

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

**MINUTES** of an extraordinary meeting of the Authority held in the Guildhall Chamber, Rochester Guildhall Museum, High Street, Rochester, Kent at 10.30am on Friday 6 November 2015

**Present:** Cllr J L Lamb (Southend BC) (Chairman), Cllr M Harrison (Kent CC), Cllr A Bowles (Kent CC), Cllr A Terry (Kent CC), Ms B Perkins (MMO), Mr S Abbotson (MMO), Mr A Rattley (MMO), Mr E Hannam (MMO), Mr P Wexham (MMO)

**Apologies** Mr J Nichols (MMO), Cllr P Channer (Essex CC), Cllr A Wood (Essex CC), Cllr S Liddiard (Thurrock Council), Ms B Chapman (MMO), Ms I Chudleigh (NE), Dr L Fonseca ((MMO) – Dr Fonseca was delayed due to transport disruption and arrived after the meeting had closed)

**In Attendance:** Mr P Sass (Clerk, KCC), Dr W Wright (Chief IFC Officer), Mr D Bailey (Assistant Chief IFC Officer), Mr T Clegg (IFC Officer), Mrs D O’Shea (Office Manager),

**Also present:** Mr S Hales (Chamberlain, Rochester Oyster and Floating Fishery) Mr A Wadhams (Rochester Oyster and Floating Fishery)

### **35. 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 Clerk provided clarification to Members on what could constitute a business interest.

Mr Simon Abbotson declared a personal interest as a member of Rochester Oyster and Floating Fishery (ROFF).

### **36. RIVER MEDWAY NURSERY AREA (PROHIBITION OF FISHING) BYELAW (B1)**

Members were provided with a presentation and video which provided an overview of the reasons for this particular area requiring protection. Members were advised that it was intended to include this video within the IFCA’s education package.

In response to a question from Members on the ownership of the mudflats in the proposed area, the Chief Officer informed them that most of the area was owned by ROFF through Medway Council with some areas privately owned. All these individuals had been consulted and had agreed to the proposed byelaw.

Members were reminded that the byelaw had been developed following consultation with ROFF and the local fishermen. Members had discussed the matter at a technical panel meeting and at IFCA meetings. Defra had also provided legal advice with regard to the proposed byelaw and were supportive of it.

In response to a question regarding monitoring, the Chief Officer advised Members that the IFCA would continue to make use of the data provided by the Environment Agency from the samples they had taken through the Water Framework Directive. The IFCA had also discussed with other regulatory bodies and academics from Essex University the development of a sampling programme in the area and it was intended to involve ROFF in sampling and measuring fish.

Members requested clarification on the costs involved in administering the byelaw. They were advised that the major costs were provided within the Impact Assessment. Additional costs to those described would be the use of two officers for ten days per year for sampling, although that would already come under their regular research duties.

A Member asked that, aside from public meetings, what consultation had taken place with other stakeholders. The Chief Officer reminded Members that ROFF owned the rights to dredging, netting and trawling for shellfish and fish in the River Medway. Officers had met with ROFF and the major angling boats to discuss a byelaw to introduce a no take area. They had also visited all the angling shops in the Medway area to distribute literature and to talk face to face. Officers had also followed up these visits with phone calls to ensure that there were no further queries or concerns. A public meeting had been held at St Mary's Island which was attended by representatives from angling clubs and those with an interest in the River. If Members made the byelaw then a formal period of consultation would then take place with the byelaw advertised and representations invited to be made.

11:05 Mr A Rattley arrived

In response to a question regarding the deeming clause, the Chief Officer informed Members that this had been altered following guidance from Defra legal who had said they would not support this type of clause. The revised byelaw had about 90% of the effect of the previous draft which had included a deeming clause.

**RESOLVED** that the making of the River Medway Nursery Area (Prohibition of Fishing) Byelaw be made taking into account the associated Impact Assessments.

The meeting closed at 11:10am