

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

**MINUTES** of a meeting of the Authority held in the Council Chamber, Chelmsford Council Offices, Civic Centre, Chelmsford, Essex at 10.00am on Friday 21 November 2014

**Present:** Cllr J L Lamb (Southend BC) (Chairman), Mr J Nichols (MMO), Cllr P Channer (Essex CC), Cllr J Jowers (Essex CC), Cllr M Harrison (Kent CC), Cllr A Bowles (Kent CC), Cllr A Terry (Kent CC), Mr W Baker (MMO), Mr L Roskilly (MMO), Mr A Rattley (MMO), Mr B Smart (MMO), Mr M Sharp (MMO), Mr P Wexham (MMO), Mr S Abbotson (MMO), Dr L Fonseca (MMO)

**Apologies:** Cllr S Liddiard (Thurrock Council), Cllr A Wood (Essex CC), Cllr D Baker (Kent CC), Ms I Chudleigh (Natural England), Mr C Hazelton (Environment Agency)

**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 Officer), Mr C O'Laoi (IFCO), Dr J Heywood (LSCO), Mrs D O'Shea (Office Manager), Mrs K Woods (Admin Assistant)

The Chairman welcomed Cllr Alan Terry to the meeting as a substitute for Cllr Baker who was unable to be present.

The following information, previously emailed, was laid around the table:

- Agenda item B4 – correspondence and a report relating to Sea Bass

### **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 B2– personal interest (owns cockle processing plant)
- Mr L Roskilly – agenda item B4 – personal interest (recreational angler and independent member of C-bass)
- Mr M Sharp – agenda item B4 – personal interest (recreational angler)
- Dr L Fonseca – agenda item B4 – personal interest (Defra employee)
- Mr W Baker – agenda item B5 – personal interest (participates in Blackwater fishery)

### **38. MINUTES (A2)**

**RESOLVED** that the Minutes of the meetings held on 4 September 2014 and 29 September 2014 were correctly recorded and that they be signed by the Chairman.

**Matters Arising:**

In relation to item number 33, officers were asked if they had responded to the Industry following their gathering of catch data. The CIFCO advised that they were waiting to hear from them but would contact them to ask for the data. Once this was done then the matter would be brought back before the Authority.

Members asked what the outcome of vessels not wishing to use bags to land cockles during the period the outside area was opened. The CIFCO advised that all boats that applied to "loose load" were allowed to do so.

**1. BUDGET MONITORING 2014/15 (B1)**

Members were provided with details of the estimated revenue outturn as at the end of October 2014.

This showed an estimated underspend of £42,955, although Members were advised that this was subject to change as the year progressed.

Members were informed that a Health & Safety review had been carried out which had resulted in additional training being identified and equipment not previously budgeted for being required.

A small crack had been found in the patrol vessel Tamesis which would be investigated. The Marine & Coastguard Agency had inspected the vessel and had advised that the boat could continue to be used but that the gantry should not be used until the cause of the crack had been explored and resolved. Tamesis would be coming out of the water in two weeks' time in order to investigate this.

Members were advised that DP World had again commissioned officers to carry out cockle surveys on their behalf, resulting in an income of £22,400 which had not been included in the original budget. In addition £10,895 had been received from Natural England for an oyster survey. The Fiesta van would be sold as an approved KCC vehicle through an auction site.

In response to questions from Members the ACIFCO advised that no income had been received from permits issued for the outside area this year as they were issued under the old permit scheme. In respect of fuel, the Financial Advisor informed Members that the budget for fuel was set high to allow for any unexpected use.

**RESOLVED** that the report be approved

**40. COCKLE FISHERY (B2)**

1. Thames Estuary Cockle Fishery Order (TECFO)

Members were advised that the area had been opened on 22 June 2014 and closed on 5 October 2014, having been extended by one week to allow an additional two trips to be made. At the end of this fishery a Total Allowable Catch (TAC) of 6468 tonnes had been taken.

Surveys had taken place during September 2104 and had showed a slight increase in the total adult stock biomass from the previous year with the majority of the adult population now in excess of the minimum landing size of 16mm. Spat fall had been average.

