

## **Kent & Essex Inshore Fisheries and Conservation Authority**

**Present:** Cllr J Lamb (Southend CC), Mr J Nichols (MMO), Mr J Rowley (MMO), Mr R Turner (MMO), Cllr A Goggin (ECC), Mr P Wexham (MMO), Cllr T Hills (KCC), Cllr M Dendor (KCC), Cllr N Baker (KCC), Cllr G Coxshall (Thurrock BC), Cllr H Tejan (Medway Council), Ms T Ferry (MMO), Mrs E Gilson (MMO), Mr E Hannam

**Apologies:** Cllr J Fleming (Essex CC), Cllr M Skeels (Essex CC), Mr A Baker (NE)

**In Attendance:** Mr J Cook (Clerk, KCC), Ms S Martin (Financial Advisor, KCC), Dr W Wright (Chief Fishery Officer), Mr D Bailey (Assistant Chief IFC Officer), Dr P Haupt (Lead Scientific Officer), Mrs D O'Shea (Office Manager), Mrs K Woods (Admin Assistant)

**By Invitation:** Mr S Pengelly (AIFCA), Mr J Seaward (Fish Local), Mr O Jackson (Fish Local)

The Chairman welcomed Cllr George Coxshall as the new representative for Thurrock Council and Cllr Neil Baker as the new representative for Kent County Council.

### **32. 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 as a member of Rochester Oyster and Floating Fishery (ROFF).

### **32. MINUTES OF 22 NOVEMBER 2022 (A2)**

Members agreed that the minutes of the meetings held on 22 November 2022 were correctly recorded and that they be signed by the Chairman. No matters were arising.

### **33. REVENUE BUDGET MONITORING 2022/2023 (B1)**

Members were advised that the predicted underspend for 2022/23 was £28,364. This was a significant movement from that provided at the previous meeting and was due in part to the issue of cost-of-living awards to staff which Members had agreed at their last meeting. Staffing continued to be underspent due to two resignations part year that had not been filled and the post of scientific and conservation officer which had been vacant throughout the year. Members were asked to note that if the IFCA had been fully staffed then a slight overspend would be required to be forecast. Members were advised that

some savings had been made from reduced payments towards legal costs and income received from the hire of Tamesis. Full details of variances were provided within the report and appendix. Members were informed that the cost of carrying out the cockle review would be covered by a drawdown on reserves. This had been forecast at the beginning of the financial year at £34,500, however the current forecast was £53,500. This was due to original estimates for communications and review of technical specifications exceeding budgets as well as the cost for running meetings exceeded from an increase in their number and length.

In response to a question from a Member, the Financial Advisor confirmed that the IFCA reclaimed fuel duty from HMRC. Members were also advised that as part of the Annual Plan for 2023/24 she would be developing a 3 to 5 year medium term financial plan to present to the IFCA. The CFO stated that this would also look at capital funding for projects and boats.

Members **APPROVED** the underspend of £28,364

#### **34. DRAFT BUDGET 2023/2024 (B2)**

The Financial Advisor informed Members that she was asking them to agree a 3% increase in the levy to increase the budget to £983,944 as set out in the table of levies in their meeting papers. This budget proposed a reduced forecast of 6% for staffing (£45,000) as a result of freezing two of the vacant posts – RIB Cox/First Mate, Essex and the Scientific and Conservation officer. Highlights of some of the increases and savings in budget lines were provided within the report and the detailed budget within the appendix.

For this year a contribution to reserves had been built in (£58,527) in order to replenish and cover the drawdowns used to cover the cockle review costs. This would also bring the reserves fund back to the internal audit suggested value of one year's running costs. All Local Authorities had been contacted and made aware of the proposed increase. Members were informed that the levy had been increased by 5.6% in 2022/2023. The CFO informed Members that the IFCA currently had three staff vacancies. A Fishery Officer in Essex, the RIB cox and the Scientific and Conservation officer (SCO). A number of different options had been considered when drafting the budget with the option presented to Members being to recruit the Fishery Officer post and freeze the other two. DEFRA in its spending review had said it would give IFCAs an additional £150,000 per year. £50,000 of this had been received in this financial year which was required to be spent on Fishery Management Plans. The remaining money was expected to be spent on MPAs, marine planning and licence issues. If this money was received that it was intended to use it to fund the SCO post on a two-year temporary contract. The CFO advised that from a resource perspective the Essex RIB was an efficient way of enforcing legislation found in the Essex MPAs. The post of RIB Cox/First Mate had been set up specifically to carry out this enforcement and freezing this post would result in enforcement not being carried out at the same level. The IFCA was required to develop

