

Success Criteria: 2, 3, 4, 5 & 6

By: Lead Scientific and Conservation Officer, Chief Officer

To: Kent and Essex Inshore Fisheries and Conservation
Authority – 22 January 2016

Subject: **MARINE PROTECTED AREAS UPDATE**

Classification Unrestricted

Summary: To report on progress in the management of fisheries in marine
protected areas

1. Fishing in Marine Protected Areas

To bring fisheries in line with other activities, the Department for Environment, Food and Rural Affairs (Defra) announced on 14 August 2012 a new approach to manage licenced commercial fishing activities within European Marine Sites (EMS). This approach tasked IFCAs with assessing the impact of fishing activities on the features of EMS using a Habitat Regulations Assessment style process. The deadline for introducing management for high risk fishing activity and feature interactions was the end of 2013. The deadline for assessing the impact and, where necessary, introducing management for medium and lower risk interactions is the end of 2016.

Defra also designated the first tranche of Marine Conservation Zones in November 2013 and expect management of fishing activities, if required, within these sites to be introduced also by the end of 2016.

1.1 Fisheries in European Marine Sites – Habitat Regulations Assessments

At the May 2015 authority meeting, KEIFCA approved the overall outcomes of the 359 tests of likely significant effect which are the first stage of assessment of the effect of fishing gear on features of the European Marine Sites. Since then, minor edits have been made to these following updated advice from Natural

England and these have now been approved formally by Natural England. These documents have been reviewed by Kent Wildlife Trust, Essex Wildlife Trust and the Marine Conservation Society. A meeting was held in London in November 2015 with these NGOs to discuss the outcomes of the tests of likely significant effect and the Marine Conservation Society submitted a letter to the Authority at the 24th November 2015 meeting, outlining their position with regard to KEIFCA's assessment and management of fisheries in MPAs. Since then, officers have met with the Kent Wildlife Trust to discuss specific issues arising from the tests of likely significant effect, through which additional evidence requirements for the Medway SPA site were identified.

For those fishing gears that are deemed likely to have a significant effect on the feature or where there is insufficient evidence to state that there will be no significant effect to the EMS features, a more in-depth appropriate assessment is required. Since the last Authority meeting, all of the ten required appropriate assessments have been completed in draft form and submitted to Natural England for review and advice. Ongoing consultation with Natural England, local fishermen and NGOs will continue to gather evidence and discuss management options.

1.2 Margate and Longsands SAC

Since our last Authority meeting KEIFCA officers have held meetings with NE and the MMO regarding the management of the Margate and Longsands SAC site. Running alongside this has been the development and publication of the NFFO's draft Appropriate Assessment (AA) for otter trawling on the site. The NFFO's AA is a comprehensive document and has taken time to digest and where necessary take on board and update relevant documents and approaches.

The feature extent of the Margate and Longsands SAC site is relatively well surveyed and understood, and this additional information has helped inform initial management discussions between KEIFCA and NE. Due to the complex nature of the site, and the obvious need to work closely in developing a management approach with the MMO at present the development of potential management measures and the work taken to develop them is at an early stage. Depending on the progress made with developing management options for Essex Estuaries SAC, it would be hoped that we would start to discuss management options for the Margate and Longsands SAC site with stakeholders in the late spring and early summer with a view to making a possible byelaw in the autumn.

2. Update on the River Medway Nursery Area (Prohibition of Fishing) Byelaw

The statutory consultation phase for the byelaw has been completed and the only comments that were received were positive letters of support. For the next phase of the byelaw process the MMO and Defra will then scrutinise the legislation; a lot of time and effort was spent developing the wording of the

byelaw with both these organisations so it is hoped that this process would run smoothly.

The next step for this project will then be to hold a launch event to promote the signing of the byelaw by the Minister. We have talked to the Guildhall at Rochester and they have indicated that they would be happy to help support such an event. We are currently in discussions with the local Council to host an event open to the public that would allow people to see our vessels as well as the fishermen's boats on the pier at Rochester. We are provisionally intending to hold the event on the 9th April and would welcome any support.

Members are asked to **NOTE** these reports and make **COMMENT** on them