

Kent & Essex Inshore Fisheries and Conservation Authority

MINUTES of a meeting of the Authority held in the Council Chamber, Chelmsford Borough Council, Duke Street, Chelmsford, Essex, CM1 1JE on 7 March 2023

Present: Cllr J Lamb (Southend City Council), Mr J Nichols (MMO), Mr J Rowley (MMO), Ms T Ferry (MMO), Mr R Turner (MMO), Mr E Hannam (MMO), Mr A Baker (NE), Cllr J Fleming (ECC), Cllr A Goggin (EEC), Mr P Wexham (MMO), Cllr M Skeels (ECC), Cllr N Baker (KCC)

Apologies: Cllr T Hills (KCC), Cllr M Dendor (KCC), Mrs E Gilson (MMO), Cllr H Tejan (Medway Council), Cllr G Coxshall (Thurrock Council), Ms L Faulkner (EA), Mrs D O'Shea (Office Manager)

In Attendance: Mr J Cook (Clerk, KCC), Dr W Wright (Chief Fishery Officer), Mr D Bailey (Assistant Chief IFC Officer), Mrs K Woods (Admin Assistant)

By Invitation: Mr A Oliver (Andrew Jackson Solicitors)

Members of the public: (public meeting only) Mr J Bates, Mr L Bates, Mr A Lawrence, Mr A Rattley, Mr A Jones, Mr S Williamson, Mr V Perez

DECLARATION OF MEMBERS' INTERESTS (A1)

The 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 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.

Cllr Fleming declared an interest in agenda item B9 as a member of Crouch Harbour Authority.

Prior to the meeting Mrs Gilson had disclosed a pecuniary interest in the cockle fishery and would therefore not be attending the meeting.

Laid around the table:

- Letter from TEFA received on and emailed to Members Friday 3 March
- List of stakeholders who had requested to speak

Exempt items

MOTION TO EXCLUDE PRESS AND PUBLIC EXEMPT ITEMS

That under Section 100A of the Local Government Act 1972 that the public be excluded for the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 3 and 5 of Part 1 of Schedule 12A of the Act.

Members agreed that with one amendment to an incorrect figure on page two, the minutes of the meeting held on 29 & 30 November were correctly recorded and that they be signed by the Chairman. No matters were arising.

Members heard and received legal advice relating to the issuing of licences to companies.

Members were provided with a presentation on the work undertaken in running Consultation 3 and outcomes from it.

12:25 Exempt meeting suspended.

Break for 30 minutes.

12:55 Exempt meeting resumed.

13:10 Exempt meeting ended.

Break for 5 minutes.

13:15 Public part of meeting started.

20. Running Consultation 3 and sequencing of Authority meeting papers (B1)

The Chief Officer presented Members with an overview of the work undertaken by stakeholders and Officers on Consultation 3 and advised that a total of 46 consultation replies, 8 letters and 6 oral evidence responses had been received. The Chief Officer highlighted that decisions to be voted on by the Authority were different from previous consultations, as some of the decisions were inter-related, with decisions made in earlier papers impacting whether papers that outlined the next level of detail were to be included. The suggested order of the agenda item papers and their impact on the other decisions were outlined in the papers, together with the agreed vision and evaluation criteria agreed by the Authority in Consultation 1.

The Chairman invited those stakeholders who had requested to address the Authority on agenda item B1 to speak.

Mr James Bates, Fruits of the Sea Ltd:

Thank you, Mr Chairman, for the opportunity to speak today. I thought it would be better to run through our views in one go, rather than standing up for a couple of lines at a time throughout the voting.

We are pleased to see the officers support the continuation of issuing licences to limited companies and allowing those companies to transfer the license with the ownership. We feel that this is in the best interest of the fishery and provides a bedrock of stability for licence holders and stake holders alike for many years to come.

