

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

**MINUTES** of a meeting of the Authority held in the Council Chamber, Chelmsford Council Offices, Civic Centre, Duke Street, Chelmsford, Essex on Friday 24 January 2014 at 10.00am.

**Present:** Mr J Nichols (MMO), Cllr S Liddiard (Thurrock Council), Cllr J Jowers (Essex CC), Cllr A Wood (Essex CC), Cllr P Channer (Essex CC), Cllr M Harrison (Kent CC), Cllr D Baker (Kent CC), Mr S Abbotson (MMO), Mr W Baker (MMO), Mr J Brennan (Natural England), Mr L Roskilly (MMO), Mr A Rattley (MMO), Mr M Sharp (MMO), Mr J Labbett (MMO), Mr C Hazelton (Environment Agency), Mr B Smart (MMO),

**Apologies:** Cllr J Lamb (Southend BC), Dr L Fonseca (MMO), Cllr A Bowles (Kent CC), Miss D Lee (Office Manager)

**In Attendance:** Mr P Wickenden (Clerk, KCC), Ms B Gibbs (Financial Adviser, KCC), Dr W Wright (Chief IFC Officer), Mr D Bailey (Assistant Chief IFC Officer), Mr J Wiggins (Project/IFC Officer), Mr B Hermitage (1<sup>st</sup> Mate/IFCO), Mr A Senechal (IFCO), Mrs K Woods (Admin Assistant)

**By invitation:** Dr K Hyder (Cefas), Dr M Armstrong (Cefas), Mr R Mason (MMO)

***Mr J Nichols, Vice Chairman of the Authority presiding***

### **40. MINUTES (A1)**

**RESOLVED** that the Minutes of the meetings held on 22 November 2013 and 13 December 2013 are correctly recorded and that they be signed by the Chairman.

### **41. DECLARATION OF MEMBERS' INTERESTS (A2)**

The Chairman requested Members to declare personal or prejudicial interests on any Agenda item prior to it being dealt with and advised that those with a prejudicial interest may not vote on that Agenda item.

The following Members declared interests:

- Mr W Baker – agenda item B7 – personal interest (participates in the Blackwater Fishery)
- Mr J Labbett – agenda item B7 – prejudicial and personal interest (owns a lease on the River Roach)
- Cllr P Channer – agenda item B7 – personal interest (elected Member of Maldon District Council)

### **42. REVENUE BUDGET MONITORING 2013/2014 (B1)**

The report of the Financial Advisor to the Authority provided Members with details of the estimated revenue outturn as at December 2013. Details of variations to the budget were

provided and Members were advised that the expected outturn for the year was showing a surplus of £51,839.

Members **NOTED** the estimated outturn position.

### **43. DRAFT BUDGET 2014/2015 (B2)**

The Chairman drew Members' attention to the written representation from Cllr Lamb which was laid around the table.

The Financial Advisor to the Authority provided Members with details of the draft budget. Members were reminded that at the Authority meeting held on 17 January 2011 they were presented with a report outlining a medium term plan which showed a reduction in the levy for each Local Authority, excluding new burden money, over the three years to 2013-14 and with a modest increase in 2014-15. Overall, the four year plan agreed by Members in January 2011 resulted in a reduction in the costs to the Local Authorities of 25.6% phased in over three years.

It was proposed that £889,600 was levied on the constituent authorities for 2014-15, an increase of £21,600, to be divided on the basis contained within the statutory instrument that came into force on 1 October 2010. Members were advised that the levy increase of £21,600 had been offset by the reduction in potential income for 2014-15. Members were advised that no provision had been allowed for a pay increase, although provision for career progression had been made. The budget for 2014-15 also included the use of reserves of £41,022 to support the following:

- £23,522      Research
- £11,000      Training
- £6,500        Geographical Information Systems (GIS)

Members were advised that the replacement for the Kent Patrol Vessel Ken Green would be completed at the end of 2014-15, resulting in the renewals reserve being depleted to £326,000 by the end of 2014-15. Members were advised to keep the renewals contribution as high as possible to ensure there is sufficient funding available to give the Authority the option to purchase a replacement vessel in 11 years' time.

A Member asked for clarity over the proposed increase to the levy for the next four years. The Financial Advisor referred to Appendix 1 and Appendix 2 to Agenda item B2 and advised that an increase was being proposed for 2014-15 and would remain the same for the next four financial years.

The Local Authority Members present unanimously voted by a show of hands in favour of the proposed increase in levy for the next four financial years.

The Authority unanimously **RESOLVED** that:

- (i) the draft budget of £889,600 and levy as set out in Agenda item B2 be approved. The total amount of levy payable by each Local Authority being as follows:

• Kent County Council	£383,600
• Medway Council	£67,200
• Essex County Council	£383,600
• Thurrock Council	£33,700
• Southend-on-Sea Borough Council	£21,500

(ii) the medium term plan for 2015-16, 2016-17 & 2017-18 be noted

#### **44. DRAFT AUDIT PLAN 2014/2015 (B3)**

The Financial Advisor to the Authority provided Members with details of the proposed audit plan for KEIFCA for 2014-15. Members were advised that the scope of the audit plan allowed for the auditor's assurance that systems of financial control operate effectively and securely and provide accurate information to support the Authority's activities.

