

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 at 10.00am on Tuesday 20 May 2013

Present: Cllr J L Lamb (Southend BC), Mr J Nichols (MMO), Cllr P Channer (Essex CC), Cllr A Wood (Essex CC), Cllr M Harrison (Kent CC), Cllr D Baker (Kent CC), Cllr A Bowles (Kent CC), Mr W Baker (MMO), Ms I Chudleigh (Natural England), Mr L Roskilly (MMO), Dr L Fonseca (MMO), Mr A Rattley (MMO), Mr C Hazelton (Environment Agency), Mr B Smart (MMO), Mr S Abbotson (MMO), Mr M Sharp (MMO), Mr P Wexham (MMO)

Apologies: Cllr K Tolhurst (Medway Council), Cllr J Jowers (Essex CC), Cllr S Liddiard (Thurrock Council), Mr J Labbett (MMO)

In Attendance: Mr A Tait (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 (1st Mate/IFCO), Miss E Lyons (IFCO), Miss A Purcell (IFCO), Mrs D O'Shea (Office Manager)

By invitation: Mr P Little (Defra), Mr B Archer (Defra), Mr J Brennan (NE),

The Chairman welcomed members of the public that were in attendance and for their benefit those present introduced themselves.

The Chairman informed Members that Cllr Mackness was no longer the appointed Member for Medway Borough Council and that his place had been taken by Cllr Kelly Tolhurst. He wished to record the Authority's thank to Cllr Mackness for his work in supporting the IFCA.

The Chairman introduced Miss Angharad Purcell to Members as the new Inshore Fisheries and Conservation Officer for Kent and welcomed her on behalf of the Authority.

The Chairman advised Members that Mr Richard Inman would not be presenting to the Authority under Agenda item 9 and that his place would be taken by Mr Paul Little and Mr Bertie Archer of Defra's Marine Sponsorship Team.

The following information was laid around the table:

- Revised Agenda item B3 – previously emailed to Members on 14 May 2014
- Cockle Survey report (Agenda item B3)
- Correspondence in respect of the opening of the outside area (Agenda item B4 referred)
- Notes from a meeting with the cockle fishermen held on 12 May 2014
- Agenda item B15 – Draft Research Plan 2014/15 – previously emailed to Members on 16 May 2014

1. ELECTION OF CHAIRMAN AND VICE CHAIRMAN (A2)

The Clerk to the Authority was in the Chair for this item.

Members were advised that they were required each year to nominate and select a Chairman and Vice Chairman.

Cllr Harrison nominated Cllr John Lamb as Chairman, seconded by Cllr Channer. No other candidates were proposed so Cllr Lamb was elected unopposed as Chairman.

Cllr Lamb thanked the Authority and resumed the Chair.

Cllr Bowles nominated Mr John Nichols as Vice Chairman, seconded by Cllrs Baker and Channer. No other candidates were proposed so Mr Nichols was elected unopposed as Vice Chairman.

2. MINUTES (A1)

RESOLVED that the Minutes of the meeting held on 24 January 2014 were correctly recorded and that they be signed by the Chairman.

3. DECLARATION OF MEMBERS' INTERESTS (A3)

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 interest may not vote on that Agenda item.

The following Members declared interests:

- Mr A Rattley – agenda item B3 & B4 – personal interest (owns cockle processing plant)
- Dr L Fonseca – agenda item B5, B8 & B9– personal interest (Defra employee)
- Cllr P Channer – agenda item B11 – personal interest (Maldon DC member)
- Mr W Baker – agenda item B11 – personal interest (participates in the Blackwater Fishery)
- Mr J Nichols – agenda item B10 – prejudicial interest (employed by Informing the Future project)

4. STATEMENT OF ACCOUNTS 2013/14 (B1)

Members were provided with the final revenue accounts for the Authority, capital expenditure, the balance sheet at 31 March 2014 and a statement of reserves and balances.

They were advised that the overall outturn for the year had increased to £111,446 due to a reduction in the forecast for fuel and oil as a result of targeted patrol operations, fuel economies and the vessels not being required as anticipated by other authorities to undertake surveys. In addition, support costs to the Authority were underspent as the use of legal, personnel and PR

units at KCC were less than expected. Additional income from DP World and Defra for surveys undertaken by Officers had also been received. The Financial Advisor informed Members that she recommended holding the outturn in general reserves to enable it to be easily accessible.

