



Item No.B4

Success Criteria 2, 3, 4 and 6

By: Assistant Chief IFCO
To: Kent and Essex Inshore Fisheries and Conservation Authority – 14 May 2013
Subject: **COCKLE FISHERY MANAGEMENT**
Classification Unrestricted

Summary: To consider management of the 2013 Cockle Fishery

THAMES ESTUARY COCKLE FISHERY ORDER 1994

As previously reported the 2012 fishery started on 24 June and finished on 5 October giving a total of 15 weeks fishing. During this period a total of 6421 tonnes were taken from within the area of the Thames Estuary Cockle Fishery Order. This value is below the average total landing per year from within the area of the Order over the past 10 years, but is within the range of that time period.

1.1 Spring 2013 Cockle Stock Surveys

Stock surveys commenced on 12 April over the low ebb spring tides which gave best access to the drying sands that extend out to 3 miles offshore in some sections. 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 55.7 km² (21.3 miles²) with a total of 534 quadrat samples being taken. The surveys were undertaken using the 2 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

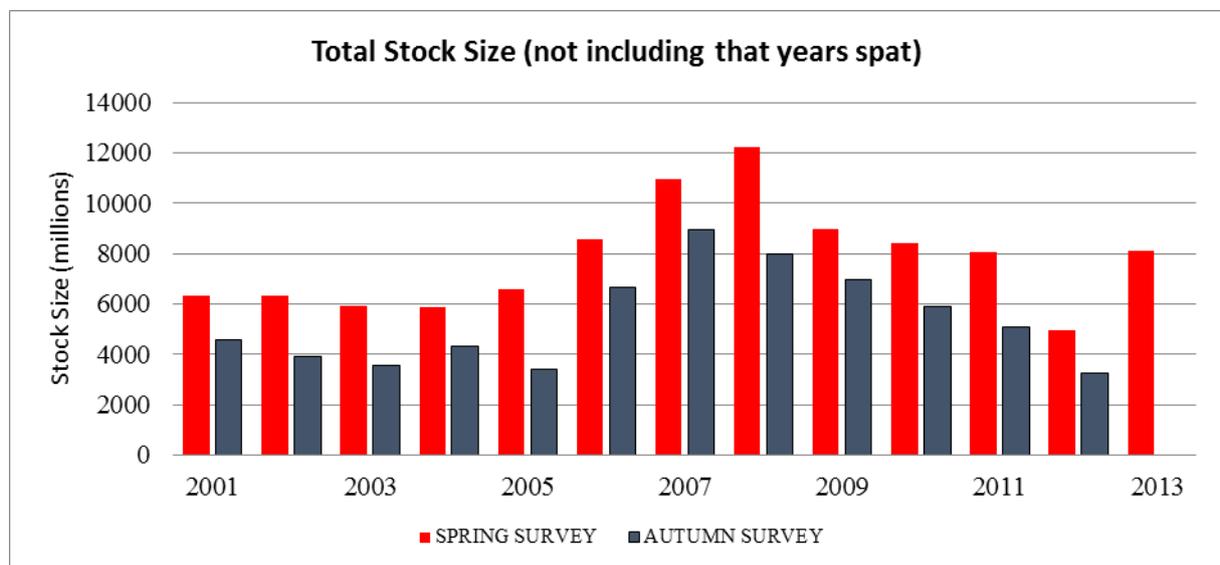
either at day break or evening. The areas surveyed covered the Foulness and Maplin Sands, which include all of the current major production areas (a chart showing the production areas is attached at Appendix A).

