



## Agenda item B4

Success criteria 2,3,4 and 6

By: Lead Scientific and Conservation Officer and Assistant Chief IFCO

To: Kent and Essex Inshore Fisheries and Conservation Authority – 19 May 2015

Subject: **COCKLE TECFO LICENCED FISHERY MANAGEMENT**

Classification Unrestricted

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Summary: To consider management of the 2015 Cockle TECFO Licenced Fishery

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### **1. THAMES ESTUARY COCKLE FISHERY ORDER 1994**

As previously reported the 2014 fishery started on 22 June 2014 and finished on 26 September 2014 giving a total of 14 weeks fishing. During this period a total of 6468 tonnes were taken from within the area of the Thames Estuary Cockle Fishery Order.

#### **1.1 Spring 2015 Cockle Stock Surveys**

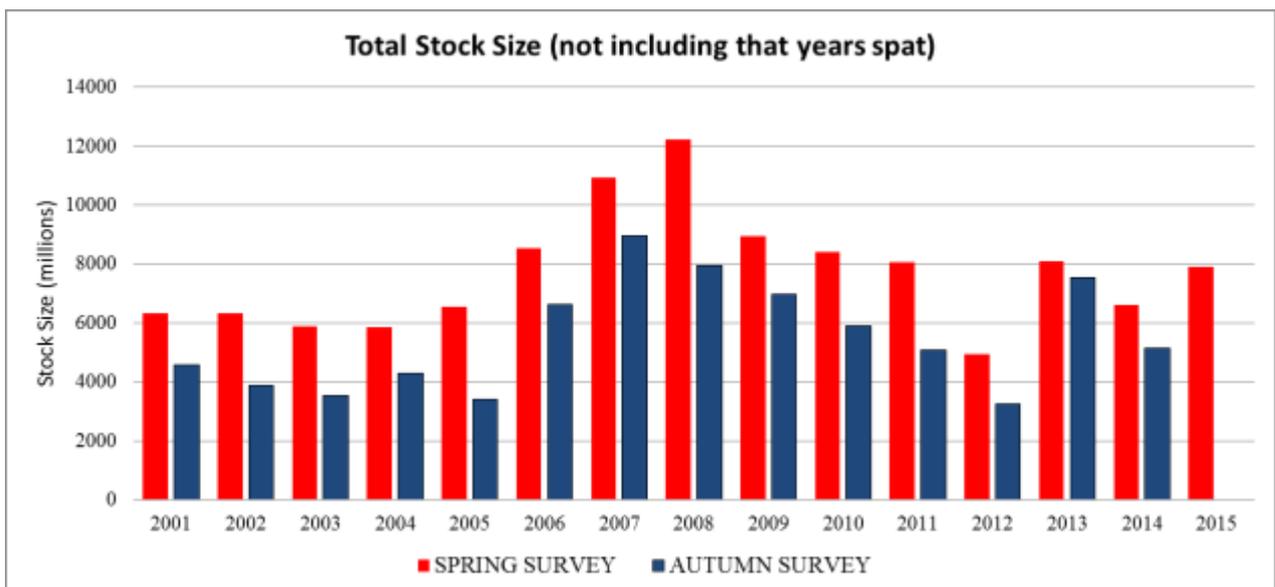
Stock surveys on the main harvesting areas of the Maplin and Foulness sands commenced on 3 April 2015 over the low ebb spring tides which gave best access to the drying sands that extend out to 3 miles offshore in some sections (a chart showing the production areas is attached at Appendix A). At this time of year the cockles are coming into condition for their spring spawning following the winter dormant period. These surveys took a total of 5 days to complete, covering a total area of 58.4 km<sup>2</sup> (22.5 miles<sup>2</sup>) with a total of 434 quadrat samples being taken. The surveys were undertaken using the two Honda All Terrain Vehicles for transportation. The surveys were undertaken by the Authority's officers in teams of two. It is necessary to complete surveys during periods of spring tides when the ebb tide leaves the sands dry. This means surveying either at day break or evening.

Whilst undertaking these surveys, additional samples were collected for Marine Ecological Surveys Ltd that are working for DP World to assess whether port dredging has an impact on cockle stocks.