Vote 5: With regard to grandfathering of licences, or transitional arrangements; I believe that this was well intentioned, but the conditions which are applied to this vote mean that it isn't in the

best interests of the fishery, or its licence holders. It removes accountability from applicants and renders the majority of the work done in this review obsolete for 7 out of the 28 years, a quarter of the new regulating order. One condition being that there will no option to transfer licenses during the first 7-year period, by grandfathering you are not only limiting a small company from being dynamic, but you will also be allowing large multinationals to lock in licenses with no ability for locals to purchase them back for 9 years from now.

Vote 7: With regards to the scoring, I draw your attention back to the mission statement of this review. The key aim of this review is to benefit our local coastal communities. Processing within the district does just that. In order to boost our community a high weighting on cooking within the district should be included. Cooking cockles locally, expands the local industry exponentially. The option to exclude cooking would be to the detriment of our local industry and community.

The default number of licenses being 15 whilst stocks have been in decline for several years is absurd. As industry and stakeholders have repeatedly said, the historically viable number of licenses has been 14, and this should be a default starting point. Then issue additional if stocks permit.

Like all the other guys here, I say nothing lightly today, this industry is our life. We go to bed thinking about it and wake up doing the same.

I am happy to answer any questions if things come up as the votes proceed today. Thank you for your time.

Mr Liam Bates, Fruits of the Sea Ltd:

Thank you, Mr Chairman, and thank you everybody for taking the time to listen to our views. I would like to begin by saying that the process so far has been positive and thorough.

So, onto scoring and weighting: I believe that the option of high experience & high weighting for cooking in the district represents the best value and highest positive impact for the fishery, and for local coastal communities. Cooking a reasonable percentage of cockles in the district will ensure the local factories are sustained long into the future. Take our company for example: In the past, our Thames licence provided two jobs. Since building our processing and canning plant, we employ thirty two people, all of whom pay taxes and contribute to the local economy. The types of skills gained in processing plants are also highly transferrable to other roles, which is a further benefit to local communities. The much greater use of local suppliers by processors also utilises skilled employment in those companies, while stimulating the local economy. Adding value to catch in the UK is a hugely important part of the role local processors play in ensuring that the maximum value is achieved from our fishery for its stakeholders. Our Environmental Health Officer recently informed us that our company is now the largest food exporter in the district by a large margin. By doing this, we have repatriated a large chunk of added value which was in the past lost to overseas companies. If you think this should be the future of this fishery, I implore you to support this trend, and vote for a high weighting of cooking in the district.

Mr Andrew Lawrence, Osborne & Sons Ltd:

This whole process has been about the evaluation criteria giving opportunity. Opportunity for new fishers to enter the new Thames Cockle Fisheries. A great opportunity for young fisherman to learn. Opportunities for local highly skilled people to be involved in processing and other shoreside supply chains. Opportunity to cut CO2 emissions. Opportunities to enhance our local ports and secure the future of the local tourist industry, for which every seaside town depends on. However, as an industry we need the opportunity to run our business how we see fit, ensuring we protect our employees' jobs who work within the businesses.

You, the Authority, have the perfect opportunity to mold the Thames Cockle fishery with the industry to get it back to being a more sustainable and productive fishery by awarding the right applicants the opportunity to help do this. And finally, Mr Chairman, we need to give the local processors the opportunity to cook more, because if we are to enhance our local coastal communities, then we will need every opportunity.

Thank you, Mr Chairman, for the opportunity to speak again. Can I ask that before any voting takes place, that our Members ask as many questions as possible before making their decision.

The Chairman thanked the industry representatives for their comments and invited Members to ask questions.

A Member asked Mr James Bates about the 7-year lock in he had referred to and asked what his compromise would be. Mr Bates responded that there would be no need for a compromise as no other applicant would need to follow the lock-in.

Members **APPROVED** the actions taken by officers to engage stakeholders in the Consultation 3 process and **APPROVED** the sequencing of meeting papers in the agenda.

