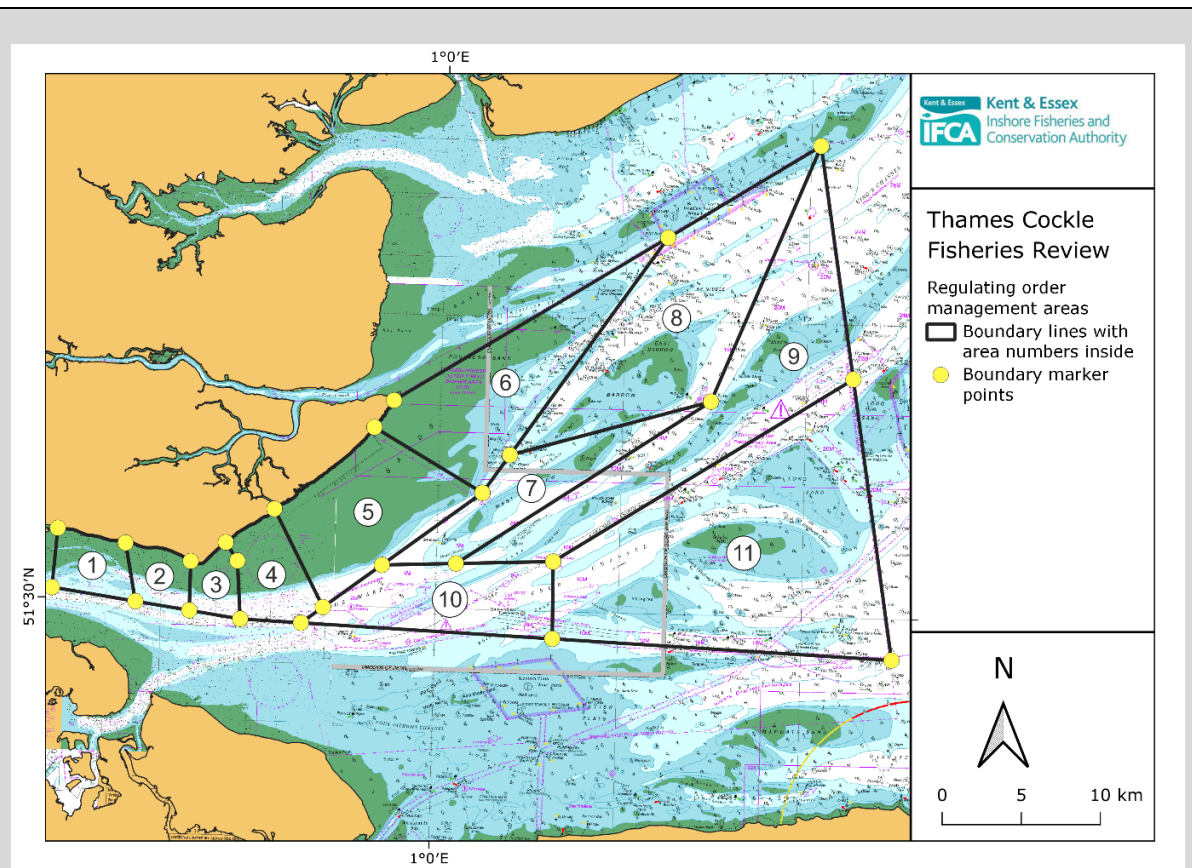
Following Consultation 2, Members decided on the framework for future cockle fisheries. The agreed new management framework outlined the boundary of the new regulating order. For Consultation 3, officers conducted further work on refining the boundaries. Some of the area boundaries were tweaked to better encompass existing sand banks and cockle beds and as an adaption to more accurate geolocation than was available when the areas were first created under the TECFO 1994

Finalising the boundaries

In setting the boundaries, the Authority has taken account of all of the stages of consultation so far, considering the feedback presented by different types of stakeholders. The new framework is designed to contain a main fishery area managed by regulating order as well as small scale permit fishery which extends the area available to the permit fishery on the southern side of the Thames. It is the spirit of this decision, already made by the Authority, that officers have considered when developing the boundaries consulted upon.

In setting up a new regulating order, the Authority has consulted stakeholders on the following proposed boundaries;





Management areas within the new regulating order will be created using the following boundary points.