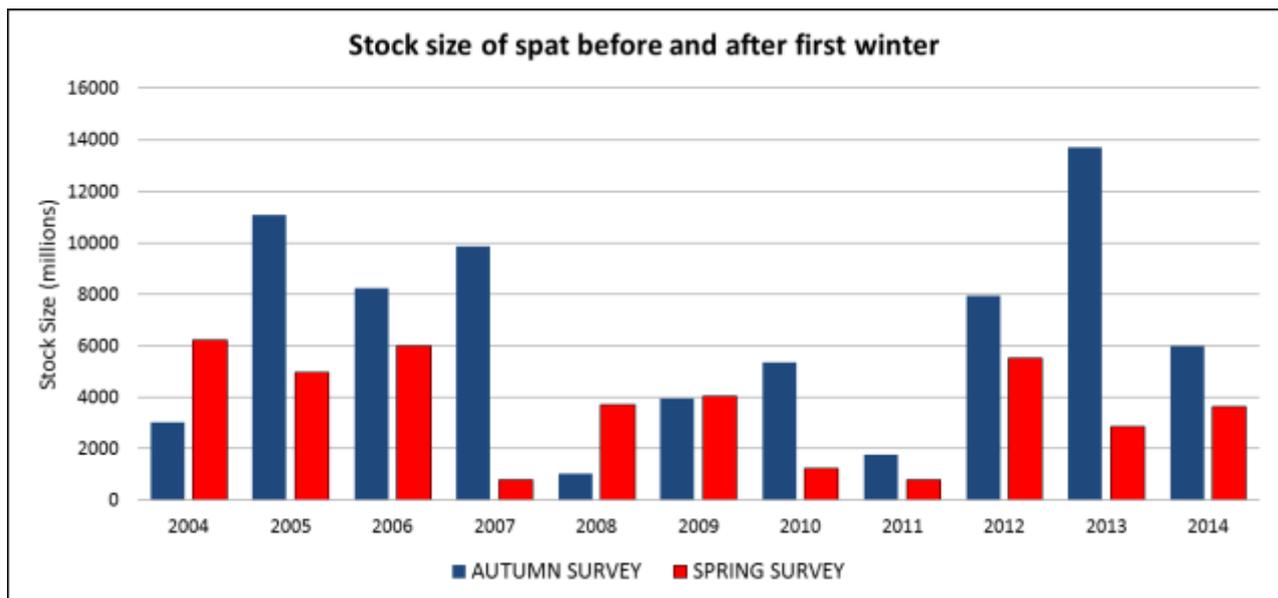
As reported below the Authority's management of the fishery is subject to an Appropriate Assessment which has been provided to Natural England. This includes details of specified management criteria.

Analysis of the survey data has now been completed. The survey shows that survival of all age classes was better over the winter of 2014/2015 compared with the extremely poor survival over the previous winter. The 2013 year class experienced severe mortalities across the areas surveyed during the 2013/2014 winter, with only 3% survival in area 6. This severely depleted 2013 age class limits the TAC that can be set. Due to fishing pressure and low recruitment in previous years, the 2012 and 2011 year class cockles are now at low levels. However, due to increased winter survival the recommended TAC is at a higher level than in 2014.

The graphs below show the latest stock situation.



Surveys of additional cockle grounds beyond the major harvesting areas have also been completed. There is a higher biomass in areas 2 and 3, although it is still at low levels and contributes a small amount to the overall TAC.



Analysis of survey data indicates that the recommended Total Allowable Catch (TAC) that can be taken from the major beds will be 7700 tonnes; an increase in 1540 tonnes from 2014. This increase in TAC is a result of an increase in survival over the 2014/2015 winter compared to that of 2013/2014, however there are still low levels of the 2013 age class and older age classes due to low levels of spat fall in earlier years. There is also the need to protect last year's spat fall, which was considerably lower than in 2013, in order to retain the sustainability of the fishery. Recruitment this year will again be a key point in the sustainability of the fishery.

**1.2** On 6 May 2015 a meeting was held with the cockle fishery licence holders. The management of the fishery along with the specific dates of the fishery and number of trips per week were discussed and the details reported here were agreed by the licence holders.

### **1.3 2015 Fishery Management**

Following consideration of the previously discussed items I **RECOMMEND** the following management measures. If additional licences are issued it will be necessary to review management allocations.