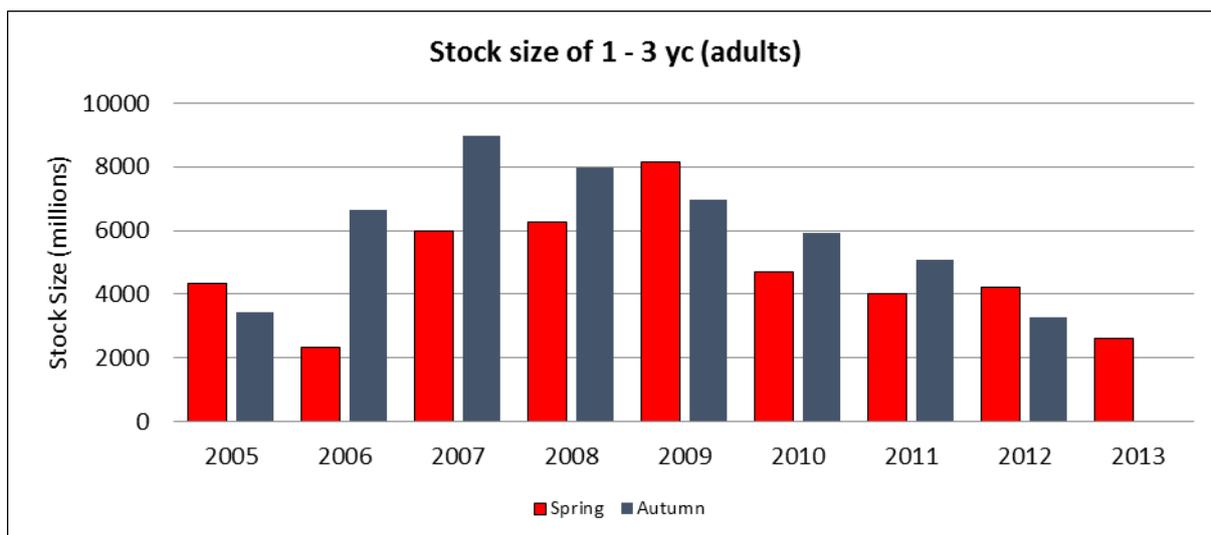
Whilst undertaking these surveys additional samples were collected for Marine Ecological Surveys Ltd that are working for DP World in assessing whether the port dredging has an impact on cockle stocks.

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 this survey data has now been completed. The survey shows that survival has been average and populations of large adult cockles remain in modest quantities. There are still good numbers of the 2012 year class spat across the areas surveyed. In 2008 to 2011 there were very poor settlements of juvenile cockles, which have been well below the amounts found in the 3 years prior to this period. As a result of fishing mortality and the then lack of recruitment to the fishery to replace the harvested stock, the stocks of adult cockles are now at a low level and the recommended TAC is at a similar level to that in 2012.

The graphs below show the latest stock situation.





Surveys of additional cockle grounds beyond the major harvesting areas will be undertaken in June. Initial indications are that they will contribute a slightly lower amount than last year.

Analysis of survey data indicates that the recommended Total Allowable Catch (TAC) that can be taken from the major beds will be 6160 tonnes which is a result of lower biomass and stock size figures for the population than in recent years, and the need to protect the adult year classes and last year's spat fall to attempt to attain good spawning events over the next few years 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 7th May a meeting is to be 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 will be discussed and reported to the Authority meeting verbally.

1.3 2013 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 6160 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 23rd June 2013.

(e) Provisional fishing allocations will be as follows – this is subject to discussions with license 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.

23rd June – 5th July (5 weeks) 2 specified landings per period

7th July – 4th October (10 weeks) 3 specified landings per period

(h) 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).

(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 - 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) At the start of the 2012 fishery, a petition was received from license holders requesting that Individual Quotas (IQs) be issued to each of the vessels, instead of fishing from a TAC. This was considered by the Chief Officer, whilst consulting with the Chairman, and account was taken of the fact that this matter had been discussed previously.

It was concluded that changing the quota system for the cockle fishery to IQs would require significant changes to the way in which the Regulating Order is managed and could impact upon the Appropriate Assessment which has been provided to Natural England. Consideration would also be required as to the impact upon management and enforcement resources.

The industry has since asked again about IQs and whether they are a possible management measure for the regulated fishery. Officers have taken account of the current work area related to European Marine Sites (of which there are four within the Regulating Order), the national view from environmental bodies on the impact levels from suction dredging as a gear type and the implications related to ownership of quota; and concluded that at this time no changes will be made to the way in which quota is allocated for management of the fishery.

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

1.4 Licence Fees

Last year a significant increase in licence fees, to £4,968, was implemented so as to achieve cost recovery. Operating costs for management of the fishery have been kept to a minimum and it will therefore not be necessary to seek a further increase this year.

The Authority is asked to **APPROVE** the above recommendation

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 at a Technical Panel meeting held on the 6 February 2013 at which persons likely to be substantially affected were given the opportunity to make their views known to the Panel. 2 written responses requesting additional licenses were received and 3 individuals requested the opportunity to speak to the panel, including 2 speakers requesting additional licenses and 1 speaker representing the current license holders. Interested

parties are also able to provide representation in writing or apply to the Authority to speak to this meeting(14 May 2013) – 8 written requests for additional licences were received between December 2012 and May 2013. 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 2012 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 (previously English Nature) 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 has been provided to Natural England and a response is now awaited. A verbal report will be made regarding the response from Natural England.

