

25 March 2014

NOTES of a Technical Panel meeting of the **KENT AND ESSEX INSHORE FISHERIES AND CONSERVATION AUTHORITY** held in the Thurrock Hotel, Ship Lane, Aveley, Purfleet, Essex on Tuesday 25 March 2014 at 10am

Present: Cllr J Lamb (Southend BC), Mr W Baker (MMO), Mr M Sharp (MMO), Cllr M Harrison (KCC), Cllr A Wood (Essex CC), Mr J Nichols (MMO), Mr A Rattley (MMO), Mr B Smart (MMO)

Apologies: Cllr S Liddiard (Thurrock BC)

In Attendance: Mr P Wickenden (Clerk), Dr W Wright (CIFCO), Mr D Bailey (ACIFCO), Mr J Wiggins (Project/IFC Officer), Mrs D O'Shea (Office Manager)

The meeting opened at 10.00am

At the quarterly meeting held on 25 January 2014, Members met and considered the introduction of a cockle permit byelaw. It was resolved that a Technical Panel be convened to:

1. Investigate methods of fishing & landing for a micro fishery as well as a commercial fishery and
2. Review cost recovery and propose fees for 2 levels of outside area cockle permit.

Declaration of Interests:

Mr John Nichols declared a personal interest as Chair of Thanet Fishermen's Association (affiliated with Whitstable Fishermen's Association).

Mr Andrew Rattley declared a personal interest in respect of his involvement with the cockle industry

Mr William Baker declared a personal interest as a member of the Blackwater Oyster Fishery

Key Points considered by the meeting

The panel were advised that a micro fishery would consist of fishermen who would normally use under 10m vessels with a batch dredge or similar to catch cockles rather than the suction or hydraulic method used by the current cockle dredge fleet in their vessels of around 14m. This would mean that they would not have the ability to catch the same quantity of cockles as by a suction or hydraulic method.

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The panel were provided with two draft byelaws, Byelaw One (Appendix A) and Byelaw two (Appendix B). Byelaw One had been presented to the Authority at the meeting on 25 January 2014. This byelaw allowed for one category of permit with each vessel allowed a maximum permitted catch of 13.6m³ per week until the Total Allowable Catch (TAC) was achieved and contained a fishery management plan and a bio-security code of practice.

At the Authority meeting Members had expressed doubt that a small scale micro fishery would be able to operate under the terms of Byelaw One. The panel were provided with an alternative draft byelaw, Byelaw Two, which took into account the requirements of a micro fishery. This byelaw allowed for two categories of permit; limiting fishermen operating under both permit categories to the same weekly TAC. This byelaw also contained a fishery management plan and a bio-security code of practice. The two permits varied as follows:

- Vessels operating under the category one permit would be allowed a maximum permitted daily catch of 13.6m³ or 6.8m³ (depending on the criteria being met in the management plan) and allocated number of days fishing per week until the TAC was reached.
- Vessels operating under the category two permit (micro fishery permit) would be permitted to catch half the category one volume per day but with twice the number of trips per week. They would use smaller bags to carry and land their catch and the riddle length would be reduced in comparison with that used on the larger hydraulic dredge cockle vessels (category one permit).

Both draft byelaws required that a fee would be paid in order to be granted a permit. Both byelaws provided for a review of the bio security code of practice no less than every three years.

The Panel were made aware of the areas which would be covered by the cockle permit byelaw. Surveys had shown that 69% (approximately 1049 tonnes) of stock was to be found off the Essex coast (area 7), 23% (approximately 355 tonnes) off Leysdown (area 10) and 7% (approximately 112 tonnes) off Reculver (area 14) on the North Kent coast.

Gear that would be intended to be used to harvest cockles would be subject to an appropriate assessment to see how it would interact with the marine environment before it could be used. Currently only suction dredges had an appropriate assessment.

Hand raking and tractor dredging would be limited as the majority of areas, with the possible exception of Pegwell Bay, were inaccessible except from by sea.

The byelaw would not restrict the number of people who could apply for a permit. It would be the intention that a permit would be applied for by 30 June each year. Once the grounds had been surveyed, the TAC would be decided and from this the number of trips that would be required to use up the TAC would be calculated.

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The cockle beds would be opened from July to October each year. This would be done to allow the cockles to spawn and to allow the enforcement that would be required to be carried out to go ahead. The Authority would have the final say each year on when the fishery would open and close.

Should the TAC not be taken up by the end of the second week then this would be reviewed and the fishery potentially extended by a week to use it up.

It took between 10 and 14 days to survey the outside area and 7 to 10 days were spent on enforcement duties. This cost between £25,500 and £36,000 per year and was incurred whether the area was opened or closed.

The Authority would incur additional costs of between £1,500 and £1,700 in inspecting vessels in port prior to the fishery opening to check for compliance with the bio security plan. Additional costs of between £13,600 and £17,000 would be incurred to carry out enforcement duties at sea and on shore. These calculations were based on a two week fishery.

A one off cost would be incurred in developing the capability to use the Marine Management Organisation over 12m vessel monitoring system which would allow the Authority to see where a vessel was within the District.

The number of vessels that had historically fished the area varied between fourteen and thirty four.

Should a decision be made to charge for a permit then that charge would have to be fixed within the byelaw and could not be varied.

It was unlikely that the byelaw would pass through all its stages and be approved in time for the outside area to be opened this year. One option the Authority could consider was the introduction of an Emergency Byelaw in order to allow the area to open. However there was the issue of whether the matter was unforeseen or not. Legal opinion could be sought to establish if this could be done.

Members made the following comments which were considered in arriving at their recommendation:

- A 14m vessel with a suction dredge was capable of harvesting much more efficiently and carrying significantly more quantities of cockles than an under 10m vessel using a batch dredge.
- The under 10m fleet in Ramsgate had expressed an interest in taking part in the fishery and had looked into setting up their own local processing plant to take any cockles landed.
- The existing processing operators in the area considered that the cockles from the areas in question were of low quality and therefore value. The value of cockles meats from the inside area averaged at £4.50 per kilo, those from the outside area would average at £1.50 per kilo.

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- Members were unhappy that the cost of a permit could not be varied without revoking and making a new byelaw and would prefer a separate schedule of charges which could be reviewed each year.
- The cost of each permit should reflect the full cost to the Authority to survey and enforce the area.
- Category two permits should cost half that of Category one permits

Recommendations – matters for consideration

The Panel then made the following recommendations:

- The option of two categories of permits as specified in byelaw two be approved by the Authority.
- The Association of IFCA's be contacted to request that they approach the Minister to discuss a method of introducing legislation that would allow a schedule of charges to be included in a byelaw that could be varied each year.
- Category two permits would cost half that of Category one permits
- The cost of each permit should reflect the full cost to the Authority to survey and enforce the area
- Officers be instructed to obtain legal advice to ascertain whether an emergency byelaw could be brought in in order to open the fishery in October 2014.

12:45 meeting closed