

Kent & Essex Inshore Fisheries and Conservation Authority

MINUTES of a meeting of the Authority held in the Council Chamber, Gravesham Council, Windmill Street, Gravesend, Kent DA12 1DD on Tuesday 12 September 2023

Present: Mr J Nichols (MMO), Mr J Rowley (MMO), Mr R Turner (MMO), Mr E Hannam (MMO), Cllr T Hills (KCC), Cllr C Broadley (KCC), Mr W East (MMO), Mr C Collins (MMO), Mrs E Gilson (MMO), Mr A Baker (NE)

Apologies: Cllr J Lamb (Southend City Council), Cllr D Crow-Brown (KCC), Cllr S Curry (Medway Council), Cllr G Coxshall (Thurrock Council), Cllr A Goggin (ECC), Cllr J Fleming (ECC), Cllr M Skeels (ECC)

In Attendance: Mr J Cook (Clerk, KCC), Ms L Tricker (KCC), Dr W Wright (Chief Fishery Officer), Mr D Bailey (Assistant Chief IFC Officer), Mrs K Woods (Admin Assistant), Mrs D O'Shea (Office Manager)

By Invitation: Mr T Coulter (DP World), Mr A Senechal (McAllister, Elliot & Ptnrs), Mr M Lee (H R Wallingford)

Laid around the table: email from Mr M Barnes dated 9 September 2023

The Vice Chairman took the Chair in the absence of the Chairman, Cllr Lamb. He advised Members that two new MMO appointees had been appointed to the IFCA and welcomed Mr Craig Collins and Mr William East who had been appointed by the MMO in part for their interest and involvement in the angling sector. Cllrs Derek Crow-Brown and Conrad Broadley had been appointed to the IFCA by KCC following the resignation of Cllrs Dendor and Baker.

18. DECLARATION OF MEMBERS' INTERESTS (A1)

The Vice Chairman requested Members to declare any interests on the Agenda item prior to it being dealt with and advised that those with a disclosable Pecuniary Interests and Other Significant Interests may not vote on that Agenda item. The Vice Chairman reminded Members that they could declare an interest either at this time or prior to the agenda item being discussed.

Mr Turner declared a personal interest in the cockle fishery as a member of ROFF.
Mrs Gilson declared a pecuniary interest in respect of Agenda item B2.

Mr Nichols declared a personal interest as Chairman of TFA in respect of the presentation by DP World.

Cllr Hills advised that his son was a commercial angler.

Cllr Broadley declared an interest in that he was involved in two projects to allow migratory fish access to water quality by extending Broadness Creek at Swanscombe.

Mr Collins declared an interest in matters relating to bass stocks due to his involvement in match and recreational angling.

19. MINUTES

Members agreed that the minutes of the meetings held on 25 May 2023 and 14 July 2023 were correctly recorded and that they be signed by the Vice Chairman. No matters were arising.

20. REVENUE BUDGET MONITORING (B1)

The Accountant to the IFCA provided Members with details of the estimated financial outturn for the Authority at the 31 July 2023. An underspend of £56,371 was currently forecast, although this was subject to change as the year progressed.

The underspend had been brought about by income generated from the cockle permit fishery as well as an increase to the cockle licence fee which had not been budgeted for. In addition, the Essex Fishery Officer post had not been filled and the cost of fuel for the IFCA's vessels was not as high as forecasted when the budget was set.

Members were reminded that the cost of the Science and Conservation Officer was being funded from a DEFRA grant. The two HiLux vehicles had been scheduled to be replaced. One would be received in the 23/24 financial year and the other in the 24/25 financial year. Costs for these would be taken from the IFCA's reserves. Members were provided with details of the reserves held and advised that a total of £38,132 was currently being held on behalf of the Association of IFCAs, being the balance of funds from the NLTO post that the IFCA had hosted.

Members **APPROVED** the forecast underspend of £56,371

10:15 Mrs Gilson declared a pecuniary interest and left the room

21. 2023 COCKLE FISHERY MANAGEMENT UPDATE (B2)

Members were advised that the TECFO cockle fishery had opened on 2 July 2023. Catch rates and growth rates during the season had been good. The maximum 11 tonnes per trip had been consistently landed and the weather had been less hot than the previous year with more rainfall. Yields were reported as above average and in addition the fleet

had located cockles on area 11 which had provided a number of trips for some of the vessels.