“AREA 1” means the area enclosed by a series of straight lines drawn sequentially from:
 Point 1 (51 degrees 32.360 minutes North, 0 degrees 39.243 minutes East) to
 Point 2 (51 degrees 30.336 minutes North, 0 degrees 39.019 minutes East) to
 Point 3 (51 degrees 29.944 minutes North, 0 degrees 43.605 minutes East) to
 Point 4 (51 degrees 31.926 minutes North, 0 degrees 42.972 minutes East) and then by a line
 drawn along the coast at the level of mean high water spring tide back to Point 1.

“AREA 2” means the area enclosed by a series of straight lines drawn sequentially from:
 Point 1 (51 degrees 31.926 minutes North, 0 degrees 42.972 minutes East) to
 Point 2 (51 degrees 29.944 minutes North, 0 degrees 43.605 minutes East) to
 Point 3 (51 degrees 29.690 minutes North, 0 degrees 46.564 minutes East) to
 Point 4 (51 degrees 31.368 minutes North, 0 degrees 46.564 minutes East) and then by a line
 drawn along the coast at the level of mean high water spring tide back to Point 1.

“AREA 3” means the area enclosed by a series of straight lines drawn sequentially from:
 Point 1 (51 degrees 31.368 minutes North, 0 degrees 46.564 minutes East) to
 Point 2 (51 degrees 29.690 minutes North, 0 degrees 46.564 minutes East) to
 Point 3 (51 degrees 29.449 minutes North, 0 degrees 49.359 minutes East) to
 Point 4 (51 degrees 31.430 minutes North, 0 degrees 49.116 minutes East) to
 Point 5 (51 degrees 32.046 minutes North, 0 degrees 48.454 minutes East) and then by a line
 drawn along the coast at the level of mean high water spring tide back to Point 1.

“AREA 4” means the area enclosed by a series of straight lines drawn sequentially from:
Point 1 (51 degrees 32.046 minutes North, 0 degrees 48.454 minutes East) to
Point 2 (51 degrees 31.430 minutes North, 0 degrees 49.116 minutes East) to
Point 3 (51 degrees 29.449 minutes North, 0 degrees 49.359 minutes East) to
Point 4 (51 degrees 29.377 minutes North, 0 degrees 52.688 minutes East) to
Point 5 (51 degrees 29.933 minutes North, 0 degrees 53.861 minutes East) to
Point 6 (51 degrees 33.235 minutes North, 0 degrees 51.058 minutes East) and then by a line
drawn along the coast at the level of mean high water spring tide back to Point 1.

“AREA 5” means the area enclosed by a series of straight lines drawn sequentially from:
Point 1 (51 degrees 33.235 minutes North, 0 degrees 51.058 minutes East) to
Point 2 (51 degrees 29.933 minutes North, 0 degrees 53.861 minutes East) to
Point 3 (51 degrees 33.978 minutes North, 1 degrees 02.412 minutes East) to
Point 4 (51 degrees 36.112 minutes North, 0 degrees 56.402 minutes East) and then by a line
drawn along the coast at the level of mean high water spring tide back to Point 1.

“AREA 6” means the area enclosed by a series of straight lines drawn sequentially from:
Point 1 (51 degrees 36.112 minutes North, 0 degrees 56.402 minutes East) to
Point 2 (51 degrees 33.978 minutes North, 1 degrees 02.412 minutes East) to
Point 3 (51 degrees 42.835 minutes North, 1 degrees 12.241 minutes East) to
Point 4 (51 degrees 37.048 minutes North, 0 degrees 57.436 minutes East) and then by a line
drawn along the coast at the level of mean high water spring tide back to Point 1.

“AREA 7” means the area enclosed by a series of straight lines drawn sequentially from:
Point 1 (51 degrees 31.428 minutes North, 0 degrees 57.022 minutes East) to
Point 2 (51 degrees 31.546 minutes North, 1 degrees 01.069 minutes East) to
Point 3 (51 degrees 37.280 minutes North, 1 degrees 14.800 minutes East) to
Point 4 (51 degrees 35.290 minutes North, 1 degrees 03.865 minutes East) to
Point 5 (51 degrees 33.978 minutes North, 1 degrees 02.412 minutes East) and then by a line
drawn back to Point 1.

“AREA 8” means the area enclosed by a series of straight lines drawn sequentially from:
Point 1 (51 degrees 35.290 minutes North, 1 degrees 03.865 minutes East) to
Point 2 (51 degrees 37.280 minutes North, 1 degrees 14.800 minutes East) to
Point 3 (51 degrees 46.080 minutes North, 1 degrees 20.532 minutes East) to
Point 4 (51 degrees 42.835 minutes North, 1 degrees 12.241 minutes East) and then by a line
drawn back to Point 1.