management for the last tranche of MPAs (Goodwin Sands, Thames Estuary and Dover to Deal) which would require significant engagement with stakeholders. If the funding to recruit the SCO post was not available from DEFRA then this would not be a priority and the IFCA would likely not meet the Government's targets relating to MPAs.

Members asked the following questions and made the following comments:

- What had you estimated for wage increases in the budget – in response the Financial Advisor stated that it was proposed at 3%. She also advised Members that the rest of the budget had been based on costs incurred in 2022/23 and had considered whether any savings could be made.
- It was not possible to budget for the unexpected. The budget was realistic and a 3% increase felt right. Members had been spoken to over staffing and financial issues. Reserves needed to be built up to allow the replacement of vessels in the future.
- 3% was not unreasonable. Concerns were around vessel replacement going forward. The most important asset was staff, and they must be looked after. It might be necessary to carry out a review on pay and how this is put together in a complex market. The Environment Agency were down 30% in manpower. The IFCA needed to be flexible and protect their staff. Any work that was coming down from central Government should be funded by central Government – in response the CFO advised that officers would be carrying out a strategic review of boats and staff structure and pay in 2023/2024.
- What were the amounts held in the reserves – in response the Financial Advisor stated that General Reserves held approximately £870,000 and Renewal Reserves held approximately £600,000 for replacement of vessels.
- Essex CC had been asked to increase their levy by £28,000 to allow an amount of £58,000 to be used to top up IFCA reserves. This was a dilemma. Did not want to see savings made at the detriment of staffing levels. Maybe this was not the time to top up reserves. Did not consider it entirely appropriate to ask Essex CC to use their reserves to top up the IFCA's reserves. Would suggest that the budget was not increased.
- Agree with Essex CC. Kent CC are dipping into their reserves. Kent CC had 7,000 staff which they couldn't operate without.
- DEFRA were facing strong pressure from central Government to make savings and were losing 20% of their staff. Remaining staff would be covering multiple roles and would be accommodating new staff who would require assistance to understand their new portfolios.
- It had been stated that "151" officers had agreed the increase, however this increase had to be agreed by Members, the "151" officers could not pass it themselves.

The Clerk to the Authority advised Members that the budget presented to them today had been developed by officers and the Financial Advisor. The payment of the levy was

not subject to the individual Councils' approval; however they would need to confirm that the amount would be paid. Regarding discussions with the Local Authority "151" financial officers, discussions had been had with the relevant Councils to establish that sufficient funding would be available and that the proposed amounts were financially viable. It would be up to the individual Councils to determine if they wished to make the payment of the levy, although legally they were required to. The appropriate time to decide the amount of the levy was for this meeting not for the final council meeting. It was fair and correct for Local Authority representatives to comment on the appropriateness of the budget and the appropriateness of the funding to deliver it. Members should take into account that the "151" officers had said that the amounts were affordable and not detrimental to their Authority, however with regard to the question of the amount of the levy and the decision to put money into reserves, Members could decide to make changes. However, he would highlight that significant work had been carried out by officers to provide the budget as it was set out to them.

In response a Member stated that he agreed with the Clerk, but would use the word reasonable rather than affordable.

Cllr Goggin requested that his reservations over the use of reserves from Essex CC to be fund IFCA reserves be noted.