Area 15 – as requested by Members at their last meeting, North Margate Sands was re-surveyed in August. Members were reminded that at the start of the year there were sufficient cockles found for two trips each vessel. As a result of this new survey and its findings and on discussion with the Chairman and Vice Chairman a decision was made to agree an extension to the season and allow an increase from two trips to five trips per vessel to Area 15. This had increased the total number of trips for the fleet from thirty to thirty-three and increased the TAC from 4620 tonnes to 5082 tonnes. The TECFO fishery was scheduled to end on 6 October 2023.

In respect of the Flexible Permit Byelaw Cockle fishery, the ACFO reminded Members that at their last meeting they had made a decision to only issue Category 2 permits in respect of this fishery with a limit of 3 tonnes per trip only to be landed. As a result of this, of the thirty-six permit applications received, six decided to withdraw their application and received a full refund. Twenty-seven converted to a Category 2 permit and received a partial refund. Since 2014 only Area 7 had been opened, but surveys had shown that cockles had been found in Areas 10 and 14 that were suitable for harvesting. Areas 10 and 14 had not been classified for food health purposes for some time and the IFCA contacted the relevant Local Authorities at the beginning of July to begin working with them to obtain the necessary classifications. A request was made that these applications be fast tracked but issues with water quality meant that the Local Authorities and Food Standards Agency (FSA) were reluctant to do so. In respect of Area 10, the owners of the private grounds located there raised concerns that the whole area would be classified and in addition local cockle vessels stated that they felt there were insufficient cockles to justify classifying the area. As a result, the application was halted and the fishery would not be opened in Area 10 this year.

In respect of Area 14, Thanet DC officers came out on Nerissa to carry out an examination of the beds. The application was sent to the FSA who again would not fast track it which meant the beds would not be classified until the end of October which was outside the provisions of the HRA for the fishery.

The ACFO advised members that this meant that only Area 7 would be opened. All permit holders had been notified and some vessels had decided not to fish. The fishery had opened on 11 September with two boats fishing on that day. It was expected that the majority would go out on 13 September. The provisional TAC remained at 432 tonnes.

Officers would continue to work with the Local Authorities and would be taking samples on behalf of Thanet DC. Density charts had been provided to the Industry to indicate where the cockles were in Area 7. Members were reminded that once the new Regulating Order came in then more beds would be available to the cockle permit fishery.

Members **NOTED** and **APPROVED** the actions of officers.

10:30 Mrs Gilson rejoined the meeting

22. VESSEL MANAGEMENT – NEW BUILD AND INSURANCE (B3)

Members were advised that the IFCA had been awarded funding from DEFRA of £300,000 to be used for the purchase of a 9m to 10.5m cabin RIB. Any additional spend over this amount would have to be funded by the IFCA. A decision needed to be made by the end of the financial year who the supplier of the RIB would be in order to qualify for the grant. This would require using a tender process. The ACFO informed Members that Southern IFCA currently had a cabin RIB in build and that Northumberland IFCA had recently purchased one. The estimated cost of this RIB would be £350,000 to £400,000. Members were reminded of the current vessels that the IFCA operated:

Tamesis – a 12m catamaran built in 2011

Nerissa and Nereus - a 17m catamaran with a 5.4m RIB built in 2015

Vigilant – a 7.8m open RIB built in 2020

The ACFO informed Members that as discussed at the May meeting the IFCA did not have sufficient reserves to replace the catamaran vessels in the fleet. It was proposed that a Technical Panel be held to undertake a strategic assessment of the vessel requirements of the IFCA for the next ten years as well as exploring the options open to the IFCA to take advantage of the DEFRA funding.

Mr Rowley, as the representative for the MMO, advised Members that the MMO had no inshore assets and, as a result, worked very closely with KEIFCA and considered their inshore assets as critical in the region. He supported the use of the funding.

In response to a question from a Member whether gear could be hauled from a RIB, the ACFO stated that the traditional view was that they should not. In any event officers did tend to use the bigger boats to haul gear as they tended to take up a lot of deck space. These types of RIBs were in use by other IFCAs so it was intended to speak to them to find out what issues there were with them.