“AREA 9” means the area enclosed by a series of straight lines drawn sequentially from:
Point 1 (51 degrees 31.546 minutes North, 1 degrees 01.069 minutes East) to
Point 2 (51 degrees 31.698 minutes North, 1 degrees 06.378 minutes East) to
Point 3 (51 degrees 38.148 minutes North, 1 degrees 22.578 minutes East) to
Point 4 (51 degrees 46.080 minutes North, 1 degrees 20.532 minutes East) to

Point 5 (51 degrees 37.280 minutes North, 1 degrees 14.800 minutes East) and then by a line drawn back to Point 1.

“AREA 10” means the area enclosed by a series of straight lines drawn sequentially from:
Point 1 (51 degrees 29.377 minutes North, 0 degrees 52.688 minutes East) to
Point 2 (51 degrees 29.066 minutes North, 1 degrees 06.439 minutes East) to
Point 3 (51 degrees 31.698 minutes North, 1 degrees 06.378 minutes East) to
Point 4 (51 degrees 31.428 minutes North, 0 degrees 57.022 minutes East) and then by a line drawn back to Point 1.

“AREA 11” means the area enclosed by a series of straight lines drawn sequentially from:
Point 1 (51 degrees 31.698 minutes North, 1 degrees 06.378 minutes East) to
Point 2 (51 degrees 29.066 minutes North, 1 degrees 06.439 minutes East) to
Point 3 (51 degrees 28.602 minutes North, 1 degrees 25.000 minutes East) to
Point 4 (51 degrees 38.148 minutes North, 1 degrees 22.578 minutes East) and then by a line drawn back to Point 1.

Feedback from Consultation 3 Below are illustrative examples of replies received from the consultation - For compilation of all the replies please read Appendix 1

Comments from current TECFO licence holders

"For 30 years the North line has been a pain for everyone on both sides of the fishery. Surely now would be a good time to move the north line of area 6 into the middle of the crouch to give a natural divide between the inside and outside areas. I would like to see area 10 extended further south to encompass some of the cant and spile as we all know this is a valuable piece of ground that is relied upon sometimes to keep us going. If the south east corner of the district could be moved to 51'25.45N 001'21.43E that would be a good idea"

"Point 1 should be moved so that the whole of the Maplin sands are inside the new regulated area and not have a small strip outside. Also the southerly line should be redrawn so that the Cant, Red sand, Middle sand and Spile are inside the area. The management areas are fine!"

"We are in agreement with other current TECFO license holders that the following points should be moved:

North ridge line.

Point 1 regulating order boundaries page 29 to.

Point 1a: 51:37:80, 000:57:20 to

Point 1b: 51:38:89, 000:59:92 to

Point 2 regulating order boundaries page 29.

REASONING: This would allow for greater control within the area. The ridge is currently rarely opened due to its proximity to area 6. This alteration would be to the benefit of policing the area and make it feasible to work there.

Southerly Box.

Area3- point 2 as per consultation paperwork to:

51:26:84, 000:49:80 to

51:26:11, 000:55:57 to

51:25:79, 001:08:22 to

Area10 point 2 as per consultation paperwork."

Comments from CFFPB permit holders and the Catching Sector

"The areas were what was agreed. We shouldn't change these, if we are successful within the new fishery, then we will have to live by these new areas. If we are not successful, then we will have what we hoped for within the outside fishery."

"I agree with the new coordinates for the regulating order."

Evaluation questions

As part of the management development process at the June 2022 Authority meeting KEIFCA agreed a vision statement and 13 evaluation questions. The 13 questions create a framework to systematically review different options and have

been used by officers in Consultations 1 and 2 to give a technical evaluation of the different options under consideration. The option outlined in this paper, overlaps primarily with two of those evaluation questions – evaluation question 1 and 3:

1) Creating a well-managed fishery

- a) *Does the fishery have a simple framework that is easy for fishers, Authority members and other stakeholders to understand and work within?*
- c) *Does the fishery have clear rules and regulations and is it straightforward for KEIFCA officers to enforce and fishers to comply with?*

2) Helping support a prosperous and resilient local coastal economy

- b) *Does the fishery provide a framework that will help sustain a viable long-term cockle industry in the KEIFCA district?*

Having management areas which are as simple as possible and are grounded in real-world geographical features where possible keep the management framework as simple as possible for both fishers and KEIFCA officers, both for comprehension and compliance. The management areas allow KEIFCA to respond to future challenges and issues in a spatial manner, where each bed can be managed as required.