21. Terms & Conditions of the licence: what entity should a licence be issued to? (B2)

The Chief Officer reminded Members that, following feedback from the Listening Phase and the Consultation 3 pre-consultation replies, they had agreed to consult on the following options:

- 1. Licences are issued to individuals (using a process based on the Eastern IFCA wording).*
- 2. Licences are issued using the same wording as is currently issued in The Thames Estuary Cockle Fishery Order 1994 (allows companies to apply for licences).*

The Chief Officer presented Members with a summary of the history of issuing TECFO licences and drew Members' attention to pages 4-6 of the meeting paper document which gave examples of the arguments made by stakeholders for and against both options, and pages 7-8 which showed Officers' comments and assessment of the options against the evaluation questions. The Chief Officer explained that Option 2 provided a better opportunity to assist long-term investment and allowed licence holders to make their own choice to structure themselves as an individual or as a company. All the current TECFO licence holders had set themselves up as a company and to require licences to be in individual names now would be extremely challenging.

In response to a question from a Member about how a licence could legally be passed on if it had been issued to an individual who subsequently passed away, the Chief Officer advised that

Eastern IFCA had provision for a named successor to be registered on the licence and who, in the event of death or serious illness of the main licence holder, the licence would pass to.

The Chairman invited those stakeholders who had requested to address the Authority on agenda item B2 to speak.

Mr Andrew Rattley, Coral Island Seafoods Ltd:

Thank you, Chairman. For a point of clarity on page B2.2 of this agenda item I would like to clarify on behalf of Coral Island Seafoods Ltd that our 2 cockle licences have always been issued to our Ltd Company right from the very start of the 1994 Regulating Order, and we fully support any future licences being granted to Companies as per the recommendation. Thank you.

Following the industry representative's statement, Members did not ask any questions or make any comments.

Members **APPROVED** officers developing legal wording applicable to the new Regulating Order based on Option 2:

Licences are issued using the same wording as is currently issued in The Thames Estuary Cockle Fishery Order 1994 (allows companies to apply for licences).

22. Terms & Conditions of the licence: one licence per applicant (B3)

The Chief Officer reminded Members that under the current TECFO licensing arrangements 14 licences were issued to 12 companies, 2 of which each held 2 licences. As Consultation 3 included the proposal to limit licences to one per individual or one per company, Officers had engaged with both companies who would be directly impacted by this decision and felt very confident that there was a way forward. Members were told that pages 2-3 of the meeting paper document summarised key comments received from all stakeholder groups pertaining to this part of Consultation 3, and pages 3-4 showed Officers' comments and assessment of the options against the evaluation questions.

In response to a question from a Member who asked for clarity that one application would be for one licensed vessel, the Chief Officer replied that yes it would.

Another Member asked how that would work for Andrew (Rattley)? The Chief Officer responded that Andrew and Victor (Perez), directors of the two companies which currently each hold two licences, had been contacted by KEIFCA Officers to discuss how best to continue to achieve fairness to them and all other companies currently involved. The Chief Officer advised that he had been assured the process of making a new company was fairly straightforward and would be a fair way to proceed. He told Members that he would keep the Authority updated throughout the process.

Members **APPROVED** officers developing legal wording applicable to the new Regulating Order to limit the number of licences an individual or a company can apply for to one.

23. Terms & Conditions of the licence: should a licence be transferred with a change in ownership of a company or returned to KEIFCA (B4)

The Chief Officer reported to Members that this part of the Consultation received a lot of heat and light and that the decision they would make came with significant repercussions. There were very different points of view expressed in the Consultation responses and illustrative examples of these from all stakeholder groups were summarised on pages 2-4 of the meeting paper document. Officers' comments and assessment of the options against the evaluation questions were outlined on pages 4-5. The Chief Officer advised Members that he had considered the criteria which they had established previously in the review process, e.g. protecting local jobs, and that allowing licences to be transferred in the event of a change in company ownership would maintain a capability of licence holders which has existed for the past 30 years throughout TECFO 1994.

A Member asked a question to the industry representatives in attendance regarding their views on selling their licence if someone were to try and buy it. One of the representatives responded that all the 12 companies had responded equally to the question in Consultation 3 that beneficial ownership of the company would be transferred with the licence.