**(a)** An initial Total Allowable Catch (TAC) should be set at 7700 tonnes and that further information related to the stocks will need to be continually reviewed throughout the season to ensure future sustainability.

**(b)** That 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.

**(c)** That 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.

**(d)** That the fishery will commence at 21.00 hrs on 14 June 2015.

**(e)** Provisional fishing allocations will be as follows – this is subject to discussions with licence holders and will be reported on verbally. This will also be subject to further amendment.

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.

14<sup>th</sup> June – 19<sup>th</sup> June (1 week)      2 specified landings per period

21<sup>st</sup> June – 9<sup>th</sup> October (16 weeks) 3 specified landings per period

**(h)** The maximum quantity of cockles that may be landed or carried on board will remain at 13.6m<sup>3</sup>/500 baskets per fishing trip (approx. equivalent 11 tonnes).

**(i)** As is usual it is recommended that sections of Areas 1, 2 and 3 should be closed at all times during the period June to 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.)

Note: Within Areas 1 and 2 Southend Borough Council licencing conditions apply.

**(j)** The Authority is asked to **APPROVE** the above recommendations

## **1.4 Licence Fees**

In 2013 a significant increase in licence fees, to £4,968, was implemented in order to recover costs. Operating costs for management of the fishery were kept to a minimum and it was therefore not necessary to increase

the licence fee in 2014. Operating costs for the 2015 fishery are the same as last year, however the Vessel Monitoring System (VMS) previously discussed at Authority meetings has now been fitted to all 12-15m vessels in accordance with EU regulations, this includes the cockle fleet within the Thames.

The Authority has previously expressed interest in utilising this system as soon it was available to provide additional monitoring of the cockle fleet during the fishery. In order to achieve this, the position reporting rate of the system needs to be appropriate to the scale of the TEFCO fishery, which would require varying the 'ping' rate throughout the season dependent upon the management of the fishery. In order to do this an increase in the licence fee is required to cover the additional costs for using the new vessel monitoring system. Therefore it is proposed that there will be an increase of 7.6% (£348) on the licence fee to £5346.

This increase was discussed with licence holders who felt that whilst the concept of the monitoring system was valid, the additional cost places another burden upon their businesses. Licence holders also expressed a wish for all cockle boats, including smaller vessels used in the permitted cockle fishery when open, to be required to operate a VMS system and pay for its operation.

The Authority is asked to **APPROVE** the above recommendation of an increase in licence fee.

### **1.5 Consideration of Issuing Cockle Fishery Licences - Formal Procedure**

The Thames Estuary Cockle Fishery Order gives rights to a licence for those that have held licences during the previous 24 months (section 4(8)(b)). The Authority may also issue, subject to directions given by the Minister, licences in such numbers and to such persons as it may determine as defined in section 4 (5) of the Order.

It will be necessary to proceed with the following formal procedure by considering whether to limit the number of licences that will be issued and if so how many and to whom these should be granted.

As required by the Order, consultation has taken place with those likely to be substantially affected by a limitation on the number of licences issued. This consultation was undertaken via a letter sent to persons likely to be substantially affected. Interested parties were made aware that they could provide representation in writing or apply to the Authority to speak to this meeting – five written requests for additional licences were received. These are included in appendix B.

Consideration will need to be given to the level of stocks and future prospects for the fishery.

Last year the Authority resolved that no additional licences would be granted for the 2014 fishery and that licences would only be issued to the existing 14 licence holders.