Officer comments

Within the consultation responses, there were a number of replies from the current TECFO licence holders, as well as the Thames Estuary Fishermens Association (TEFA) which advocated changes to both the northern and southern boundaries of the proposed regulating order. Following conversations with some licence holders and their representatives, officers have mapped the suggested changes onto the management framework as consulted upon. Figure 1 shows the option as consulted upon in green and the proposed changes in red.

The northern boundary as consulted upon does cut across the edge of the Foulness Sands, however that area does fall within the ownership of the Crouch Harbour Authority and permission is needed from all landowners prior to the application for the regulating order. Conversations have taken place between officers of KEIFCA and officers of CHA and the relatively low numbers of cockles on that edge would likely not compensate for the increased complexity of working with another landowner in this area.

The proposed southern boundary change is a significant departure from the management framework (New Jamaica) that was decided upon by the Authority previously and as such is not in the spirit of the management framework as consulted upon.

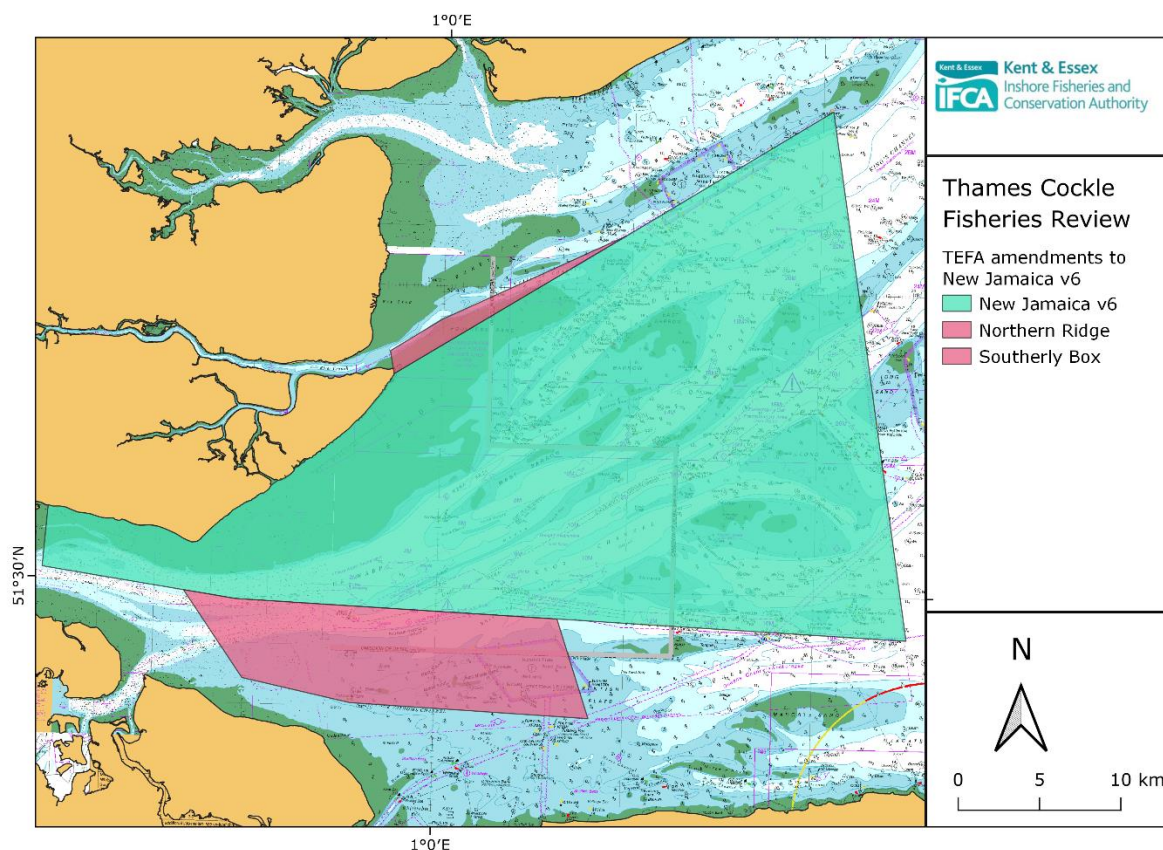


Figure 1. Comparison of consulted management framework with TEFA proposals

Recommendation

The external boundary lines and internal management area lines as consulted upon are slightly modified developments of what has been in place for the duration of TECFO 1994. They have been modified slightly to account for the changes in where cockles have been worked and to account for the better mapping technology available to officers in the present day.

RECOMMENDATION

Members are asked to:

1. **APPROVE** and **COMMENT** on the boundary lines as consulted upon.