Members **AGREED** the draft budget of £983,944 and the total levy payable by each Local Authority for 2023/2024 as follows:

• Kent County Council	£424,276
• Medway Council	£74,288
• Essex County Council	£424,276
• Thurrock Council	£37,292
• Southend-on-Sea City Council	£23,812

### **35. WHELK PERMIT BYELAW UPDATE (B3)**

The CFO reminded Members that the Whelk Permit Byelaw had been running for ten years and as a result the IFCA now held good long term data on landings. The whelk fishery was an important stock for local fishermen as it was a non-quota stock. The IFCA had worked with DEFRA and Seafish over the last year to help them to develop a whelk Fisheries Management Plan (FMP) to help to manage this stock. This FMP was due to go out for consultation in the next 4 months.

The LSCO informed Members that this had been an unusual year for the whelk fishery which was not reflected quite as clearly in the landing statistics. 2022 had seen a slight decrease in landings, which didn't appear as significant as it had been felt by Industry as the effects had been masked by an increase in other, historically less fished, areas. Fishers in Whitstable (Area 2) had reported poor whelk fishing in the Autumn with

reduced numbers of whelks in the pots and a high rate of mortality of those whelks in pots. This was confirmed by below average landing figures for fishers throughout the district although the worst affected area did appear to be Whitstable. IFCA officers examined whelks provided to them by fishers and confirmed the poor condition of them. Officers liaised with Industry and arranged for a sample of 30 whelks to be sent to CEFAS for histology and toxicology analysis. The report received from CEFAS showed no regulated biotoxins present in the sample. More recent reports from Industry had suggested that the condition of the whelks appeared to have improved, however it had been agreed that further samples would be sent off to CEFAS if the problem occurred again. A plausible explanation for the mortality issue could be an increase in the sea surface temperature. There had been a slow increase in temperature from 2018 and although the temperature in 2022 was not much higher than in 2018, the temperature was high for longer. Members were reminded that whelks were an Arctic species which liked cold water. It was possible that whelks that had remained in the shallow, intertidal areas of the district such as Whitstable and the surrounding area would have been exposed to temperatures which had frequently surpassed the top end of the species range and are likely to have resulted in increased stress levels and a subsequent increase in mortality. It was acknowledged that this impact needed further investigation and in 2023 the IFCA intended to work with the EA and Southern Water to understand the potential causes of low catches on whelks in the Thames Estuary.

In respect of enforcement action, the CFO informed Members that the vast majority of whelk fishermen inspected had been compliant with the Byelaw. Where this had not been the case officers had taken those cases forward. Most were minor offences which were dealt with either at the time through advice or a verbal warning. A fleet of unmarked, gear with no permit tags had been hauled and seized.

The management measures were required to be reviewed every three years. Although this was not required for this year it was felt sensible to consider them outside of the review period. It was recommended that the current management measures remain unchanged.

Members made the following comments:

- there were still issues with the whelk landings in Whitstable. One boat had gone out on 20 January and from 80 pots landed a quarter of a bag. Although the issue over temperature was taken on board, there was also a significant amount of dredging, surveys and cable laying taking place that were damaging the seabed. This was a good start, but the more that could be done the better.
- Concern that the amounts landed were trending downwards. Would it be necessary to think about introducing a trigger point on the CPUE when to consider additional action
- Concerned over climate change. Is the IFCA doing enough work in this respect. If we see a problem coming, do we take evasive action.
- Windfarm cables heat up the ground and create an electromagnetic field which would harm species.

- Within regional group fishery meetings, the east coast fishermen felt very hard done by. Any restrictions imposed on the catching of whelks would cause much unhappiness.

The CFO stated that the issues outlined in the report were taken seriously and that officers had spoken across the east coast and worked with Government departments to understand what was happening. If Members thought the matter important then further research would be carried out. Research on temperature had looked at the stress level put on whelks, and it did appear they had have moved to deeper waters. Oysters and cockles appeared to have been affected by the same issue this year.

Members **AGREED** that the pot limit, the riddle size and the number and size of escape holes should remain set at:

Pots – 300 for category 1 permits and 10 for category 2 permits

Riddle – 25mm spacing between bars

Escape holes – 10 @ 25mm per pot

### **36. UPDATE ON PROGRESS IN DEVELOPING FISHERIES MANAGEMENT PLANS (B4)**

The CFO reminded Members that at the last meeting Dr Jon Davies had provided a presentation on the overarching framework of Fisheries Management Plans (FMPs) which was likely to be ready for consultation in mid 2023.