Members were advised that provided the 2014 spat survived the winter period then the outlook for the 2015 fishery would be for a slightly higher TAC. A decision on the TAC would be taken following the April 2015 surveys.

## 2. Outside Area Fishery

Members were advised that as requested the fishery was opened on 5 October 2014 for one week.

Prior to its opening six officers inspected 38 boats in Norfolk, Essex and Kent to ensure they complied with the bio security and technical measures provided for in the Emergency Byelaw. They were supported by three officers who carried out follow up inspections. In total 217 staff hours were spent on these measures.

Members were informed that due to concerns over the weather and having consulted with the Chairman and Vice Chairman, a decision was made to open the fishery at 1900hrs on 5 October 2014 rather than midnight.

During this week all staff were involved in the enforcement of the management measures of the byelaw. The patrol vessel Ken Green operated during the day and the Tamesis during the night, sighting between them 78 records of cockle boats working. Fishery Officers, together with the Chief and Assistant Chief Fishery Officer, carried out shore patrols at six ports in the District, carrying out 62 landing inspections. In total 288 staff hours were spent that week covering these duties.

Members were advised that 38 boats worked this fishery. All used suction dredges, aside from one who used a batch dredge. The fishery was professionally worked by all skippers and no issues had arisen. A total of 699 tonnes of cockles were landed, two thirds of these were landed in bags and the remainder were loose loaded and landed at ports in the Kent and Essex district where they were then processed.

In response to a question raised over the timing of the fishery Members were reminded that surveys would be taking place over April 2015 which could allow for the fishery to be opened in May 2015. The quality of meat from the cockles harvested were reported to be good although not to the same standard as that from the Regulating Order.

Members requested that all officers be thanked for the considerable amount of work that was undertaken to allow this fishery to be opened.

### 3. Management of Cockle Beds 2015

Members were advised that the consultation period for the new byelaw had recently ended and that it was hoped the byelaw would be approved and in place for the start of January 2015. However as this had not been finalised it would be necessary for the existing legal process for the current byelaw to be followed.

As in previous years all beds would be closed with the exception of specified periods. Previous cockle fishery permit holders and licence holders had been notified of this intention with an invitation to provide comments to the Authority. No responses were received with regard to this invitation to comment.

#### **RESOLVED** that:

- (i) the management of the cockle beds during 2014 and the proposed management in 2015 be approved;
- (ii) staff be written to formally to thank them for their efforts in ensuring the successful opening of the outside area; and
- (iii) the Authority agreed that the whole of its District, outside the Thames Estuary Cockle Fishery Order 1994, be closed to fishing for cockles for the period commencing at midnight on 31 December 2014 and ending at midnight on 31 December 2015 with the exception of specified periods in specified areas

#### **41. MARINE PROTECTED AREAS (MPA)(B3)**

Members were advised that the MPA Working Group had met for a second time on 4 November 2014 where they discussed in detail the potential fisheries management options for Folkestone Pomerania MCZ, Dover to Deal and Dover to Folkestone rMCZ sites and Hythe Bay.

This meeting was well attended with representatives from Cefas, Defra and the EA present and for the first part of the meeting a number of representatives from the local fishing industry and the local MP were also present.

In addition to the four sites mentioned the Working Group also discussed the work that was being carried out by officers in respect of the Blackwater, Crouch, Roach and Colne MCZ.

Notes of the meeting of the Working Group were provided to Members together with their recommendations.

Members discussed the issues and matters raised by the MPA Working Group in detail. They were impressed with the amount of effort and work put into the proposals by the fishing industry, but felt it was important that not just one species (Spoon Worm) was recognised as being of consequence in Hythe Bay. Members requested that they be provided with a summary of the type of habitat found in the Hythe Bay area and the species found there.