Members **APPROVED** that if the licences are issued to a company and the beneficial ownership of the company is sold the licence can be transferred with the company ownership.

13:40 Mr J Cook (Clerk) joined the meeting.

24. Proposed transitional arrangements for current TECFO licence holders (B5)

The Assistant Chief Officer informed Members that responses received in writing from industry on option three did not match the feedback that had been expressed verbally to Officers. KEIFCA had worked with Mr Andrew Oliver, legal advisor, to develop an additional "exceptional circumstances" clause that could address many of the concerns outlined in the consultation feedback. The draft wording of this clause allowed for a vessel to be replaced during the 7-year period, suggested a provision for a change of ownership in the event of death or incapacity of a shareholder and included a suggested bankruptcy provision. Members were told that pages 3-5 of the meeting paper document summarised key comments received from all stakeholder groups and Officers' comments and assessment of the options against the evaluation questions were on pages 5-6.

The Chairman invited those stakeholders who had requested to address the Authority on agenda item B5 to speak.

Mr Ashley Jones, Cardium Shellfish Ltd / Trevor Lineham Ltd / Renown Fisheries Ltd:

Thank you, Chairman. My name is Ashley Jones and I am one of the Directors of the Dani Group Companies that hold four licences under the TECFO 1994, namely Trevor Lineham Shellfish, Cardium Shellfish and Renown Fisheries.

We are undoubtedly in complete favour of grandfather rights. The proposed transitional period would guarantee a smooth transition towards the new regulating order. This would safeguard both the jobs generated directly and indirectly and the investments made. The three companies employ skippers who have long term experience of the current TECFO and who are now training

young crew to follow in their footsteps and become skippers. This continuity is paramount for an industry which requires skill and careful sustainable fishing to ensure the wellbeing of the fishery.

We need to be able to reassure these new entrants to the industry that they have job stability. At the moment the amount of uncertainty in our industry is frightening. By preserving grandfather rights it would help to ensure continuity of employment for all those currently working and provide stability again. It would also give us the confidence to undertake any necessary investments now without having to wait until November 2024 to discover if we can continue our business with a new licence.

For all these reasons we would choose this option if it is approved. We would also like to thank the officers for their efforts in taking into account our concerns and to improve the clauses of this proposed transitional period.

Mr Steven Williamson, Lynn Shellfish Ltd:

Who should own the cockle licence? Me? You? The companies? It makes a difference! As a condition of the new licence you must have a business plan. A plan needs security, a company needs people, trained fishermen, knowledgeable staff, premises; the list goes on and on but predominantly you need security. I could bore you with my thoughts and rationale for the remainder of the day, but the choice is yours how best you give the existing cockle industry security.

Mr Andrew Rattley, Coral Island Seafoods Ltd:

Thank you, Chairman. Coral Island Seafoods would like to see this option voted through and kept on the table. From our point of view it makes commercial sense to give us the security in the new Regulating Order to adjust over the 7 year period and with the guarantee that we can continue our investment program over the next 9 years with confidence. We would like to thank the Officers for having taken onboard the concerns of the grandfather rights and mitigating them in a legal manner. We appreciate this may not be for everyone, but it is certainly our wish as a Company to move forward with this. Thank you.

Following the industry representatives' statements, Members did not ask any questions or make any comments.

Members were asked to approve the Chief Officer recommendation that Option 3, the post-consultation transition clause, be included in the draft Regulating Order wording. However, unanimous approval was not achieved, therefore a vote was taken to eliminate the options that Members did not want to be included in the final legal wording. Through a process of voting Members voted to remove option 1 and subsequently option 2.

Members **APPROVED** option 3 for inclusion into the development of final legal wording:

This option provides a licence to those licence holders who held a licence within the TECFO 1994 during a specified reference period. This option allows a change of vessel during the 7-year cycle and also allows a change of company ownership in the exceptional circumstances of death or incapacity of a shareholder.