FMPs would be the mechanism that DEFRA would use to implement the objectives of the Fisheries Act 2020. IFCA would play a key role supporting DEFRA to develop the English FMP program over the next three years. DEFRA was currently developing six FMPs:

- Crab & lobster
- Whelk
- King Scallop
- Mixed flatfish
- Bass
- Channel non quota species

DEFRA had stated that they would provide funding for three years of £150,000 per year. KEIFCA had to date received £50,000 in funding from DEFRA, some of which would be used on a national project to engage IFCA members in the FMP process using techniques KEIFCA had developed during the cockle review process. KEIFCA would combine with AIFCA funding to run a national workshop for twenty to thirty IFCA members from all IFCAs to discuss and give feedback on the Crab & Lobster FMP and Whelk FMP. The Crab & Lobster and Whelk FMPs had been selected as important inshore fisheries which many IFCAs already had management measures in place. Members would be filmed and those films uploaded to the AIFCAs website to show individuals films as well as a summary film per FMP to capture feedback from IFCA members. Initial costs for this project will be provided for Members. Members were also advised that having consulted with the Chairman and Vice Chairman it was also intended to use £13,500 of the DEFRA funds to

help fund the Fish Local project to help gather evidence and develop markets for the local Silver Shore Herring.

Members were provided with a presentation from Mr Jesse Seaward and Mr Ollie Jackson on the work carried out to have Silver Shore Herring recognised as a species. This included:

- Work with CEFAS to engage in a citizen lead research project to assess the primary variant of the winter season (spring spawning) herring caught across Kent & Essex.
- Create a test market for Silver Shore herring by connecting fishers with buyers.
- Build data to understand the potential for taking Silver Shore herring forward to a CEFAS lead classification, the desire for Silver Shore herring in the market and the cost reward of securing Silver Shore herring as a local specialty

Fish Local intended to take advice from CEFAS on the type of catch data that could be used to identify the potential for a full scientific classification of the herring caught in Kent & Essex and would engage with two fishers from each side of the Thames to supply samples of the herring for testing.

In addition, they would find buyers for the remainder of any catch to ensure Silver Shore herring was available to the consumer and that it would be sold specifically as Silver Shore Herring.

Fish Local had already been working with a number of restaurants and suppliers to get Silver Shore Herring into their restaurants. The response and uptake had been positive, with several restaurants putting it on their menu and many more showing interest for the next season.

Among the large number restaurants ready to take it on next season was Shepherd Neame and it was expected that this level of exposure would help to raise the profile of locally caught herring.

In respect of media engagement, BBC Southeast TV, ITV Meridian, KMTV and KM Group Newspapers were very interested in either running a film piece on Silver Shore Herring from a scientific perspective and that of a fishermen or promoting the initiative in their papers

Members made the following comments:

- Excellent presentation, totally support the initiative. Rye had a scallop week which was very successful, perhaps a herring fayre to start the season would be an idea.
- The name Silver Shore works and makes it more appealing.
- There was a strong commercial design for the fish. Where could it be caught to sell it as that – in response Mr Seaward advised that the Silver Shore herring was any that was caught in the Kent and Essex district. It was hoped that by working with Cefas it would be possible for it to have its own management measures.
- Silver Shore was not listed as a commercially registered species which didn't therefore give it any protection. What were you thinking to do about that – in response Mr Seaward said that this was their aim. Cefas required a minimum of two seasons to allow laying the groundwork for classification.
- Fishermen had said that there were a lot of North Sea herring in local waters – Fish Local had been working with local fishers to see when and where they were spawning.

Members **NOTED** and **APPROVED** the report

### **37. STRATEGIC EVIDENCE REVIEW (B5)**

The LSCO reminded Members that the current Strategic Evidence Plan (SEP) was due to expire in September 2023. The SEP worked as an important link for the Annual Plan as it provided the background and rationale for much of the work that was carried out on an annual basis. It also provided reference points to assess the IFCA's strategic direction and evaluate achievement of long-term objectives. Members would be asked to review the strategic evidence gathering and research plans and input into the development of the next 5-year SEP (2024-2029). Members were also asked to consider where they wanted the IFCA to be in 5 years' time in respect of the direction of the evidence gathering programme and the resourcing, finance and partnerships that would be required.

