

By: Chief Officer and Lead Scientific & Conservation Officer

To: Kent and Essex Inshore Fisheries and Conservation Authority – 12 September 2016

Subject: **Marine protected areas update**

Classification Unrestricted

Summary:

This report provides Members with an update on the work carried out to date in developing management options for Margate and Long Sands SCI and for native oyster stocks in the Blackwater, Crouch, Roach and Colne MCZ in addition to an update on native oyster research.

Recommendations:

This report is for comment and noting only.

Background:

To bring fisheries in line with other activities, 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. To date, the final appropriate assessments have been submitted to Natural England for formal advice and we are now in the stage of developing the required management.

Defra designated the second tranche of Marine Conservation Zones in January 2016 and are likely to expect management of fishing activities, if required, within these sites to be introduced by the start of 2018. A third tranche of MCZ designations will follow, although the date for this is yet to be confirmed by Defra.

1. Margate and Long Sands SCI Management

At the last Authority meeting, Members discussed and agreed to hold an extraordinary meeting in July 2016 to discuss management measures for Margate and Long Sands SCI (Site of Community Importance). However, after a lot of discussions and going backwards and forwards with Defra and legal teams,

it appears there has been a change of direction from Defra as to the extent that IFCAs can use a specific type of byelaw, known as a regulatory notice byelaw. The mechanism of a regulatory notice byelaw allowed a lot of flexibility to IFCA Authorities to regulate fishing activity and a number of IFCAs had developed MPA byelaws using this approach. With the change in advice and direction from Defra, officers have had to start to develop alternative management options for the Margate and Long Sands SCI.

Although this decision has slowed down the process, the current management options now being proposed for the Margate and Long Sands SCI site are to either develop a closed area byelaw banning all bottom towed gear in specific more sensitive areas on the site (update our current bottom-towed gear byelaw) or to develop a specific permit byelaw. The permit byelaw would limit the type of gear, the weight and construction of the gear and the area fished as well as require log books of activity to be completed and submitted, and possibly vessel tracking to be fitted. Both options have been discussed with NE and additional work is now being undertaken to develop more detail on the permit option as this is more complicated. The next step once the principles of any option are agreed is to start to consult with the industry and other key stakeholders as to the advantage and disadvantages of the different options and then to report back to the Authority.

2. Native Oyster Permit

After a lot of constructive work with Natural England regarding the management and restoration of native oyster stocks in the Blackwater, Crouch, Roach and Colne MCZ there is now a clearer framework to start to develop a specific oyster permit. It is key that the development of the byelaw puts the local oyster industry as well as local stakeholders at the heart of this process and tries to develop a long-term solution that helps maintain an iconic local industry at the same time as meeting MCZ requirements. Developing a permit that meets these requirements will be challenging and the next step for officers is to start to develop a management plan that will underpin the byelaw and then to hold industry and wider stakeholder meetings. Due to the Margate and Long Sands SCI management time table slipping, officers will be attempting to start to develop management measures and byelaws for both features at the same time. This will be challenging as there is a limited officer resource however both issues are complex and might take time to agree a final management option.

3. Native Oyster Research

Following on from the Authority's approval at the last meeting to continue the native oyster cultch cleaning trials, local oyster men were invited to participate in this year's cultch cleaning work. Three oystermen carried out cultch cleaning in the six defined experimental boxes in June in the Ray Sand channel and the river Blackwater following the same methods as in 2015.

KEIFCA carried out surveys of the experimental and control boxes to examine the topography of the seabed using side scan sonar and visual examination of the habitat type and cultch composition using day grab sampling before and after the cultch cleaning as in 2015. Unfortunately, coordinated sampling of the native oyster boxes for habitat type and associated species could not be carried

out by Natural England despite initial planning for this. Therefore, sediment and species samples were collected using a day grab and sent for analyses to an accredited consultant. Due to the costs involved with this, only samples from the river Blackwater site were chosen. This will provide additional quantitative data that was not collected during 2015 and enables a better estimate of the effectiveness of cultch cleaning of changing the sediment type and the impact of the activity on other species to be made.

The annual KEIFCA native oyster stock assessment will be carried out in September in collaboration with our PhD student at the University of Essex.

Recommendations:

Members are asked to **NOTE** this report and **COMMENT** on it.