Capital expenditure for the year was the purchase of two quad bikes and the first stage payment for the new vessel. Financing of these items were from the sale proceeds of the Authority's existing quad bikes and £115,809 drawn from the renewal reserves.

In response to a question raised by Members regarding the research budget, the Financial Advisor advised that the underspent funds allocated to Research and Development were ring fenced and were available to be used by the Authority as it required.

Members were also advised that an interim audit had been conducted in October 2013 and a final audit in May 2014 which resulted in no action or report by Internal Audit. The summary accounts and governance making up the annual return now needed to be submitted to the Audit Commission with the approval of the Authority.

RESOLVED that:

- (i) the sum of £111,446 be transferred to General Reserves;
- (ii) the outturn position be noted; and
- (iii) the annual return to the Audit Commission be agreed.

5. TREASURY MANAGEMENT STRATEGY (B2)

Members were provided with details of the Authority's strategy of 2014-2015. They were advised that there was no change to last year and that although Santander UK was listed as acceptable by advisors to KCC, as requested previously this bank would not be used.

RESOLVED that the report be approved

6. COCKLE FISHERY MANAGEMENT (B3)

1. The Assistant Chief Fishery Officer advised Members that the 2013 TECFO cockle fishery began on 23 June 2013 and finished on 4 October 2013 giving a total of 15 weeks fishing and that during this period a total of 6160 tonnes of cockles were taken.

Stock surveys had started on 2 April 2014 and had taken place over a period of 5 days. Analysis of this survey data had shown that survival had been poor and the populations of large adult cockles that remained were small. The 2013 year class of spat had experienced severe mortalities across the areas surveyed, particularly in Area 6. It appeared that over the winter period only 46% of cockles had survived to that surveyed in September 2013. Of those that had survived their growth was not as high as expected. The ACFO informed Members that this could be a result of the temperature over winter not dropping as much as expected which meant the cockles' metabolic rate failed to slow as much as they would normally do. This would result in the cockles continuing to require to feed when the food level was not as high as usual and could result in a

slower growth rate. As a result the recommended Total Allowable Catch (TAC) would be set at the same level as in 2013 at 6160 tonnes.

Additional surveys of other areas beyond the major harvesting grounds would take place in June 2014.

Members were advised that a meeting had been held with licence holders on 12 May 2014 who had agreed the proposed dates and times for the fishery and had recognised the need to keep a low quota but with a proviso that if additional stocks were found elsewhere this could be reviewed.

1.4 Members were advised that once again operating costs had been kept to a minimum during this year and it was therefore not necessary to apply for an increase to the fee and that it would remain at £4,968.

RESOLVED that

- (i) an initial Total Allowable Catch (TAC) be set at 6160 tonnes and that further information related to the stocks will need to be continually reviewed throughout the season to ensure future sustainability;
- (ii) a further allocation of additional TAC, and therefore extension of the fishing season, may be made in the event of previously unknown or un-surveyed stocks of cockles being located, conversely if by monitoring of catch rates stocks in individual areas are shown to be falling then those areas may have to be closed;
- (iii) the Chief IFCO be authorised, after consultation with the Chairman and Vice Chairman, to implement changes to fishing controls within the limitations of the agreed TAC;
- (iv) the fishery will commence at 21.00 hrs on 22 June 2013;
- (v) the fishing season will be divided into weekly specified fishing periods which will run from 21.00 hrs on Sunday to 12.00 hrs on Friday and during these periods licence holders will be permitted to make the following specified numbers of landings (Reg. No. 7). This will maximise production when meat yields and quality are at their best.