The ACFO advised Members that most of the insurance needs of the IFCA were covered through Kent County Council policies. The exception was marine insurance for the IFCA's four vessels. The premium was currently based on the cost of the vessels when purchased:

Nerissa £1.2million

Nereus £37,000

Tamesis £500,000

Vigilant £105,947

Members were informed that the cost of the premium for 23/24 was £16,445.50. In the case of total loss, the value of the boat when purchased plus 10% would be paid out. Officers had reviewed this cover to consider whether it was sufficient. Cover could be obtained to pay out for a total loss to the value of a replacement vessel, although this would come with an increase in premiums of an additional 60% to 70%, although this would depend on an estimate of current cost and to replace being provided by a surveyor. Based on other vessels in build, it was expected that to replace the IFCA's vessels like for like would cost:

Nerissa	£2 million
Nereus	£45,000
Tamesis	£850,000
Vigilant	£150,000

The ACFO stated that sufficient reserves were held to replace any of the vessels should they be lost once a claim had been paid out, although if Nerissa were lost this would completely deplete the reserves. Members were advised that the risk was considered to be low, however they may consider it prudent to increase the cover to allow for full cost replacement.

Members made the following comments and asked the following questions:

- What would be the cost for a surveyor – in response the ACFO said it wasn't known. Estimating the value of Vigilant and Tamesis would be quite straightforward, but Nerissa might be more challenging.
- It would be worth delaying a decision until the strategic review had been carried out so that the IFCA could decide which vessels they would want.
- Concern that there was sufficient information to make a decision today. Would it be possible to provide information on the cost of a survey.

The ACFO informed Members that he would be able to get the vessels surveyed for valuation and like for like purposes which could be provided to a working group.

Members **APPROVED** the following recommendations:

- i. Take advantage of the available UK Government funds to initiate a tender process for a 9 to 10.5m cabin RIB;
- ii. Form a Technical Panel to explore vessel options and process;
- iii. The same Technical Panel to develop a strategic assessment of KEIFCA vessel needs for the next ten years; and
- iv. In principle approve an increase to the insurance premiums for increased cover of the marine assets but delegate final authority to the Chief Fishery Officer in consultation with the Chairman and Vice Chairman and subject to discussion at the Technical Panel.

Presentation by Mr Thomas Coulter, Environment and Sustainability manager at DP World, London Gateway on the work undertaken and due to be undertaken at the London Gateway port. Mr Coulter informed Members that DP World operated two container ports in the UK, in Southampton and London Gateway. London Gateway was situated on an old Shell refinery site and currently had three container berths with another three in development. There was an adjacent Logistics Park which housed warehouses and received goods coming in for distribution across the South East. London Gateway had also created two intertidal mitigation sites; Site A / Stanford Wharf Nature Reserve managed by the RSPB and Site X / Salt Fleet Flats.

Thirty million cubic metres had been dredged to allow for access to the port with dredged materials used for land development and reclamation.

A marine monitoring programme was detailed in the Harbour Empowerment Order (HEO) Mitigation, Compensation and Monitoring Agreement (MCMA). An Environmental Advisory Group (EAG) which consisted of representatives from London Gateway Port (the Harbour Authority), Natural England, the Environment Agency and the Port of London Authority met regularly to discuss the result of all monitoring undertaken.

Ongoing monitoring programmes consisted of both marine and physical monitoring of

- Dredge Monitoring
- Wintering Bird Surveys
- Mitigation Sites
- Water Quality Monitoring
- Air Quality Monitoring
- Noise Monitoring
- Lighting Surveys

Maintenance dredging was allowed under the HEO to allow the larger vessels to come in and out of the port, but a PLA licence was required to undertake two dredging campaigns per annum. 1,500,000m³ of material in total per annum would be taken with the main dredging planning due to start in December/January 2024 when 1,210,000 m³ would be taken. Disposal of this waste would take place at licenced sites at South Falls and Inner Gabbard.