**RESOLVED** that the draft audit plan be approved as proposed.

#### **45. WHELK PERMIT BYELAW (B4)**

The Chief Fishery Officer provided Members with a report on current harvesting levels of whelk stocks in the district and scientific research to determine future technical permit requirements for the KEIFCA whelk byelaw.

Members were reminded that at the Authority meeting held on 18<sup>th</sup> January 2013 they agreed to develop a flexible byelaw, to help sustainably manage the whelk stock in the long term. This byelaw came into effect in April 2013 and the Technical Requirements of the byelaw e.g. number of whelk pots, riddle gap size and the number & size of escape holes, must be reviewed at least every 3 years.

The Chief Fishery Officer advised the Authority that he proposed to take best practice acquired from the Thames Estuary cockle fishery over 20 years of landing and survey data, and apply that to the whelk fishery. The Chief Fishery Officer advised Members that in order to help permit holders have an input into the stock management process, the 27 current permit holders had been sent a questionnaire and invited to a whelk stakeholder meeting held on 7<sup>th</sup> January 2014. The results of the questionnaire and feedback from the meeting were reported to Members.

**RESOLVED** that the current Technical Permit Requirements be kept as follows:

- The maximum number of whelk pots that may be set by the holder of a Category One Permit (*full time fishermen*) **300**
- The maximum number of tags to be issued to the holder of a Category One Permit (*full time fishermen*) **300**
- The maximum number of whelk pots that may be set by the holder of a Category Two Permit (*hobby fishermen*) **10**

- The maximum number of tags to be issued to the holder of a Category Two Permit (*hobby fishermen*) **10**
- The size of the riddle (*the size of the gauge used to measure the riddle*) **22mm**
- The minimum number of escape holes **2**
- The diameter of the escape holes (*the size of the gauge used to measure the hole*) **22mm**

#### **46. OUTSIDE AREA – COCKLE PERMIT BYELAW (B5)**

The Project Officer reminded Members that at the Authority Meeting held on 5<sup>th</sup> September 2013 the Authority instructed KEIFCA Officers to develop cockle fishery management measures to include bio-security measures for the area outside of the Regulating Order.

The Project Officer provided Members with a proposed cockle permit byelaw, which had been developed by combining elements of the six current cockle fishery byelaws with elements of successful cockle fishery management within the Regulating Order. He emphasised that it was at the first draft stage of the process and would be subject to further review and scrutiny of the management measures before submission to the MMO for approval. The Chief Fishery Officer reminded Members that to make a byelaw takes at least 6 months and the fishery normally opens in September.

The Project Officer advised that a fee would be charged for the cockle permit, although the cost of the permit had not yet agreed. Members discussed what would be a fair and appropriate fee taking into account cost recovery. Members asked whether there would be capacity for artisanal collecting as well as commercial scale fishing. The Chief Fishery Officer suggested that there could be 2 levels of fishing, as with the whelk permit system, to allow for commercial fishing as well as hobby fishing.

A Member questioned the time frame given the amount of work yet to be done. The Chief Fishery Officer suggested holding a technical panel to look into methods of fishing and landing for a micro fishery and to suggest a fee to be charged for the permits. The Clerk advised that the technical panel must report back to the Authority and may not report directly to the MMO.

**RESOLVED** that a technical panel meeting be held to:

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

#### **47. SEA ANGLING 2012**

Dr Mike Armstrong from Cefas (Centre for Environment, Fisheries & Aquaculture Science) gave a presentation on the launch of the Sea Angling 2012 project. The presentation was well received by Members and questions were invited. Cllr Jowers commented that it was a clear presentation that made a good argument for quota control. He stated that currently in Europe there isn't a mechanism to record the landings of recreational anglers, unlike in the USA where annual surveys are carried to enable stock level forecasts. Mr Sharp thanked Cefas and the IFCO Officers who

had worked with them on the project and asked what the next steps would be nationally and locally. The Chief Fishery Officer advised that there was a lot of data available relating specifically to the KEIFCA district and this had been useful in the development of the species management plans for the key KEIFCA species.

**48. HYTHE BAY rMCZ (B6)**

The Chief Fishery Officer gave a verbal report to remind Members that KEIFCA would take over the management of this site if it were to become a Marine Conservation Zone. He advised the Authority that KEIFCA had been asked to gather more scientific data to assist with a decision relating to the status of this site. The Chief Fishery Officer reported that meetings had been held with the Minister and stakeholders, including local anglers, to discuss the socio-economic impact of the site on which Defra were yet to make their decision. In answer to a question about what specific features were to be protected the Chief Fishery Officer responded that there were 3 features to be protected; seafans, burrowing mega fauna & broad scale habitats in sub tidal mud.