22 June – 25 July (5 weeks)	2 specified landings per period
27 July – 3 October (10 weeks)	3 specified landings per period
- (vi) the maximum quantity of cockles that may be landed or carried on board will remain at 13.6m³/500 baskets per fishing trip (approx. equivalent 11 tonnes);
- (vii) sections of Areas 1, 2 and 3 should be closed at all times during the period June - September inclusive. These areas are defined as inshore sections of Areas 1, 2 and 3 from Two Tree Island at Leigh-on-Sea in the West to The Coastguard Station at Shoeburyness in the East and also within the area of Shoeburyness East Beach. (This closure applies only to the area inside the moorings and where there are no moorings

closer to the shore than a distance of 300 metres measured from mean high water mark.); and

(viii) the licence fee would remain at £4,968.

1.5 Members considered the matter of issuing additional licences for the 2014 Fishery. As required by the Order consultation had taken place with those persons likely to be substantially affected by a limitation on the number of licences issued. Copies of correspondence received as a result of this were provided to Members.

RESOLVED that:

- (i) the number of licences will be restricted;
- (ii) 14 licences be granted in respect of the 2014 fishery which would be allocated to those that held licences last year; and
- (iii) no additional licences be granted.

2. Members were reminded that the areas outside of the Regulating Order had been surveyed in 2013 and cockles had been found to be present, but that the fishery had not been opened due to concerns regarding the high mortality rates of cockles in other parts of the country and the risk of spreading it to the District. Members had agreed to implement the Closure of Beds Byelaw at the January 2014 meeting except to allow for fishing to be permitted during specified periods in specified areas. Members were advised that this would enable the fishery to remain closed while developing a new permit byelaw.

Members were also advised that the terms of the existing cockle permit byelaw meant that any person requesting a permit would be provided with one. However fishing could not take place until the fishery was opened and an appropriate assessment approved by Natural England.

RESOLVED that:

- (i) the closure of cockle beds outside the Regulating Order continue; and
- (ii) permits to fish in the area outside the Regulating Order be issued to those that apply.

10:55 Cllr Wood arrived

7. COCKLE PERMIT BYELAW (B4)

The Assistant Chief Officer (ACFO) reminded Members that at the last meeting they had considered the wording of a new cockle permit byelaw to include a bio-security and management plan and fees. At this meeting Members requested that a Technical Panel be held.

Members were provided with the notes of the Technical Panel meeting held on 25 March 2014 which detailed its findings and recommendations in respect of these matters.

Members were advised that the Technical Panel had recognised the difficulty of vessels under 10m operating batch dredges or similar to catch the same quantities of cockles as the current cockle dredge fleet using hydraulic dredges and being up to 14m in length.

Two draft byelaws were considered, one of which had been re worded to take into account the opinions of Members expressed at the previous Authority meeting with regard to the requirements of a full scale and micro fishery and the recovery of costs. This byelaw allowed for two categories of permits.

Members were advised that the Technical Panel had made the following recommendations:

- The option of two categories of permits as specified in the byelaw to be approved by the Authority.
- The Association of IFCAs 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

Members were advised that, as instructed, discussion had taken place with the Marine Management Organisation (MMO) with regard to the wording of the byelaw and specifically in respect of varying the charge for the permit. The MMO had indicated that this could be achieved by including a schedule of charges within the byelaw which specified an incremental list of fees over a fixed number of years.

Members were informed that the MMO had also been contacted, as instructed, to discuss the possibility of an emergency byelaw should it not be possible to introduce a byelaw in time to allow the opening of the cockle fishery. The advice given by the MMO was that due to the length of time over which the issue had been discussed it might be difficult to justify that the matter was unforeseen and therefore they felt the introduction of an emergency byelaw would be unsuccessful.

11:05 Mr Abbotson arrived

Members were advised that under the existing byelaws, vessels could take a maximum daily catch of 13.6m³ of cockles which could be decreased to 6.8m³, depending on the management plan. Smaller vessels (under 10m) could not carry this quantity, so it was proposed that they would be allowed twice the number of trips, but permitted to take half the permit one volume per day. This category two permit holder would use smaller bags to carry and land their catch and the riddle length would be reduced to that used on the category one permit vessel

With regard to the cost of permits, the Chief Fishery Officer had drawn up a suggested schedule of permit costs which increased in price by 15% each year, starting at £550 for a category one permit (£275 for a category two permit) until 2020 when the amount for a category one permit would be £1272 (£636 for a category two permit). The byelaw, together with the schedule of costs would then be reviewed. This phased increase in the costs would assist the Industry.