Members considered the recommendations of the MPA Working Group:

1. Adopt Option four - Work with all stakeholders to develop more detail for the four MCZ site solutions using the fishermen's proposal as a starting point and with the clear ambition to develop a detailed solution with accompanying draft byelaws within months of this meeting.
2. Set up a research group to consist of Cllr Wood, Ms A Jones, Mr I Humpheryes, Ms K Bamford, Mr T Noakes, Ms B Chapman, Mr L Roskilly, Mr W Baker and Ms S Ware to discuss the scientific aspects of the work required in more detail and the costing out of options; arrange a meeting for this research group within one month of the date of the MPA Working Group meeting.
3. Officers to draft a permit byelaw for Hythe Bay.
4. Officers to draft a management plan for Hythe Bay.
5. Officers to draft a bottom towed gear byelaw for Folkestone Pomerania.
6. Officers should make best efforts, working collaboratively with stakeholders, to put final versions of these byelaws to the Authority for the January 2015 meeting.
7. To note the continuing work of officers in respect of the Blackwater, Crouch, Roach and Colne MCZ.

**RESOLVED that** the recommendations of the MPA Working Group be approved.

11.15 Cllr Channer arrived.

#### **42. SEA BASS MANAGEMENT (B4)**

The Chief Officer reminded Members that they had considered this matter at the previous Authority meeting. Following this meeting a Joint Advisory Council Workshop had been held in Dublin to discuss bass management and specific policies had been developed to be considered at the EU December council meeting. These proposals included a bag limit of one sea bass per day for recreational anglers as well as commercial fishing effort limits.

Members were advised that trans-boundary stocks were a challenge in the district in deciding on any management plan. The IFCA recognised that sea bass were seen as a major concern by a number of people. Discussions had taken place with Defra and other IFCAs and the most appropriate role for the IFCA appeared to be the review and possible extension or development of new bass nursery areas in the district. There were a series of other management measures that the MMO, Defra or the EA could take but these would not be decided on until the December EU Council meeting. The Chief Officer had spoken to other IFCAs regarding this issue and Members were provided with information supplied by Southern IFCA on work they had undertaken in this area. From this it would appear that spawning areas were regional and there appeared to be sufficient evidence to say it was habitual. Members should consider that although a lot of information was known about nursery areas not so much was known about spawning areas. Members may wish to consider whether they wished to obtain more information on spawning areas.

Members were provided with a presentation by Steve Colclough from the Institute of Fisheries Management with regard to the work that they had carried out on the importance of intertidal areas as key nursery grounds for the early life stages of species. They were advised that he had previously worked for the Environment Agency and had 30 years of experience in the estuarine environment and with small fish sampling. The main aim of the Institute was to promote sustainable fisheries management for both the recreational and commercial sector. Work undertaken by the Institute in 2001 had suggested that the Greater Thames Estuary as a whole was the largest new bass nursery in the North Sea. Members were advised that where it had previously been assumed that the major nursery areas for bass were subtidal, evidence now suggested that the preferred nursery grounds may be in the intertidal and saltmarsh areas.

A video was taken of this presentation and would be made available on the KEIFCA website.

Members were also addressed by Mr M Sharp and Mr L Roskilly in respect of a report written by them on the issue of sea bass management in the district. They advised Members that in recent years they had observed quite intensive fishing for mature bass in the early spring in Clacton, Essex. Stakeholders had expressed concern to them that evidence had shown that bass spawn around that time and this intensive fishing could be reducing their numbers. They felt that Southern and Eastern IFCA's had provided information on what was being done and welcomed a coordinated approach with these two IFCA's. They were concerned that at the last meeting it was agreed that the AIFCA would work as a coordinating body but that no feedback had been received from this. They supported bass nurseries but felt that to not tackle the areas of pre spawning and spawning areas in addition to this would be wrong. They believed that it had been left very late in the day to tackle these issues and that the Authority must act on these problems with a sense of urgency as it was the responsibility for the IFCA to look after the fisheries in their areas. They presented recommendations to the Authority as follows:

1. That we commission research that will close the gaps on our understanding of pre-spawning aggregations within our district
2. That we include consideration of pre-spawning aggregations within the district in the Technical Panel meeting on Bass nursery areas.
3. Consider an annual survey so that we can better monitor the dynamics of Bass populations within the district and determine what effect, if any, our measures are having.
4. Establish a working group focusing in on Bass & Sole

Members discussed this matter in great detail. Pertinent comments made included:

- commercial fisherman felt that a low quota restriction/TAC should be put in place.
- the minimum landing size should be increased from 36mm to at least 40mm.
- pressure should be put on defra to lobby the EU to establish a quota control.
- all IFCA's should work together to establish a cohesive management plan. Care must be taken not to become isolated by working on our own and it was important to work with Europe and defra on this matter.

