



Kent and Essex Inshore Fisheries and Conservation Authority

River Roach Oyster Fishery Order 2013

Annual Management Plan 2014 & 2015

Management of the Fishery

Cultivation of will continue in a similar manner to that previously carried out previous River Roach Oyster Fishery Order (RROFO)1992 with intertidal and sub tidal laying of oysters on the seabed. In addition, cultivation will take place in bags on low trestles.

Beds will be stocked with either wild oysters gathered from local grounds or with hatchery reared stock. Consideration will be given to approval of laying stock from other approved sites.

It is intended that production will be at a minimum of current levels with work to restore beds being continued. Upon granting of a new Order assessment of previously leased plots will be undertaken, the status of plots will be discussed with lease holders and consideration given to applications for the lease of a plot under the new Order.

The Order covers a total area of 46.3 hectares (0.43 km²). It is proposed that, as under the terms of the previous, Order persons will be restricted to plots of no more than 2.5 hectares. Since 1992 up to 5 plots were leased to local fishermen. During 2012, 4 plots were leased. Within the area of the Order there is space for 6 or 7 plots with reasonable prospects for oyster cultivation provided that work is carried out to restore beds to good order. There is however a need to allocate small clear separation lanes between plots.

The working of some plots would be difficult due to the close proximity of yacht moorings at Paglesham Reach.

During the term of the previous Order there have been fluctuations in the extent of work carried out on the beds, quantities of oysters laid upon them and production from the fishery. The current situation is that most areas of the fishery are in need of further improvement. Some additional work is currently underway and it is intended that now that the new order is granted KEIFCA will review how the plots are used and work with leaseholders to find ways to improve the fishery. These actions will link with wider discussions, under the KEIFCA remit, to work with local stakeholders and progress with improved

management of shellfisheries under a Regulating /Hybrid Order or other management regime covering a larger area.

Cultivation will continue in a similar manner as under the RROFO 1992 with intertidal and sub tidal laying of oysters on the seabed. In addition cultivation and on-growing will take place in bags on low trestles.

Native oysters *O.edulis* will continue to be cultivated and on-grown within the fishery. At the time of commencement of the Order, and lease of layings, a survey of oysters present on plots will be undertaken and it will be the intention of the management to see an increase in populations of native oysters on the plots during the term of the Order

The continued on-growing of Pacific oysters *C.gigas* will be permitted subject to management controls. It will be required that large Pacific Oysters above a weight of 180g (or agreed equivalent shell length measurement) are removed from the fishery so as to reduce spawning stock.

Oyster dredges or other towed implements used within the fishery should not be excessively invasive of the seabed and must be approved by KEIFCA who will require that dredges are not unnecessarily heavy and do not penetrate an excessive distance into the seabed surface. Dredges and other implements appropriate for collecting oysters and cleaning the cultch on the beds will be permitted.

Lessees will not be permitted to operate unregistered fishing vessels to dredge for oysters or clean and prepare beds within the fishery.

An inspection of the fishery will be undertaken at least annually to ensure that management and lease conditions are being met.

Stock will be harvested by conventional oyster dredge, hand gathering or removal from trestle bags by hand.

It is intended that production of native oysters will be at a minimum of current levels with proposed continued improvement of oyster beds over the 10 year period.

1. River Roach Oyster Fishery Order 2013

The New Order is granted for a period of 10 years and tenants leases will require that all terms and conditions of the Order are complied with.

Kent and Essex IFCA will comply with all of its requirements under the Order and will also endeavour to ensure that lease holders comply.

It is intended that this application for a Several Order will be an interim measure prior to an application most likely being made by KEIFCA for a Regulating or Hybrid Order or other management regime that will include this fishery within a much larger area of management.

The granting of this new Order will provide continuance of the historic cultivation and production of oysters within the River Roach estuary in Essex by renewal of the previous River Roach Oyster Fishery Order 1992 (RROFO).

Lease holders are required to notify KEIFCA of the intention to lay oysters or other shellfish on layings within the fishery and to comply with all movement restrictions required by the Minister or Fish Health Inspectorate.

A lease of more than 2.5 hectares to any person will not be granted unless the consent of the Secretary of State has been obtained.

Consent will be granted for any person authorised by the Secretary of State to obtain samples of oysters or other species found within the fishery for any purpose connected with preventing the spread of disease.

The boundary of the Fishery will be marked in a manner approved by the Secretary of State.

Lease holders intending to place trestles or other structures upon the fishery must first obtain any necessary consent from the Crouch Harbour Authority, Crown Estate or other relevant bodies.