25. The Licence Application Process and the questions and structure of the application form (B6)

The Chief Officer presented Members with a summary of the feedback from stakeholders on the proposed licence application process and advised that more detailed information was provided on page 4 and Appendix 1 of the meeting paper document. Building on industry feedback from Consultation 2, KEIFCA had simplified the application process with applicants now required to fill in just one application form which would be evaluated by the Applications Panel. Appendix 1 detailed the specific suggestions from stakeholders on the application process and one of these suggestions was that the Panel should include 2 independent persons. The Chief Officer advised Members that he thought this was a sensible addition and was happy to recommend it as an option. Feedback relating to the structure of the application form was shown on page 5 and Appendix 2 of the meeting paper document.

With regard to the two different options for evaluating the relevant experience of applicants, the Chief Officer advised Members that illustrative examples of stakeholder responses were shown on pages 7-9 of the meeting paper document, but as there was overwhelming support for Option A, the TECFO and KEIFCA Permit cockle fishery approach, that was his recommendation.

The Chairman invited those stakeholders who had requested to address the Authority on agenda item B6 to speak.

Mr Steven Williamson, Lynn Shellfish Ltd:

As a responsible commercial fishing company and a person who has spent his entire life in this industry, I think I know a little. I am not highly educated and I do not know everything, but when I chose not to send 6 cockle dredgers from Kings Lynn to fish the outside grounds because I believe those extra boats fishing would have done more harm than good or stopped the fishery from opening because of the amount boats applying to fish, we will now be punished for a lack of points for not participating. We as a company are for the future, so sustainability is at the top of our agenda. So, who is wrong; you or I?

Following the industry representative's statement, Members did not ask any questions or make any comments.

Members **APPROVED** the following recommendations:

- a) The Applications Panel will consist of five KEIFCA members and two independent panellists with relevant expertise or knowledge.*
- b) The TECFO and KEIFCA Permit cockle fishery approach (Option A), is the option selected to be used in the application form.*
- c) The application form will be updated to require applicants to outline where their cockles will be cooked during the 2024 season. Applicants will then be required to provide relevant information regarding their 2024 cooking activity after the end of the season and before the application panel meets. This information will then be used to inform the final marks of each application.*

26. The scoring and weighting of the questions in the application form (B7)

The Chief Officer presented Members with an overview of the three options for scoring and weighting that had been developed for inclusion in Consultation 3 as a result of feedback from Consultation 2 and the pre-consultation 3 phase. Members were advised that following feedback from industry on Consultation 3, Officers had worked with the Chairman & Vice Chairman to develop a fourth option for members to consider in line with the vision and the relevant evaluation questions which were agreed by the Authority at the start of the whole review and management development process. The Chief Officer drew Members' attention to pages 4-9 of the meeting paper document which contained stakeholders' arguments for and against the different options and pages 9-11 which gave a summary of the options assessed against the evaluation questions, together with officer comments.

The Chief Officer explained to Members that for this part of the process he had not recommended an option, but that the vision and evaluation questions had provided Members with a framework to weigh up the different options to decide which option best fulfilled the objectives.

A Member commented that requirements for the Business Plans were for the first 7-year cycle only and that as new challenges arose and more was learnt, things would evolve. The Chief Officer agreed.

The Chairman invited those stakeholders who had requested to address the Authority on agenda item B7 to speak.

Mr Ashley Jones, Cardium Shellfish Ltd / Trevor Lineham Ltd / Renown Fisheries Ltd:

Thank you, Chairman. The Cardium Shellfish factory in Whitstable closed due to its running cost far exceeding its contribution to the chain/product value. One of our main concerns was not to let the closure of the factory impact the staff we were employing. We ensured that staff were absorbed into Dani's three companies as skippers, crew and maintenance workers. Therefore, there were no job losses. We have turned Whitstable harbour into a logistic centre, servicing six vessels in the TECFO fleet, employing local businesses and local staff, as attested by the letter sent by Whitstable Harbour Master to the Authority, Mr Mike Weir.