Members were advised that they needed to be aware that the SEP would be required to be compatible with the needs of Fisheries Management Plans. Therefore their views on the overarching direction and priorities for strategic evidence gathering would be required, rather than ideas for individual research projects. KEIFCA would consult with other IFCAs, DEFRA, NE, and other partner organisation to align its strategy with the rest of the marine sector and present the updated SEP at the November 2023 Authority meeting.

The new SEP would be structured in line with the existing SEP with some updates to bring this in line with the expected requirements of marine management post 2023 and increasing impacts from climate change.

The evidence gathering activities in the Annual Research workplan were categorised under three themes:

- Sustainable Fisheries
- Marine Protected Area
- Access to Evidence

Within these themes it was intended to cover the following activities:

- The changing seascape and future of sustainable fisheries management under climate change (long term) (new, and overarching background)
- Sustainable fisheries management
  - Cockles
  - Whelks
  - Clams (new)
  - Native oysters
  - Finfish fisheries
  - Smallfish surveys
  - Skates and rays
- Marine Protected Areas management
- Fisheries Management Plans

The Chairman requested that Members feedback through to the LSCO with any suggestions or comments.

Members **NOTED** the report.



Mr Simon Pengelly from the AIFCA provided Members with a presentation on IFCA engagement in the marine Natural Capital Ecosystem Assessment (NCEA). Mr Pengelly's role was to lead IFCA engagement with this programme. Natural Capital was a broad term that covered both the living and non-living parts of the natural world. This included fisheries and grew from a need to include the environment in decision making. Natural Capital did not replace but complemented the existing processes.

NCEA was a DEFRA led, three year programme launched in April 2022 with five stated outcomes for it to succeed.

- increase the spatial scale of some data (for example, species distribution, biodiversity)
- provide reliable data to help account for carbon stocks within England's soils, peatlands, trees, and marine habitats
- assessment of ecosystems in inland and coastal waters, marine environment, and on land including soil ecosystems
- draw together existing data streams, (including from UK Research and Innovation and UK Hydrographic Office)
- provide tools (for example, datasets, indicators of environmental status, models) to understand how we impact nature both positively and negatively.

£140 million would be spent over the next three years with £37.5 million allocated for the marine programme. A trial site had been established in the Thames with the EA looking at methods of measuring fish populations using citizen science. Year two would assess the outcomes of this monitoring with the IFCA's looking to feed information into it in respect of estuarine fish, shellfish and crab and lobster populations.

The CFO informed Members that the IFCA had discussed on many occasions the impact of marine planning and that they had struggled to engage and explain what this impact meant. NCEA allowed the IFCA to do this and in very simple terms allowed it to put money up against it. In his opinion it was important to engage with this work and was a way for the IFCA to be able to talk to the community about decisions and how to influence them in the future. He was very happy to work with the AIFCA on this.

13:10 Cllr Goggin left the meeting

### **38. DRAFT ANNUAL PLAN 2023/2024 (B6)**

Members were provided with a copy of the draft Annual Plan 2023/24 for comment by the end of February 2023

### **39. MATTERS FOR REPORT (C1-6)**

Members received:

- Quarterly Report of the Kent IFCA (C1)
- Quarterly Report of the Essex IFCA (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)

#### **40. AOB**

The Vice Chairman addressed Members regarding a request he had received from industry over the discharges into the sea that had been taking place. The fishermen were seeing changes in the estuaries and in the cockle, whelk and fish stocks. The discharges that had taken place appeared to be changing the acidity of the water and they had requested that the IFCA undertook water quality sampling of the area

In response the CFO stated that he would ask the LSCO to review the data/information that already existed and bring it to the next meeting. In addition, he would arrange for Southern Water and the EA to be invited to attend.

13:25 meeting ended