The Chairman invited comments from Mr Peter Holborn a recreational angler who fishes in the Stour and Orwell for bass.

He stated that he felt the situation was now critical with ICES saying that there had been an increase of 80% in mortality. Bass stocks would crash if no action were taken and in two years there could be no bass left. He considered the EU proposal to be totally inadequate and felt that it disproportionately reflected on sea anglers. He believed that a partial ban on bass pair trawling would not adequately stop all French fishing and felt that it was necessary to stop all inshore trawling for bass. It was essential that all IFCA's worked together in this matter and adopted the precautionary principle as discussed in Parliament by Ben Bradshaw and George Eustace MPs. He was aware of an unregulated fishery in the Estuary he fishes in with unlicensed selling to local restaurants in the area. He believed that the level of commercial targeting of bass had increased and had been advised by EIFCA that the catch reports for Suffolk had shown an increase from 5 to 23 tonnes. He had attended a meeting of EIFCA and was pleased that conservation issues had been seen as important and that there were a raft of measures on the table for January 2015 for discussion. Recreational sea anglers were getting angry and felt the one bag limit was the final insult to them. He believed the reputation of IFCA's was at stake and they should be seen to be taking action. He supported the paper submitted by Mr Sharp and Mr Roskilly but felt there was a need to do more and that the Authority should use its byelaw powers to adopt a precautionary approach.

The Chief Officer advised Members that he was aware of the need to take action on this issue. However they should be reminded that the Minister had asked IFCA's to take forward EMS which had involved a significant amount of work and was taking up between 20 to 25% of the organisation's time. The IFCA was expected to have reviewed and introduced byelaws where appropriate by 2016. To carry out some of the proposals suggested would take up a lot of officer time. He considered that there were very good things that could be done by IFCA's as regional managers regarding bass but that Members also needed to remember they had to work with other organisations. The resources required to adopt the measures suggested would be in addition to those presented to the Authority in the Annual Plan at the beginning of the year. If this was the Authority's wish then it may be necessary to go to the Minister and explain why it would not be possible to deliver the targets he had approved. He informed Members that the next steps as specified in his report to them were achievable and they should also consider that by the time of the next meeting in January 2015 they would have a clear idea of what was happening at an EU level.

Members voted on acceptance of the "next steps" as recommended by the Chief Officer in his report.

- If the Authority is minded to focus initially on bass nursery areas, the next steps would be to develop the scientific rationale and evidence base for nursery areas in our district and to develop a detailed paper for the next Authority meeting in January 2015. Following this, a specific technical panel meeting could be held in February 2015 to discuss the detail and recommend next steps. Wherever possible we would work in conjunction with other IFCA's to develop a constant policy and approach. This time table would allow KEIFCA members to have clarity as to the conclusions of the EU

December council meeting and the possible national and international bass management framework that KEIFCA policies could fit into and complement.

Members voted as follows:

For: Cllr Lamb  
Mr Nichols  
Cllr Jowers  
Cllr Channer  
Dr Fonseca  
Mr Abbotson  
Mr Baker  
Mr Rattley  
Mr Smart  
Mr Wexham

Against: Mr Sharp  
Mr Roskilly

Abstained: Cllr Terry  
Cllr Harrison  
Cllr Bowles

**RESOLVED that** the recommendations of the Chief Fishery Officer as specified in his report be approved.

#### **43. BLACKWATER/CROUCH MCZ MANAGEMENT MEASURES AND RIVER ROACH (B5)**

The Project Officer advised Members that as part of the ongoing actions to achieve the restoration of native oyster populations within the MCZ, officers had carried out a major survey of native oyster stocks within the MCZ area, excluding private fisheries. Members were advised that 73% of the sub tidal sea bed was surveyed using the patrol vessel Tamesis. This was funded by KEIFCA, Natural England and Crouch Harbour Authority. Members were provided with details of the initial findings and advised that a full report of the survey would be provided by the end of the year.