Mason West representing W M Osborne addressed the Authority. He stated that he was concerned that in excess of 40 boats would be coming to the area to fish and that in his opinion there were health and safety concerns if there were 40 to 60 dredges hanging off the back of vessels all fishing at the same time. He also expressed concern that the new byelaw had not been discussed with the Industry.

Michael Bates representing Fruits of the Sea Ltd addressed the Authority. He expressed concern that the Technical Panel had been held without a representative from the cockle industry being present. He stated that if the cockles were not taken they would die. In respect of batch dredging he enquired whether the riddle would be required to be of a certain length. Mr Bates also expressed concern that the new byelaw had not been discussed with the Industry.

The Chief Officer advised that he had been asked to consider concerns over a potential bio hazard and the introduction of a new byelaw to mitigate this. At the January meeting Members instructed that the fishery should be open to a range of different vessels and requested that a Technical Panel met to consider this. Until the Panel had met it would have been difficult to discuss any matters with the Industry. He also informed Members that if they required a byelaw to be made in time for the fishery to open in October then a specific timeline would be required to be followed to allow this to happen, which would include an extraordinary meeting in July 2014 to make the byelaw, followed by a period of consultation before receiving approval by the Secretary of State.

In respect of comments made by Members in respect of health and safety issues, the CFO advised that an appropriate assessment would be required by Natural England to be carried out for each type of gear interaction and the MCA procedures address health and safety requirements at sea.

RESOLVED that:

- (i) the recommendations of the Technical Panel be approved;
- (ii) the detailed structure and wording of the draft byelaw be amended in line with MMO legal advice whilst maintaining the requirements and meanings of that which had been approved;
- (iii) the draft byelaw will include a schedule of charges which specified an incremental list of fees over a fixed number of years;
- (iv) that Category two permits will cost half that of Category one permits and will permit the taking of half the quantity of cockles over twice the amount of time; and
- (v) progress with the drafting of this byelaw be reported back to the next meeting

8. COMMON FISHERIES POLICY REFORM (B5)

Members were informed that the Authority had received a consultation document from Defra relating to the 'Implementation of the pelagic landing obligation in England'. Although the closing date for this consultation was 12 May 2014, Defra had agreed to extend this for the IFCA to allow Members to meet to discuss the paper and submit their comments. This was the first of three rounds of consultation.

Members were advised that this landing obligation was a ban on discarding fish which were subject to catch limits, meaning that all catches had to be brought ashore. This meant that quotas would now control what was being caught at sea rather than what was landed ashore. Pelagic species (fish that do not swim in the bottom of the sea or near the shore) would be the first species to be covered by this landing obligation with this taking effect from 1 January 2015

Members were provided with detailed information as to when a vessel would be subject to this new policy.

11:45 Cllr Channer left the meeting

Members discussed this matter in detail and **RESOLVED** that the following recommended responses to be sent on their behalf:

- (i) In respect of the switching of quota; how this could be practically introduced with clarification on how this would be carried out.
- (ii) Would funds be made available for Kent & Essex IFCA Officers to be trained in the need for the enforcement of any new legislation?
- (iii) How would the existing legislation interact with Kent & Essex IFCA's byelaws relating to herring, minimum sizes and net mesh sizes with the introduction of a "no discards policy" A meeting would be required with the MMO to discuss this.
- (iv) What facilities would there be in ports to dispose of landed over quota and/or unwanted fish?
- (v) How was Defra planning on communicating these reforms to the Fishing Industry? Would they expect the IFCAs to carry this out or will they be relying on the MMO to do so?
- (vi) Some of the stocks were not contained solely within the Kent & Essex district. How would we coordinate the effects of any impact on these stocks when they would not just be within our district?
- (vii) Members expressed concern over the amount and accuracy of knowledge and data around current catches verses current landings.

9. FISHING IN THE THAMES (B6)

Members were advised that concerns had been raised regarding poor returns for fish in the Thames, particularly sole. The CFO was aware of a number of groups that were working together to look at this issue, including the Thames Estuary Fisheries Action Group which was attended by officers and Members of the Authority.