It is now being proposed that cooking cockles in the Thames could be an important scoring factor when applying for a licence. If this happens, it would force the actual and future licensees to supply to local manufacturers in order to get a better score on their application to secure the licence. All future licences should be able to freely choose who to sell their product to throughout the national territory without compromising the continuity of their licence. We do not want to be forced to supply only a few local suppliers, nor do we want to retrace the path that has worked so well so far. Not processing locally didn't change the dynamics of our company's investment in Whitstable harbour, therefore we feel it would be unfair for us to have a lesser chance of securing licences due to the evolution of our business.

For all these reasons we strongly believe that this criterion should not be taken into account as a factor when scoring a licence application.

Mr Victor Pérez, Dani Foods Ltd:

Thank you, Mr Chairman. My name is Victor Pérez and I am the managing director of Dani Foods, a British Company founded in 2001, specialising in cooking & canning cockles, with a cooking factory and Swansea and a canning factory in Boston. Dani Foods is part of a family-owned business, Conservas Dani, that has greatly invested in the UK cockle industry. Throughout the establishment of Dani in the UK we have consolidated and grown three companies in the Thames area with four TECFO licences in total.

95% of the cockles processed by Dani Foods are fished in UK waters, with the product in the Thames accounting for 50% of our total production. In addition to the processing of the cockles fished by our boats, we have a strong business relationship with two companies that hold three licences in the Thames. These companies have been dedicated suppliers for many many years. Our canned products are sold primarily in Spain and in other international markets where our customers appreciate the excellent quality of cockles from the UK.

It's being proposed that cooking cockles in the KEIFCA district could be an important scoring factor when applying for a licence. We feel this criterion should not be incorporated as it penalises our suppliers for not supplying to local products, and consequently jeopardising our commercial relationship. This would ultimately leave fishermen with fewer options when it comes to selling their product and depriving us of a fundamental source of supply. If this happens the continuity of our company would be seriously threatened with the loss of more than 50 direct jobs, countless indirect jobs and all the investment made for the sole reason of not cooking locally.

We have strongly contributed to the promotion of British cockles in the international market. The presence of non-local producers has been crucial for the development and existence of the cockle industry and must remain the same so that the Thames cockles can continue to be a valuable and appreciated product, not only locally but also in international markets.

Mr Steven Williamson, Lynn Shellfish Ltd:

There is representation that all the cockles should be cooked in Leigh on Sea, you might just as easily say all the cockles must be sold in Leigh markets or at a stretch remain in the UK. Then the whole industry would collapse and fold because the UK market cannot take it. This industry needs export markets, the same as it needs freedom to choose where the cockles are processed.

The company I work for owns a company that cooks cockles in Leigh (Thameside), this company has annual losses of circa £100,000. So why does Lenger keep it open? Loyalty to staff? The local economy? A physical presence in the Thames? Lenger seafoods is not just another company; no, the man who makes these decisions has cockle juice in his veins not blood! He is Mr Lenger, a man who only ever wants sustainable cockle fishing.

Mr Andrew Rattley, Coral Island Seafoods Ltd

Thank you, Chairman. As an independent Company that does not cook cockles within the district, we feel it unfair to give any weighting to cooking within the district. The role of the IFCA is to manage the fishery, and for Companies to manage their business. In the past we have had our

fingers burnt with Companies we have supplied going into liquidation and Companies dropping us as suppliers whilst out fishing. As a successful business we should not be put under pressure of who we supply just to score higher points; our own business acumen should be the only deciding factor of who we supply. We support all other local ancillary business through our local ports for maintenance and mechanical services etc.

I appreciate the Authority is not making it mandatory to process within the district, however it is possibly giving higher preference to just one Port within the district which we feel is unfair and biased. We sincerely hope as Members of the Authority are from Kent and Essex local constituencies and MMO appointees, that they can appreciate our concerns and alleviate them. We ask before voting that you consider the Kent based businesses do not have any cooking facilities at present. The financial viability of the fishery to the local and the UK economy is only there due to the ability of having many processors offering prices within the UK; this should not be compromised by artificial weighting of one Port. Thank you.