2. Conservation Responsibilities

Under the 'Habitats Regulations' the KEIFCA is a competent and relevant authority for the Essex Estuaries SAC and has a duty to have regard to the conservation needs of this site in carrying out its activities. As a public authority, the KEIFCA also has a duty under the NERC Act 2006 to conserve and, where possible, enhance biodiversity.

3. Designations

The area of the fishery covers sections of the River Roach estuary below mean low water spring tide only.

The site falls within the Essex Estuaries Special Area of Conservation and is adjacent to the Crouch and Roach Ramsar, SPA and SSSI sites. Foulness SPA, Ramsar and SSSI are also close to the site.

The site is also adjacent to the RSPB Wallasea Island Wild Coast project which is currently under construction. This will involve the raising of ground level, breaching of seawall, managed retreat and creation of a nature reserve, primarily for birds. Concerns have been raised that these works will impact upon the River Roach Oyster Fishery area and discussions regarding monitoring and mitigation are continuing. It is considered that the Several Order will not impact negatively upon the RSPB site. RSPB have been informed of the application. RSPB request that the area of this new Several Order should not include any new areas, below mean low water springs, that may be created by the managed retreat project at Wallasea Island. This request is agreed and the Order has been granted for the area shown on the attached chart only.

KEIFCA have undertaken a test of likely significant effect following advice from Natural England. Considering the interest features of the SAC and SPA (saltmarsh, mudflat and sub tidal sediments), the on-growing of Pacific Oysters

could have a significant effect on the European sites. This Management plan agreed by Natural England will be implemented which sets out restrictions on Pacific Oysters and types of dredge that may be used (Annex A). KEIFCA are also committed to enforcement and monitoring of the management and therefore Natural England has concluded this will adequately mitigate against any significant effects. An appropriate assessment is not required as there would be no likely significant effect on the features. In addition, the features of the SSSIs will not be adversely impacted.

Annex A to this management plan indicates the conservation features on which the proposals have the potential to impact, either alone or in combination with other plans and projects. This also shows agreed mitigation measures.

It is not envisaged that the granting of this Order will impact in other ways upon these designated marine sites.

The management measures for the fishery will be reviewed annually; this review will ensure that no damage is occurring to the designated site through the laying of pacific oysters and that its associated trial management is working. At the next annual review Natural England will be consulted with regard to the annual plan and also management measures for the MCZ, with particular emphasis on native oysters and native oyster beds

4. Plan for Enforcement and Monitoring

The KEIFCA will integrate the fishery within its risk based enforcement framework which will assess risk to the fishery and apply enforcement resources accordingly. The Authority operates two patrol vessels, one of which is based at Brightlingsea in Essex and would be best placed to provide enforcement cover to the fishery. The Authority has a total of 9 warranted officers, 4 of which are based in Essex. These officers provide enforcement cover from both sea and shore.

The fishery may be monitored by KEIFCA officers at any time via assessment of leaseholders' plots using an oyster dredge towed across the beds by either the lease holder's vessel or the KEIFCA patrol vessel. Formal inspection of plots will be carried out by KEIFCA officers at least annually. These will be facilitated by lease holders during which lease holders will be required to tow a dredge across their plot so as to adequately demonstrate that management and lease conditions are being met and to show the general condition of the bed and condition of oyster stocks upon them.

5. Recording of Shellfish Movements

A monthly record of shellfish movements onto and off of each shellfish laying must be returned to KEIFCA by the 5th day of each following month. This record should be returned on a form provided by KEIFCA and shall include details of species, quantity and where the shellfish were moved to or from.

6. Hygiene and Disease

Lease holders must comply with the following Biosecurity measures:

No shellfish shall be deposited until consent has been obtained from KEIFCA. A minimum of 3 weeks prior notice shall be given of application to lay shellfish. Application shall include details of species, quantity, origin and condition as may be required by KEIFCA. KEIFCA may consult Cefas Fish Health Inspectorate before granting consent which may be subject to conditions or may be refused. Particular consideration will be given to proximity to Oyster Herpesvirus designations and other diseases and pests. Consent to deposit of wild caught oysters from within the KEIFCA district will require the reporting of precise capture location and fishing times.

As the fishery is within an area designated for *Bonamia*, oysters from the fishery may only be relayed in areas of the same status or with approval from Cefas Fish Health Inspectorate.

Consideration should be given at all times to minimising the risk of spreading disease when staff, equipment and vessels have operated outside of the fishery and in particular within areas confirmed with Oyster Herpesvirus and when operating out of the *Bonamia* designated area.