Members were informed that the second annual Full Stakeholder Native Oyster Workshop had been held on 12 November 2014 at West Mersea. Presentations had been provided by Natural England and KEIFCA regarding the current status of the project. A presentation was also given by the Blue Marine Foundation who had shown an interest in being involved.

Members were provided with the recommendations that the workshop considered and the actions that had taken place since the previous annual meeting. The recommendations of the workshop were:



1. an application be made to apply for a grant from Veolia Environment Trust to enable it to lay cultch within four sites to include the south shore of West Mersea Island and one near the Ray Channel.
2. Proceed with the development of a website for the project
3. Next working group meeting should be held in January 2015

In response to a question from Members the Project Officer advised that the reason for laying cultch was that it was believed there was a shortage of suitable material for spat to settle and grow. This method of laying cultch was a traditional method of trying to stimulate recovery.

**RESOLVED that** the recommendations of the Full Stakeholder Native Oyster Workshop be approved.

The Chairman invited comments from Mr R Lankester.

Mr Lankester spoke to Members about the threat of invasive species to the area. Two documents had been produced which suggested that the most serious vectors were that of ships' ballast water and hull fouling. He advised Members that guidelines had been produced for all bodies on these matters and that although it was not necessarily the responsibility of the Authority to enforce these guidelines it could be considered their duty to put pressure on others to do so. He would arrange to pass on copies of the documents he referred to to the Chief Fishery Officer to pass on.

#### **44. THAMES ESTUARY WORKSHOP (B6)**

Members were advised that a well-attended joint agency workshop had been held on 25 September 2014 which had been independently chaired.

A number of different issues were discussed and presentations provided. Notes of the meeting were provided to Members for their information.

The meeting had recommended that an independent report was required to draw together and analyse the wide range of data available. Representatives from the Thames Estuary Partnership (TEP) had offered their help in developing a proposal. Once the proposal was written TEP would then take the lead in identifying further funding schemes for the project

**RESOLVED that:**

- the notes of the meeting be approved;
- Thames Estuary Partnership be commissioned to write a project proposal to meet the requirements of the meeting held on 25 September 2014; and
- Thames Estuary Partnership to take the lead on identifying further funding schemes for the project.

#### **45. ANNUAL REPORT (B7)**

Members were advised that following the previous meeting no comments had been received regarding the draft Annual Report. The Report was now published on the Authority's website and would be submitted to the Secretary of State by 30 November 2014.

Members **NOTED** the Annual Report

#### **46. MEETING DATES 2015/2016 (B8)**

Members were asked to note the meeting dates for the year 2015/2016 as follows:

Friday 4 September 2015

Tuesday 24 November 2015

Friday 22 January 2016

Friday 20 May 2016

#### **47. MATTERS FOR REPORT**

Members received:

- the quarterly report of the Kent IFCO (C1)
- the quarterly report of the Essex IFCO (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)
- Enforcement report (C7)

Members were advised that the new vessel was on schedule for completion in June 2015. The hull was out of its mould and the engines had been delivered and were in the yard. The boatyard had been visited by officers and the Vice Chairman on 26 September 2014 when the build process was reviewed and the specifications discussed.

Mr Nichols advised Members that he had hosted a VIP Ambassador visit to Whitstable Harbour in October 2014 which had been attended by the Chief Officer and with input from other staff. The purpose of the meeting was to inform the members of this Group about the Kent coastline and its importance. He informed Members that he was happy to host a similar visit in Essex if the County Council there had a similar Group.

The Chief Officer advised Members that the Authority had applied for funding for two PhD students to work with the Authority in respect of the oyster beds at the Blackwater/Crouch MCZ. The cost to the Authority would be £3,000 with £86,000 coming from central Government

The meeting closed at 13:15hrs