

Kent & Essex Inshore Fisheries and Conservation Authority

MINUTES of an extraordinary meeting of the Authority held in the Belmont Suite, Thurrock Hotel, Ship Lane, Aveley, Thurrock, Essex at 10.00am on Monday 29 September 2014

Present: Cllr J L Lamb (Southend BC) (Chairman), Mr J Nichols (MMO), Cllr S Liddiard (Thurrock Council), Ms I Chudleigh (Natural England), Mr L Roskilly (MMO), Mr A Rattley (MMO), Mr M Sharp (MMO), Mr P Wexham (MMO)

Apologies: Cllr P Channer (Essex CC), Cllr A Wood (Essex CC), Cllr M Harrison (Kent CC), Cllr A Bowles (Kent CC), Cllr D Baker (Kent CC), Mr J Labbett (MMO), Mr B Smart (MMO)

In Attendance: Mr P Wickenden (Clerk, KCC), Dr W Wright (Chief IFC Officer), Mr D Bailey (Assistant Chief IFC Officer), Mrs D O'Shea (Office Manager)

37. 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 interest may not vote on that Agenda item.

The following Members declared interests:

- Mr A Rattley – agenda item B1 & B2 – personal interest (owns cockle processing plant)

38. COCKLE FISHERY FLEXIBLE PERMIT BYELAW (B1)

Members were provided with a draft Cockle Fishery Flexible Permit Byelaw which took into account the stated requirements of Members at the meeting of 4 September 2014 to include an exemption for vessels to loose load and for the condition that a registered fishing vessel be used.

This byelaw was reviewed taking into account the associated Impact Assessment and Management Plan.

Members were advised that should they be minded to make the byelaw then a period of consultation would take place with stakeholders during which consideration would be given to any comments or objections received.

RESOLVED that:

- (i) the making of the Cockle Fishery Flexible Permit Byelaw be approved; and
- (ii) the Management Plan be approved

39. COCKLE FISHERY GEAR TYPE EMERGENCY BYELAW (B2)

The Assistant Chief Officer reminded Members that at their last meeting they had been advised that a number of permits had been applied for to allow hand working of Area 7, which was due to be opened on 5 October 2014. Members had been informed that Natural England (NE), Cefas and the Marine and Coastguard Agency (MCA) had been contacted to ask their advice with regard to environmental impact, biosecurity and public safety. Copies of their responses were provided for Members information.

In addition those handrakers who had applied for permits had also been contacted to enquire how they intended to work the site. No responses had been received relating to hand raking.

In summary, NE felt that there was a significant risk to the designated features of the Marine Protected Areas (MPAs) in which the fishery operated from this type of operation both on its own and when considered together with the dredging operations. As a result, NE advice was that a full Habitats Regulations Assessment would be required prior to the fishery taking place and that they would have serious concerns regarding the use of quad bikes, tractors and other motorised vehicles being used on the site.

The response from MCA advised that the site was one of the most remote sites in the Thames to get a 'mud team' to, taking at least 1 hour and 49 minutes from base. MCA said that there were no RNLI hovercraft rescue units in the area and the broad expanses of shallow water would present significant difficulties in a RNLI lifeboat attending on the flood tide. MCA also reflected on the possible wind and tide combinations in this area during October, many of which result in dangerous conditions for persons on the sands as well as any shallow bottomed landing craft used to access the site from sea. MCA advice was that well thought out risk assessments would be required by the operators.

CEFAS felt that the biosecurity risk did not increase significantly with the introduction of a hand raked fishery but that the difficulties in enforcing the existing biosecurity measures on a large number of relatively dispersed individuals compared to commercial fishing vessels should be taken into consideration.

As a result, and in consultation with the Chairman and Vice Chairman, an Emergency Byelaw to restrict certain gear types for the 2014 fishery was made on 18 September 2014.

RESOLVED that the Authority endorse the action of the Chief Fishery Officer in consultation with the Chairman and Vice Chairman and approve the making of the Cockle Fishing Gear Emergency Byelaw on 18 September 2014.

The meeting closed at 10:30hrs