Any unexplained mortalities should be reported to KEIFCA and Cefas Fish Health Inspectorate. If mortalities are observed the shellfish should be managed in a manner which minimises the risk of infection spreading to other parts of the fishery where possible.

Regular monitoring of shellfish should be undertaken, including assistance with provision of samples for disease screening

Management and handling of stock should be undertaken in a manner so as to not damage it and render it more susceptible to disease

Shellfish showing signs of disease must not be brought onto the site. Only source from sites with an equal or higher health status than this site

The area of the fishery comes under the jurisdiction of the London Port Health Authority. The fishery is currently classified under Directive 91/492/EC as B – LT (long term). The fishery is within the Upper Crouch, Upper Roach, Roach and Lower Crouch designated Shellfish Waters Directive 79/923/EEC

Annex A (ATTACH MANAGEMENT PLAN)

The table below indicates the conservation features on which the proposals have the potential to impact, either alone or in combination with other plans and projects:

Designated Site	Conservation Feature	Common habitat name
Essex Estuaries SAC	<i>Salicornia</i> and other annuals colonising mud and sand	Saltmarsh
	Cordgrass swards	
	Atlantic salt meadows	
	Mediterranean and thermo-Atlantic halophilous scrubs	
	Estuaries (including rock habitats)	Saltmarsh, Intertidal and subtidal sediment, Mudflat/sandflat
	Mudflats and sandflats not covered by seawater at low tide	Intertidal Mudflat/Sandflat
Crouch and Roach SPA	Internationally important assemblage of waterfowl (including internationally and nationally important populations of regularly occurring migratory species).	(through protection of) Mudflat/Saltmarsh
Foulness SPA	Internationally important Annex 1 bird populations (Little Tern, Common Tern, Sandwich Tern, Avocet)	(through protection of) Intertidal sediments/Mudflat/Saltmarsh
	Internationally important assemblage of waterfowl (including internationally and nationally important populations of regularly occurring migratory species).	
Crouch and Roach Estuary SSSI	Aggregation of non-breeding birds	(through protection of) Mudflat/Saltmarsh
	Intertidal Sediment	Intertidal Sediment
	Saltmarsh	Saltmarsh
Foulness SSSI	Aggregation of breeding and non-breeding birds	(through protection of) Intertidal sediments/Mudflat/Saltmarsh
	Intertidal Sediment	
	Saltmarsh	Saltmarsh

The table below outlines the mitigation measures proposed by the Kent and Essex IFCA in their assessment to avoid a likely significant effect on the European and international sites from shellfish cultivation and harvesting:

Feature	Likely Impact	Mitigation
Saltmarsh	Cultivation and harvesting of shellfish will not occur on saltmarsh, possible secondary smothering impacts from dredging however not thought to be significant.	Monitoring
Mud/Sandflat	Physical damage (siltation)	Large Pacific Oysters above a weight of 180g (or agreed shell length measurement) are removed from the fishery so as to reduce spawning stock. Oyster dredges of other towed implements used within the fishery should not be excessively invasive of the seabed and must be approved by KEIFCA who will require that dredges are not unnecessarily heavy and do not penetrate an excessive distance into the seabed surface. Only a registered fishing vessel, authorised by the lease holder, will be permitted to dredge for oysters within the fishery. An inspection of the fishery will be undertaken at least annually to ensure that management and lease conditions are being met. Log Books for KEIFCA inspection annually.
	Physical damage (abrasion)	
	Organic enrichment	
	Biological disturbance through removal of non-targeted species	
	Non-native species introduction and competition	
Subtidal sediments	Physical damage (siltation)	Large Pacific Oysters above a weight of 180g (or agreed shell length measurement) are removed from the fishery so as to reduce spawning stock. Oyster dredges of other towed implements used within the fishery should not be excessively invasive of the seabed and must be approved by KEIFCA who will require that dredges are not unnecessarily heavy and do not penetrate an excessive distance into the seabed surface. Only a registered fishing vessel, authorised by the lease holder, will be permitted to dredge for oysters within the fishery. An inspection of the fishery will be undertaken at least annually to ensure that management and lease conditions are being met. Log Books for KEIFCA inspection annually.
	Physical damage (abrasion)	
	Organic enrichment	
	Biological disturbance through removal of non-targeted species	
	Non-native species introduction and competition	

Conclusion

The above mitigation, management plan, enforcement and ongoing review are sufficient to conclude there will be no likely significant effect on the features of the designated sites.