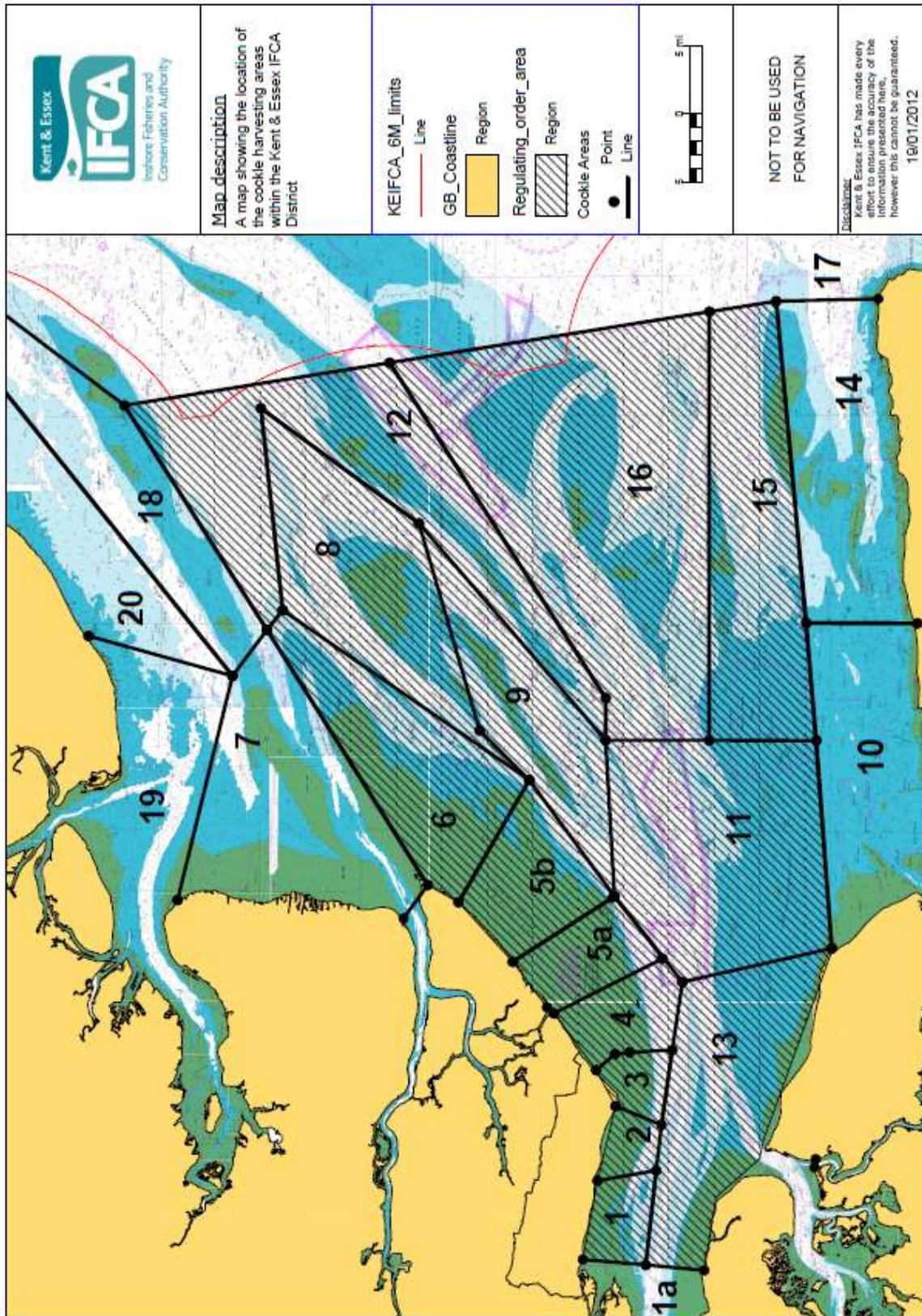
Under Regulation 48(3) of the Conservation (Natural Habitats) Regulations 1994, Wildlife and Countryside Act 1981 and the Countryside and Rights of Way Act 2000 the Authority is required to give notice to Natural England of intention to issue licences to fish for cockles within designated SSSI, SPA and Ramsar inter-tidal sites. The Authority is also required to submit an "Appropriate Assessment". This assessment includes survey data, fishery monitoring and details of mitigation implemented to ensure that there is no adverse impact upon these sites as a result of the Authority's action. The Appropriate Assessment and formal notification have been provided to Natural England and a response is currently awaited.

Once a decision has been made by the Authority it will be necessary to inform the Minister to allow him to give directions if so decided under Section 4(5) of the Thames Estuary Cockle Fishery Order.

#### **Recommendation –**

- **It is recommended that the number of licences should be restricted.**
- **The Regulating Order gives a right, to those that held a licence last year, to be granted a licence for this coming season and therefore those 14 licences should be granted as adequate stocks are available.**
- **Consideration will also need to be given to whether additional licences should be issued and if so how many.**

# Appendix A



A chart showing the cockle production areas within the Kent and Essex IFCA District

## **Appendix B**

Responses received for additional licenses