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 Cackle Fishery Order.

Recommendation –

- **Firstly 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.**
- **The Technical Panel recommends that a precautionary approach should be taken with no additional licences granted for the 2013 fishery.**

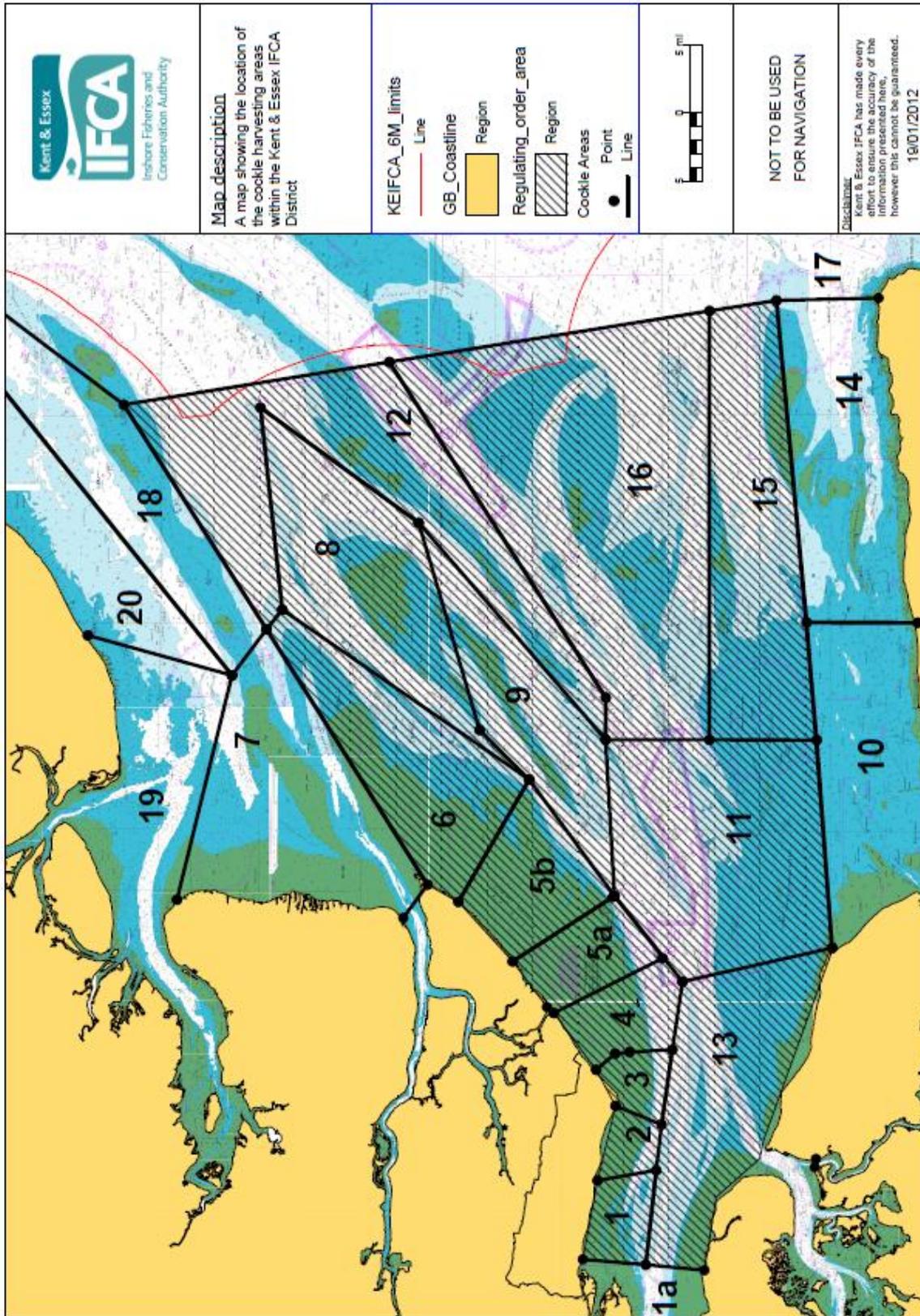
2.0 Issue of Permits

As is usual it will be necessary to issue permits to fish for cockles during the coming season. It is likely that 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

permits 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 has been provided to Natural England and a response is now awaited. A verbal report will be made regarding the response from Natural England.

Recommendation – That the Authority APPROVE the issue of permits.

Appendix A to Agenda item B4



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

Appendix B to Agenda item B4

Responses received for additional licenses