A Member stated that topping up money was available from Government and suggested KEIFCA could look to explore this for the cockle industry. The Chairman advised that while such options were available, they were to be applied for via Defra or Local Authorities and not the IFCAs.

Cllr Baker declared a personal interest as a member of Whitstable Harbour Board.

The Clerk oversaw the voting process to eliminate the options that Members did not think should be chosen for inclusion into the licence application process.

Vote 1: Option 2 (*High weighting for experience and exclude cooking in KEIFCA district*) received the highest number of votes and was eliminated.

Vote 2: Option 3 (*Community option*) received the highest number of votes and was eliminated.

Vote 3: Option 1 (*High weighting for experience and cooking in KEIFCA district*) received the highest number of votes and was eliminated.

The Clerk advised that the remaining option, Option 4, would be considered for adoption as the preferred framework for progression to Consultation 4 and, if required, a vote would be taken.

Members **APPROVED** Option 4 *High experience weighting and low weighting for cooking in the district* as their preferred option for inclusion into the licence application process.

27. Agreeing the number of licences to issue in the first 7-year cycle (B8)

The Chief Officer reminded Members that at the November 2022 meeting, the Authority had agreed to include in Consultation 3 the industry request, made during the pre-consultation 3 phase, to decide on the final number of licences to be issued for the next 7 year cycle by using the same process as outlined in Consultation 2, Appendix 1 and, in addition, to take into account the most recent stock assessments conducted in the September prior to the cockle fishery, before deciding on final number of licences to be issued (i.e. September 2024 for the first 7-year cycle).

The Chief Officer explained to Members that a process had been developed whereby the agreed number of licences to be issued in the first 7-year cycle (15) could be reviewed and which would take into consideration the 2024 cockle stock surveys. Members were advised that a summary of stakeholders' feedback from the consultation and Officers' comments were outlined on pages 2-3 of the meeting paper document.

Members were reminded that at the November 2022 meeting, the Assistant Chief Officer had advised them during agenda item B4 that survey results and industry feedback had suggested that recruitment into the cockle fishery might be poor in the 2023 season, which could then have an impact for the 2024 season.

For these reasons the Chief Officer's recommendation to Members was that their decision on the number of licences to be issued be made at the last practical opportunity and be based on as much data as possible.

Members **APPROVED** that issuing 15 licences would be the default number of licences issued in the first 7-year cycle. However, the number of licences would only be confirmed by the Authority following the September 2024 surveys after considering stock levels (*this would follow the same process that will be used in the 7-year review cycle*).

28. Boundaries of the Regulating Order (B9)

The Assistant Chief Officer presented Members with a summary of the work conducted by Officers on refining the boundaries of the new Regulating Order for Consultation 3. Members were advised that some of the area boundaries had been 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. Members' attention was drawn to illustrative examples of feedback from stakeholders and their new suggestions on the boundaries which were shown on pages 6-8 of the meeting paper document.

Members were advised that a number of Consultation 3 responses from current TECFO licence holders and the Thames Estuary Fishermen's Association (TEFA) had suggested changes to the northern and southern boundaries of the proposed new Regulating Order. Members were shown a chart of the proposed new Regulating Order boundaries with the stakeholders' suggested changes to northern and southern boundaries highlighted. The Assistant Chief Officer explained to Members that the highlighted small area at the northern boundary fell within the ownership of the Crouch Harbour Authority (CHA) and that permission was needed from all landowners prior to the application for the Regulating Order. Members were told that conversations had taken place with the 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 Assistant Chief Officer advised Members that the stakeholders' suggested southern boundary change was a significant departure from the New Jamaica management framework that had been decided upon by the Authority and as such was not in the spirit of the management framework consulted upon. If Members wanted to consider this suggested southern boundary change, it would be necessary to reconsult with all stakeholders as it was significantly different to what had already been agreed.