In respect of the additional three berths, berth four construction had started in 2022 and was due to finish in 2024. Berths five and six were due to be built and permission to do so was contained within the HEO. London Gateway were currently developing an EIA with NE, MMO and EA as consultees which would be put forward towards the end of 2023 with permission to begin construction hopefully allowed in 2024.

The Vice Chairman thanked Mr Coulter for his presentation and suggested that it would be useful for Members to visit the site to see the extent of the operations themselves. Mr Coulter said he would be happy to organise this.

23. KEIFCA RESPONSE TO THE 'FRONT RUNNER' FISHERIES MANAGEMENT PLANS CONSULTATION (B4)

Members were reminded of the requirement for DEFRA to develop and publish forty three FMPs. DEFRA had begun this process with the development of six frontrunner FMPs.

The consultation process had begun on 17 July 2023 and would end on 1 October 2023 and KEIFCA would be responding to the consultation on behalf of Members.

For each of the FMPs, the CFO provided Members with a summary and comments on them that Officers felt were relevant. Members agreed with the observations made by officers and made additional comments:

Officer summary

Plans meant nothing without a process

- If the plans were going to be successful, they needed an accompanying annual iteration process where new data and stock assessments could be reviewed and used to update and modify objectives and actions. This process should link to the advisory groups, which in turn could link to IFCA quarterly meetings. IFCAs could then feedback into advisory groups.

The advisory groups were the key but needed good representation from inshore fishers

- Stakeholders needed to have a place that people could find key background information.
- They needed to have a place where people could find out what was going on.
- They needed to have a place where people could highlight significant problems (e.g. Whelk mortality).

Important to link FMPs with cross-cutting workstreams and projects.

- There were workstreams like ivms, CO2 reduction projects and marine spatial prioritisation programme that delivered against the objectives of many of the plans. Recognising this in the plans could help interlink and support cross-cutting projects and simplify delivery.

Within KEIFCA there is a hierarchy of FMPs

- Of the forty three FMPs, eleven were important in KEIFCA and over 80% of the economic value was captured in five FMPs. Focusing priority and resource on these plans would bring the biggest dividend to the inshore fleet.

The FMPs documents were dense documents and fishermen found them hard to work through.

- We would like to set up a project to work with industry to use a web-based solution or an e-book to better triage the information for different stakeholders and make the information more accessible.

Implementation and enforcement

- Whilst the 'frontrunner' FMPs had put a lot of effort into developing an evidence base and identifying appropriate management measures most of the plans had a lot less detail on how they would be implemented or enforced.
- We would hope that these sections would be developed further as the plans progress and were reviewed.
- Without including significantly more detail in these areas it was difficult to fully assess the plans

KEIFCA Members made the following comments:

- Visions did not appear to be clear on the species, concentrating more on setting up working groups.
- Should be more binding/strengthening for negotiating with the EU.
- Aspirational, not a lot of detail.
- FMPs were not showing what the stock is wanted for, aspirations for it.
- Needed to be more specific on the actions to be taken; plans were too general.
- FMPs were not specific enough, not an easy read with a lot of repetition.
- Short term measures were good; medium and long term not so much.

- Insufficient importance attached to climate change issues.
- More funding was required for research on the environmental impact on fisheries in the future.
- Stronger links necessary with ICES
- No consideration given to food chains for the individual species.

- Regionality was becoming more important. FMPs should look at regions rather than species. Make them centric to ports.
- Needed to be a transitional period if mesh size/gear was changed.
- More importance on fish handling – undersize fish needed to be able to survive being returned to the sea – applied to commercial and recreational.
- Glossary of terms would be useful.

Bass FMP.

Introduction

Bass was a very important fishery not just in KEIFCA but around the South coast and was targeted by both commercial fishers and recreational fishers.

KEIFCA officers promoted and enforced these measures across the district and worked closely with the MMO on targeted operations. Officers also enforced the bass nursery area legislation, however several of the power stations the nursery areas were designed around in the 1990s had been decommissioned and the functionality of the sites was now very different from their initial envisioned purpose. The introduction of the Medway No-take Zone by KEIFCA in 2016 was in no small part a response to protect key bass nursery habitat.

With its wide range of stakeholders in the fishery, bass management and the impact and equity of different measures on different stakeholders had been one of the main issues of contention for local commercial and recreational fishers.