The Environment Agency confirmed that the upstream area of the Thames was heavily monitored. Members discussed whether a specific workshop would be required or whether officers should work through other groups.

RESOLVED that a joint meeting with the Marine Management Organisation and the Environment Agency be arranged to coordinate and understand the issues that are being raised.

10. KEIFCA SUSTAINABILTY AND SPECIES REVIEW WORKSHOP SUMMARY (B7)

The Chief Fishery Officer provided Members with an overview of the conclusions of the two day workshop held in Dover on 19 and 20 February 2014. In addition Members were provided with the presentations provided at this workshop on a memory stick for their own information.

They were advised that more detailed reports would be produced in respect of the work streams identified during the workshop, which would probably involve the need for a Technical Panel to discuss each one in more detail. The Chief Fishery Officer advised Members this would be carried out over a period of five to eight years.

Members **APPROVED** the report of the Chief Fishery Officer

11. DEVELOPING MANGEMENT FOR MARINE PROTECTED AREAS (B8)

The Chief Fishery Officer thanked Members for their work and effort in helping to create the new bottom towed gear byelaw to protect the chalk reef in Thanet MCZ and Seagrass in Essex MCZ.

Members were advised that the "red risk" sites now had protection in place and that the Authority was now looking to introduce management measures for those sites assigned as "amber and green". Members were reminded that there were 16 European Marine Sites (EMS) in the district with 1643 gear feature interactions required to be assessed. This assessment process involved an initial screening component (Test of Likely Significance (TLSE)) and a more detailed assessment for any interactions that were flagged as potentially significantly deteriorating the feature. Due to the delivery timelines involved in developing MPA management plans, the Authority had been asked to identify EMS high priority sites without finishing the screening process. A workshop had been held with local Natural England staff on 10 and 11 February 2014 to identify and prioritise the highest risk gear/feature interactions on the designated EMS and MCZ sites in the district.

Members were informed that the following four sites had been identified as requiring the development of management measures with the possibility of requiring legislative management solutions:

- Folkestone Pomerania MCZ – bottom trawling – sediment, rock, fragile sponges and anthozoans (*Recover Conservation Objective*)
- Blackwater, Crouch, Roach, Colne MCZ – oyster dredging – oyster beds and oysters (*Recover Conservation Objective*)
- Essex Estuaries SAC - Bivalve (Clam) dredging and bottom towed gear – mud
- Hythe Bay MCZ – bottom towed gear – subtidal mud (*Waiting on guidance from defra as to the priority and subsequent actions required on this site as this is now being considered as part of the Tranche 3 MCZ process*)

The Chief Fishery Officer reminded Members that they had agreed to form a MPA working group to look at these workstreams and to review data and timelines. It was intended to hold a meeting of this working group in July to comment on the proposal of the detail of the proposed plans. Members were advised that in addition to seven IFCA members that would sit on the group, four non-voting seats would be included. Currently fishermen from an Essex and Kent trawler had agreed to take part and it was expected that representatives from the Wildlife Trusts and other NGOs would attend.

RESOLVED that:

- (i) detailed plans for the four gear/feature interactions identified by officers be developed for submission to the next Authority meeting;
- (ii) the screening process be given priority by officers with a report on this progress being made to the next Authority meeting;
- (iii) the MPA working group should meet before the next Authority meeting to comment on the detail of the proposed plans; and
- (iv) a representative from the angling sector be included in the composition of the MPA working group.

12. CALL FOR EVIDENCE ON THE CONDUCT AND PERFORMANCE OF IFCAS (B9)

Paul Little spoke to Members regarding the call for evidence that Defra is currently consulting on with regard to the conduct and performance of all IFCAs. Defra had written to stakeholders with an interest in marine activities and publicised it in their fishing focus newsletter asking for their participation. This call for evidence will continue until 1 August 2014.

Members were advised that questions had been put together in order to seek evidence that IFCAs had completed their functions as required under MACAA. All comments made would be shared with IFCAs, Natural England and the Environment Agency who would then be able to comment on them before they were put in a report. He stressed that this was a report rather than a review.