The Officers' recommendation was that the external boundary lines and internal management area lines as consulted upon be slightly modified developments of what had been in place for the duration of TECFO 1994, to account for the changes in where cockles had been worked and to account for the better mapping technology available to officers in the present day.

In response to a Member's question that if there were not a Regulating Order in place, would all areas be the same as for the cockle permit byelaw, the Assistant Chief Officer responded that for the southern part of the district it would be the same as for the cockle permit byelaw but that for the north Essex estuaries area of the district it was more complicated. He explained that there had been a long-standing agreement between Kent & Essex SFC and the CHA that KESFC would take responsibility for running the cockle fishery. Another Member asked if CHA own just the small sliver highlighted on the chart which had been presented to them. The Assistant Chief Officer advised that they own the southern part of the Ray channel but that the majority of the cockles were found in public grounds.

Members **APPROVED** the boundary lines as consulted upon.

29. Review of the feedback on the day to day running of the cockle fishery and recommendations for Consultation 4 (B10)

The Chief Officer presented Members with a summary of the responses received from stakeholders on the technical management requirements (size of gear etc) and the day to day running of the cockle fishery and reported that in general feedback reflected comments received throughout the consultation process. The suggestions made by stakeholders were to consider changes to the operational setup of the fishery rather than to fundamental changes in the new Regulating Order legislation and Officers' evaluation on specific suggestions made by stakeholders were shown on pages 2-5 of the meeting paper document.

The Chief Officer presented to Members his recommendations for the scope, process and timings for Consultation 4 which would focus primarily on reviewing the wording and detail of the Management Plan in the new Regulating Order. Members were informed that Consultation 4 was scheduled to run from 3 April 2023 until 26 May 2023 and, unlike in the previous consultation stages, there would not be an oral evidence session. A Special Authority meeting would be held on 11 July 2023 to review the feedback from Consultation 4 and then agree any detailed changes to the Management Plan.

Members **APPROVED** the officers progressing the specific suggestions as outlined in Table 1.

Specific suggestions	Officer comment/ Action
A more digital approach for declaring landings. Perhaps a WhatsApp number, that we could report to.	Happy to explore this idea further and look at how this could work for all parties.
A derogation to allow trials of new methods.	A key priority of the new regulating order will be to look at how the impact of gear can be minimised and review the benefits of changing different aspects of the harvesting and grading process. KEIFCA will look to set up derogation so that these ideas can be trialled.
Increase minimum riddle length and include a minimum width on the riddle.	

Be allowed to use batch or suction dredge depending on area.	This is already an option under the current TECFO wording and officers would look to translate this capability across into the new legislation. Whatever gear is used the same damage rates will need to be adhered to.
Sealed tag on dredge after inspection.	Happy to explore this idea further and look at how this could work for all parties.
A standard bag brought from the authority to ensure consistency as all bags are different.	KEIFCA would need to look at our organisation's liability of selling a cockle bag that then failing in some way. Will work up this option but it might be over stretching our remit as a regulator.
I would like to see a vessel scoring system to outline the best and worst performing vessels. The KEIFCA will have this information.	A key priority of the new regulating order will be to look at how the impact of gear can be minimised. Officers will take the suggestions made in the consultation and see how they can be applied to the fishery.

Table 1

Members **APPROVED** the action to develop more detailed proposals to:

1. Outline the role and duties of a specialist cockle officer.
2. Work with a local university to explore a workplace PhD to better analyse and utilise historic cockle data, set up systems and processes to help Members make informed decisions about the fishery and work with fishers to develop and trial new gear/management solutions.
3. To explore routes and options to collect a wider range of pertinent data which will help inform future management decisions.
4. To develop a series of costed options to collect and store cockle data more efficiently.

Members **APPROVED** the process and actions officers are planning to take to engage stakeholders in Consultation 4.

The Chairman thanked all stakeholders for working with KEIFCA and for taking the time to talk to the Authority at the meeting. He thanked Members for their continued work in the interests of both the Industry and the IFCA.

14:34 meeting ended.