**49. NEW RIVER ROACH OYSTER FISHERY ORDER AND BLACKWATER/CROUCH OYSTER FISHERY MANAGEMENT (B7)**

Mr J Labbett declared a prejudicial interest and left the room for the discussion and decision part of this agenda item.

Mr Roger Lankester (Tollesbury Mud Club) reported to Members that he had spoken to the Chief Fishery Officer of Southern IFCA regarding his concerns over environmental NGO's issue with the use of anti-fouling paints. He said that Southern IFCA were willing to work collaboratively with KEIFCA.

The Project Officer thanked Mr Lankester for his input and advised that KEIFCA will carefully scrutinise any accusations regarding anti-fouling paints and that with regard to collaborative working, KEIFCA have been in contact with Chichester Harbour regarding the native oyster fishery.

The Project Officer reported to Members on the progress with the new River Roach Oyster Fishery Order and sought instruction on the matter of a request to grant a lease in the Company name 'Seabreeze Trawlers' to an individual who currently holds a lease in his own name.

**RESOLVED** that the lease be granted in the individual's name and KEIFCA will seek legal opinion with regard to transferring the lease into the Company's name.

Mr J Labbett returned to the room and advised that his interest was now personal rather than prejudicial.

The Project Officer reported on the development of native oyster stock management within the new Marine Conservation Zone (MCZ) and advised Members that a small working group of stakeholders had met in December 2013. Members discussed the key recommendations of the

working group and in particular the matter of how management measures would be implemented. Members discussed the proposed condition of the licence that a number of years of restoration work would be required before a licence holder could commence harvesting and how this might also be applied to new entrants to the fishery. The Project Officer suggested passing Members' comments back to the industry and stakeholders and then reporting back the Authority.

**RESOLVED** that:

- i) the key recommendations from the working group be adopted by the Authority
- ii) an application be made for a native oyster Regulating Order within the MCZ area

## **50. EDUCATION REPORT (B8)**

The Chairman congratulated Ben Hermitage on his promotion to 1<sup>st</sup> Mate on the Kent patrol vessel Ken Green and invited him to present the Education Report. The report was presented to Members and questions invited. Members complimented the 1<sup>st</sup> Mate on the work done so far on the education project and were keen for it to be placed in as many schools within the district as possible. The Chief Fishery Officer advised the Authority that the education project had been developed as a complete lesson plan to be taught to Teachers, either via staff training days or Teacher training colleges, to use in their schools, rather than KEIFCA officers visiting individual schools to deliver the programme.

**RESOLVED** that:

- i) the report be noted; and
- ii) continuation of the Education Project be approved

## **51. DRAFT ANNUAL PLAN 2014-15 (B9)**

The Assistant Chief Fishery Officer presented the draft Annual Plan for 2014-15 to Members and highlighted some of the many high-priority workstreams facing KEIFCA over the coming months.

**RESOLVED** that the draft Annual Plan 2014-15 be approved.

## **52. DATES FOR AUTHORITY MEETINGS 2014-15 (B10)**

The Chairman presented proposed meeting dates for 2014-15 to Members for consideration.

Tuesday 20 May 2014  
Thursday 4 September 2014  
Friday 21 November 2014  
Thursday 22 January 2015  
Tuesday 19 May 2015

**RESOLVED** that the meeting dates be noted.

### **53. UPDATE ON NEW PATROL VESSEL**

The Project Officer gave a brief verbal report to Members and advised that the contract for the new Kent patrol vessel has been signed and an initial meeting with boatyard had taken place.

### **54. MATTERS FOR REPORT (B11)**

Members received:

- the quarterly report of the Kent IFCO (C1)
- the quarterly report of the Essex IFCO (C2) – Members asked for clarification on eels. The Chief Fishery Officer advised that Eel Licences are issued by the Environment Agency and KEIFCA work with the EA to check tags.
- the quarterly report of the patrol vessel 'Ken Green' (C3)
- the quarterly report of the patrol vessel 'Tamesis' (C4) – Members asked about seed mussel activity in Southend. The Chief Fishery Officer advised that mussels taken must be over 15mm minimum size and letters of consent are issued to allow fishing for a certain period of time. Another Member asked whether the fishery will be extended and the Chief Fishery Officer advised that the fishery falls within an SAC and KEIFCA take advice from Natural England.
- Sea Angling report (C5)
- Communication update (C6)
- DP World/London Gateway newsletter (C7) – Members expressed an interest in revisiting the London Gateway site, the Chief Fishery Officer confirmed that this would be arranged.

### **55. AOB**

The Chairman commented that he had never seen fishing as poor as was currently the case along the North Kent Coast. Members concurred and discussed possible reasons for the decline in fish stocks including climate and an effect of the largest off shore build which is in the KEIFCA district. Members suggested including the subject as an agenda item at a future meeting to be arranged at DP World/London Gateway.

The meeting closed to the public at 12.40hrs.

Resolved that under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1, paragraph 1,2 and 4 of Schedule 12A of the Act.

- Members resolved that the Exempt Minutes of the meeting held on 22 November 2013 were correctly recorded and that they be signed by the Chairman.

The meeting closed at 12.45hrs