

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 14 July 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), Cllr J Fleming (ECC), Mr P Wexham (MMO), Cllr M Skeels (ECC), Cllr T Hills (KCC)

Apologies: Cllr N Baker (KCC), Mrs E Gilson (MMO), Cllr S Curry (Medway Council), Cllr G Coxshall (Thurrock Council), Cllr A Goggin (ECC), Mr A Baker (NE)

In Attendance: 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 A Oliver (Andrew Jackson Solicitors)

The Chairman advised Members that Cllr Mike Dendor had resigned from the IFCA and that following the recent local elections, Cllr Simon Curry had been assigned as the representative for Medway Council in place of Cllr Habib Tejan. The Chairman expressed his thanks to Cllr Tejan for the work he had undertaken while on the IFCA in particular the cockle review.

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

Exempt items

10:06 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 heard and received information on the suggested process to enable two companies that currently held two licences to migrate to a revised company structure to allow the issuing of one licence per company to allow for the requirements of the T24 Regulating Order. Members were also provided with options to allow these companies to use the proposed transitional arrangement clause.

Exempt meeting ended 11:25am

Midday – public meeting began.

16. MINUTES

Members agreed that the minutes of the meetings held on 7 March 2023 were correctly recorded and that they be signed by the Chairman. No matters were arising.

17. COCKLE FISHERY REVIEW CONSULTATION 4 – INDICATIVE LEGAL WORDING AND DRAFT MANAGEMENT PLAN (B1)

The CFO reminded Members that the process to renew the Regulating Order had begun in September 2021 and that they had now reached the fifth consultation step of that process.

Consultation 4 looked at the detail of the indicative legal wording for the Regulating Order and management plan. The intention was to allow everyone involved in the process the opportunity to see and scrutinize that detail. No oral evidence hearings had been held for this consultation process. The consultation began on 31 March 2023 and ended on 26 May 2023 with just over 200 stakeholders contacted. Ten consultation responses were received which could be viewed on the cockle review website.

From these responses officers had been asked to review the number of spare blades for the cockle dredge that could be carried on board a vessel. Members were advised that it was felt that the proposal was sensible and that the relevant licence condition should be amended to allow one complete spare blade to be carried on board.

The ACFO reminded Members that at their meeting on 7 March 2023 they had made a decision that each licence applicant, whether an individual or a company, would only be able to apply for, and be issued with, one licence. Members also had approved a transitional period for the first 7-year cycle only, so that current TECFO-licensed vessels could be issued with a licence without applying through the regular licence allocation procedure set out in the Management Plan. Members were advised that two of the companies that currently held a licence, Cardium Shellfish Ltd and Coral Island Seafoods Ltd each held two licences and had done so since the start of the TECFO 1994 Regulating Order. Officers had written to these two companies over this issue and had received proposals from them as to how this could be resolved. It was intended that the two companies would create an additional company each with the beneficial ownership remaining the same with the aim that they could continue their operations without disadvantaging themselves or giving them an advantage over the existing TECFO

licenced companies. As a result, additional wording had been developed for the transitional period clause of the Regulating Order which was supplied to Members within their papers.

The CFO informed Members that the indicative legal wording would remain in draft form following the meeting because the final development of the Regulating Order was the responsibility of DEFRA as the Order was a Statutory Instrument which could only be made by Parliament. The wording had been submitted to DEFRA on 11 April 2023 and officers would continue to work with them on the making of the new Order.

Members **APPROVED** the following recommendations:

- (i) the actions taken by officers to engage stakeholders in the Consultation 4 process;
- (ii) the revised indicative legal wording to allow a spare compliant dredge blade to be carried on board;
- (iii) the revised indicative legal wording which provides a mechanism to enable restructured companies, which currently hold two licences within one company, to access the transitional arrangements for both existing licences; and
- (iv) the draft management plan

12:40 meeting ended.