The final report would be submitted to the Minister to be signed off and then to the Secretary of State by December 2014.

The Chairman thanked Mr Little for his presentation.

12:35 Dr Fonseca left the meeting

12:35 Mr J Nichols declared a prejudicial interest and left the room.

13. INFORMING THE FUTURE – ANNUAL REPORT (B10)

Members were informed that the project had been running for just over a year with an average of 15 vessels participating.

Members were advised that information was collected by a Fisheries Liaison Officer (FLO) talking to local fishermen on a monthly basis using a standard questionnaire relating to the fishing area, effort of the fleet, species caught and basic economic information.

Information gathered was summarised by officers and distributed back to the fishing community by the FLO. Members were provided with data reports for each quarter of 2013.

Members were advised that one of the key benefits of the project had been the development of trust between the local fishing community and KEIFCA by creating an open communication method. In addition the Authority had been able to gather data and information regarding fishing in the district which had not previously been quantifiable. This data could now be used to help to inform fisheries management plans and management of MPAs.

Due to the success of the project it was now hoped to expand it into Essex. It was felt likely that a higher number of FLOs would be required across Essex due to the difficulty in getting around the Essex ports.

Members were advised that the cost of continuing the project had been accounted for in the 2014/2015 budget.

RESOLVED that:

- (i) the Informing the Future project will continue in Kent; and
- (ii) the project be expanded into Essex.

12:40 Mr J Nichols returned to the room

14. BLACKWATER/CROUCH MCZ MANAGEMENT MEASURES AND RIVER ROACH ORDER (B11)

1. Members were updated on the progress of the management measures required to aid the recovery of Native Oysters within the Blackwater, Crouch, Roach and Colne MCZ area. A meeting

had taken place with the industry to explain these proposals to fin fish fisherman as well as oyster fishermen and discussion had continued with Natural England.

Members were informed by the Project Officer that it was felt that there may be benefit to making an application for a Hybrid Order or larger Several Order for the Crouch and Roach and that discussions had started in respect of this.

1.1 Final notification had not yet been received from the MMO with regard to the application for EU grant funding required in order to carry out a baseline survey of native oyster stocks and habitat.

Natural England had advised they would be able to provide a grant of £4,000 to contribute to the cost of the survey. Members were advised that if the Authority was unsuccessful in its grant application then the survey detail would be trimmed and undertaken by 'Tamesis' within the current survey budget.

The Project Officer advised Members that in addition it was intended to carry out a further cleaning of oyster cultch during the summer.

RESOLVED that:

- (i) the Chief Fishery Officer be authorised to make decisions regarding the native oyster survey in consultation with the Chairman and Vice Chairman; and
- (ii) the Chief Fishery Officer be authorised to make decisions regarding the issue of consents for the cleaning of cultch.

2. Members were reminded that for the past two years they had authorised the prohibition of the harvesting of Native Oysters within the area of the MCZ. This closure was due to expire on 31 May 2014.

Members were advised that surveys and evidence from controlled fishing had shown that there had not been a significant spat fall on these grounds over the past two to three years and stocks continued to remain severely depleted.

As a result Members were asked to continue to approve the prohibition of the harvesting of Native Oysters within the MCZ area with consideration to allow a small level of restricted fishing for two to three weeks.

RESOLVED that:

- (i) under the KEIFCA Shellfish Beds Byelaw it is prohibited during the period 31 May 2014 to 31 May 2015 to remove or disturb any Native Oyster (*ostrea edulis*), without the consent of the Authority, from within the area defined by a line drawn from a position on the coast at Clacton 51°47'.223N 01°09'.325E, connecting through points at: 51°43'.853N 01°09'.178E, 51°41'.969N 01°08'.367E, 51°40'.021N 01°05'.053E to Foulness Point at

position 51°37'.206N 00°57'.475E and thence following the line of mean high water along the Essex coastline and returning to a position on the coast at Clacton 51°47'.223N 01°09'.325E; and

- (ii) the Chief Fishery Officer be authorised to allow the opening of the fishery in consultation with the Chairman and Vice Chairman to enable a small level of restricted fishing.

3. In respect of the River Roach Oyster Fishery Order, Members were advised that leases had been sent to four previous leaseholders for their acceptance and payment.