General overview

- Complicated fishery and the bass FMP brings together and summarises different viewpoints. The goals as set out in the draft FMP seemed sensible.
- There was significant value in the establishment by DEFRA of bass management group(s). However, it was vital to ensure that these groups were balanced and were properly engaged with the decision-making processes that the IFCA's were required to follow.

Data and evidence

- It was agreed that there was a need to improve the evidence base on the social, cultural, and economic importance of bass fishing to local communities and IFCA's were well placed to support this.
- Interactions with other fisheries e.g. grey mullet should be considered, and appropriate data gathered.

Management

- It was a positive step to specifically recognise the value that recreational angling contributed to coastal communities and to individual participants.
- In developing any new management measures, it was vital to consider how they could be enforced, and that legislation was clear to all.
- Given the importance of the fishery the FMP could usefully set out how the bass nursery areas and spawning areas should be protected from other damaging activities by making links to marine planning system.
- The FMP should set out how it intended to allocate fishing opportunities according to social, economic, and environmental criteria. This would allow for long-term business planning and adaptation as well as ensuring that fishing opportunities were distributed between the inshore and offshore fleets.

KEIFCA Members made the following comments:

- FMP needed to set a clear vision and ambition for long term sustainability of the species
- Regional management was important
- This was a migratory stock. We should be careful that it was not overfished in one region
- Enforcement actions should be implemented within the plan with regional variations ; 0-6, 6-12 & 12-200nm

- Method restrictions should apply to all
- Tackle the issue of offshore flyshooters
- Drift nets needed reviewing
- Charter boats were caught between recreational and commercial. Needed more and better management.
- Every species should have at least one season above breeding size
- Consider a slot size or maximum size especially for anglers
- Closed season and/or closed areas in spawning season
- Disappointed that spawning areas were not highlighted in the FMP
- Big overlap with non-quota species. Improve the consistency and how they interrelate.
- Entitlement to fish bass must be consistent. Some fishers with history have no licence, some without do. FMP needed to address this issue
- Consider an increase in the number of bass that could be kept by the recreational angling sector, although if increased considerably then there could be a temptation to all this on. No stock control is available for recreational as they are not required to register their catch and are not supervised.
- Role for "bring to market" – to encourage and support industry in catching fewer but bigger bass.
- Improve handling to allow for a premium product

Southern North Sea and Eastern Channel Flatfish FMP

Introduction

The sole fishery was one of the most important commercial fisheries across the district as it was targeted by both netters and trawlers. The level of sole stocks in the Thames has been of major concern to local fishermen for several years, with concerns across the industry that catches have dropped significantly. KEIFCA did not have any specific regional management measures or byelaws for this species apart from a recreational minimum size, however officers did enforce national/international technical conservation regulations that specified the fishing gear used to target sole.

Headline issue

- Real problems with Sole landings in the Thames, FMP did not recognise this or had a plan.
- In contrast to the other front runner FMPs this FMP has had less engagement with the IFCA, consequently the inshore fisheries were less well understood and catered for in the FMP.
- Management group, Advisory group or better communication is critical. We would like to invite the team working on this FMP to come to a quarterly meeting to run through the plan.

General overview

- Directed recreational fisheries existed for some of the species in the FMP, but their value and importance were less recognised in the FMP.
- We would encourage the plan to link across to the National Angling Strategy and set out how the plan would encourage and enable sustainable angling opportunities to develop.
- There was a clear need for the plan to ensure that important fish habitats/spawning grounds were identified and afforded the necessary protection.

Management

- We considered that the joint TACs were not optimal for sustainable management of either species as it allowed the TAC to be set above the recommended MSY advice provided by ICES for a competent species.
- The Short-term (1-2 years) – harmonisation of the introduction of MCRS for lemon sole – 25cm - MCRS for turbot – 40cm - MCRS for brill – 35cm with IFCA byelaws seemed sensible.

KEIFCA Members made the following comments:

- FMPS needed consistency to ensure that MLS remain the same.
- Consider providing protection through existing IFCA byelaws

Whelk FMP

Introduction

The whelk fishery had become a key fishery for many local fishermen over the last decade and, as other fisheries have moved further north or have become increasingly harder to access because of quota or technical measures, this fishery had become more important.

Since introducing an emergency byelaw in 2011 KEIFCA had invested a significant amount of time and resource into managing whelk stocks within the KEIFCA district. The use of flexible byelaws management measures meant the fishery had been assessed on a yearly basis, with the byelaw itself being remade and updated in 2020. The whelk fishery in the 6-12 is also important, however there are no equivalent management

measures in this area, apart from the requirement that whelks from this area needed to be larger than the national 45mm shell length minimum size (KEIFCA shell length minimum size is 53mm).

Headline issue

- The introduction of regional management sizes would be a straightforward step as we already had a lot of the evidence. Could link inshore and offshore management.
- A whelk permit really needed to be thought through and it was difficult from the current outline to gauge how a permit scheme would work. A permit scheme/entitlement could mean that new young fishers without a track record will not be able to enter fishery as well as hinder flexibility of inshore fishers moving between fisheries.
- Seasonal closure OK but good minimum size might make it less important.

Data and evidence

- Challenge the language of the FMP which questions wholesale the effectiveness of current management due to the challenges of assessing stock status.
- Definition of stock units has proved difficult due to high population variability (e.g. genetic, size at maturity) over very small spatial scales. Defining this for larger spatial scales may prove equally challenging.
- There was a significant lack of data for whelk stocks outside 6nm the limit.
- We agreed that a one-size-fits-all is unlikely to be appropriate and that regional based management is needed.
- KEIFCAs hold significant data and experience in managing whelk fisheries and welcome the opportunity for closer working and collaboration. In addition, our experience in the assessment of CPUE could usefully inform national efforts.

KEIFCA Members made the following comments:

- KEIFCA management should be extended out to 12nm.
- This species has grown in popularity amongst fishers and needed careful management; more so than previously.

Crab and Lobster FMP

Introduction

Whilst the crab and lobster fisheries in the KEIFCA district are small when compared to fisheries in the North East or South West, the fisheries are important on a local scale throughout the district but especially for ports on the channel coast. When KEIFCA was formed it inherited a range of crab and lobster measures from the preceding Sea Fisheries Committees which are still applicable for the geographical location they were made. This had led to a mosaic of management measures in the district, however once it became clear that FMPs would be developed as part of the Fisheries 2020 Act, it made

sense to feed into the FMP process and then review our management once we were clear on the proposed FMP management measures.

The stock management units for crabs and for lobsters divide the Thames. If different management measures were developed for different stock units this would mean these stock boundaries could be the dividing line between different minimum sizes or different pot limits. We would like to repeal our old byelaws and either make new byelaws or use new FMP national legislation. A workable stock boundary is critical, and we would suggest a boundary running from North Forelands so it would be the same as the CEFAS Fish Health Inspectors shellfish boundaries

General Overview

- We feel the process would have been stronger if there had been more of an opportunity for the inshore fishers in our district to represent their views and input into the plan.

Data and evidence

- We strongly agree on the need for a robust data gathering system for the crab and lobster fisheries and where possible it makes sense to build on existing programmes.
- KEIFCA did not have a data collection programme for these species, we would welcome the creation of such a programme and would happily work collaboratively to address this.

Management

- We agree that the measures proposed are appropriate, however, given the state of the stocks actions to explore input/output controls to address fishing effort at the fishery unit scale should be a priority in the medium rather than long term.
- Regional based management is needed as the fisheries vary significantly around the coast.

KEIFCA Members made the following comments:

- Review the MLS of the invasive species spider crab as a replacement for brown crab as bait.
- Query over decision for two distinctive species being managed in the same way.
- KEIFCA does not have much crab & lobster as other areas. To decide on management measures would be difficult.

24. MATTERS FOR REPORT (C1-C6)

Members received:

- Quarterly Report of the Kent IFCO (C1)
- Quarterly Report of the Essex IFCO (C2)
- Quarterly Report of the Patrol Vessel 'Tamesis' and 'Vigilant'(C3)
- Quarterly Report of the Patrol Vessel 'Nerissa' (C4)
- Sea Angling Report (C5)
- Enforcement Report (C6)

Meeting ended 13:25