15. ENFORCEMENT CODE OF CONDUCT (B12)

Members were provided with a draft code of conduct which would be adhered to by officers for boarding and enforcement of fishing vessels at sea

Members **APPROVED** the enforcement code of conduct

16. HARWICH FISHERMEN'S ASSOCIATION INSPECTIONS (B13)

The Assistant Chief Officer informed Members that since August 2013 Mr Trevor Armstrong in his capacity as Secretary of Harwich Fishermen's Association (HFA) had been in communication with the Authority with regard to concerns relating to the hauling and inspection of fixed gear at sea by IFCA officers. HFA fished in an area which came under the jurisdiction of Eastern IFCA as well as Kent & Essex IFCA. Currently Eastern IFCA did not have the ability to haul fixed gear so did not carry out these inspections.

Members were advised that fixed gear consisted of lobster, whelk and crab pots as well as fixed and drift nets.

Mr Trevor Armstrong, representing Harwich Fishermen's Association, addressed Members. He advised Members that HFA had for some considerable time expressed concern over their gear being lifted without them being present. Fishermen were protective of their area and the way the gear was lifted and they felt that when gear was lifted it was not being put back in the same place. His members considered that they were law abiding and that there was no evidence of non-compliance. With regard to an offer by the IFCA to spend the day on board on of their vessels, this had been rejected by members. They had no objections to their gear being lifted if they were present or for officers to board their vessel to inspect any gear that they were lifting at that time. However they felt that unless the IFCA had specific evidence of non-compliance then it would be disproportionate for their gear to be lifted without them being present.

In response to questions by Members, the Assistant Chief Officer advised that for the whole district in 2013, 250 sets of gear were sighted. Of these, 37 sets were inspected with 18 sets being fully compliant with the Authority's byelaws and 19 being non-compliant. Of these 37 sets inspected, 4 were inspected by 'Tamesis' in the Essex district (two in April and two in September). These 4 were fully compliant. He also stated that the Marine and Coastal Access Act allowed an

IFCA to inspect any gear. In respect of replacing gear, the Act stated that they should be replaced as close as practically possible to where they were found. If it would not be practical then the gear should be seized and the owner invited to collect it.

The Chairman advised Mr Armstrong that the IFCA had a duty to check that all gear adhered to legislation whether recreational or commercial and needed to ensure that it enforced this legislation. In his view the procedure for lifting gear was operational and a code of conduct should be developed to establish how gear should be lifted and replaced.

RESOLVED that a code of conduct for the lifting and replacing of gear at sea be developed and that this code of conduct should be standardized with other IFCAs.

17. ANNUAL PLAN (B14)

Members were advised that the Annual Plan had been submitted to the Secretary of State subject to their final approval. No significant changes had been made to it since Members had considered it on 24 January 2014.

RESOLVED that the Annual Plan for 2014-2015 be approved

18. RESEARCH PLAN 2014-2015 (B15)

Members were provided with a copy of the annual research plan which laid out the research priorities for 2014/2015.

RESOLVED that the Research Plan for 2014-2015 be approved

19. MATTERS FOR REPORT

Members received:

- the quarterly report of the Kent IFCA (C1)
- the quarterly report of the Essex IFCA (C2)
- the quarterly report of the patrol vessel 'Ken Green' (C3)
- the quarterly report of the patrol vessel 'Tamesis' (C4)
- Sea Angling report (C5)
- Communication Update (C6)
- Update on new vessel build (C7) – the Project Officer informed Members that the boatyard had advised that delays had occurred with obtaining Lloyds approval of the specifications of the new vessel. Discussions had now taken place between the boatyard, the surveyors and Lloyds. The Authority had been informed by the boatyard that the assessment should be completed by the end of May 2014 with hull construction commencing in June 2014.
- DP World/London Gateway newsletter (C8)
- Crouch Harbour Authority minutes and Chairman's report (C9)

20 May 2014

Members were provided with a short video presentation by the First Mate/IFC Officer, Essex which provided the background behind the development of the new website. Members were advised that the new website was now live.

The meeting closed to the public at 13:25hrs