

Kent & Essex Inshore Fisheries and Conservation Authority

MINUTES of a meeting of the Authority held in the Manor Suite, Best Western Hotel, Hever Court Road, Singlewell, Gravesend, Kent at 10.00am on Tuesday 29 November 2016

Present: Cllr J Lamb (Southend BC), Mr J Nichols (MMO), Cllr A Terry (Kent CC), Cllr M Harrison (Kent CC), Cllr A Bowles (Kent CC), Cllr P Channer (Essex CC), Cllr S Walsh (Essex CC), Cllr A Wood (Essex CC), Cllr H Tejan (Medway Council), Ms G Holly (Natural England), Dr L Fonseca (MMO), Mr A Rattley (MMO), Ms S Allison (MMO), Ms B Perkins (MMO), Mr E Hannam (MMO), Ms B Chapman (MMO), Mr P Wexham (MMO), Mr S Abbotson (MMO), Ms J Casey (EA), Ms L Stockdale (MMO)

Apologies: Ms E Dixon-Lack (MMO), Ms B Perkins (MMO)

In Attendance: Mr P Wickenden (Clerk, KCC), Mrs B Gibbs (Financial Advisor), Dr W Wright (Chief IFC Officer), Mr D Bailey (Assistant Chief IFC Officer), Dr J Heywood (Lead Scientific and Conservation Officer), Mr T Clegg (IFC Officer), Mr R Dyer (IFC Officer) Mrs D O'Shea (Office Manager)

Members were advised that Ms Joanne Casey would be attending in place of Mr Chris Hazelton as the representative for the Environment Agency and that Ms Leanne Stockdale would be attending in place of Ms Emma Dixon-Lack as the representative of the MMO.

As notified in an email on 28 November, Members were informed that Ms Victoria Bendall, who was due to attend the meeting to present on behalf of Cefas in respect of Agenda item B5, had sent her apologies due to an unforeseen matter. As Cefas were looking to lead this program on a national scale with the IFCA as an active partner it was felt that it would be essential to receive a clear plan from Cefas. Officers would reschedule with Cefas to attend the next meeting in January 2017.

31. MINUTES (A1)

RESOLVED that the Minutes of the meeting held on 12 September 2016 were correctly recorded and that they be signed by the Chairman.

31. DECLARATION OF MEMBERS' INTERESTS (A2)

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 prejudicial interest may not vote on that Agenda item:

The following Members declared interests:

Mr J Nichols – all agenda items aside from B1 – personal interest (Chair of Thanet Fishermen's Association)

Ms B Chapman – agenda item B3, B9 – personal interest (Kent Wildlife Trust employee)
Dr L Fonseca – agenda item B3, B5, B6 – personal interest (Defra employee)
Mr A Rattley – agenda item B2 – personal interest (owner of cockle processing plant)
Cllr S Walsh – agenda item B9 – personal interest (member of MCS)

32. REVENUE BUDGET MONITORING 2016-2017 (B1)

Members were provided with details of the estimated financial outturn position for the Authority to 31 October 2016. The Financial Advisor informed Members that the forecast underspend for the year was likely to be £39,588 although this was subject to change. The underspend had resulted from savings in fuel and staff. In addition, there was a loss of income as a result of two cockle surveys not being undertaken for DP World.

The Financial Advisor informed Members that due to changes in the processing of payment of invoices by KCC, KEIFCA had been unable to continue using them to pay invoices and as a result had updated the Lloyds account to allow internet banking. This was now used to process all payments aside from payroll. KEIFCA also had use of KCC purchase cards to allow named officers to pay for goods when it was not possible to order and arrange for an invoice to be paid by the office. As a result of issues with the use of these cards with certain sites being blocked and cards being declined as a result, officers had looked to use Lloyds Bank business charge cards. As the IFCA was not a limited company Lloyds had asked that Members confirm that they agreed to the application and to name those officers that would be allowed a card.

In response to a question from Members to the cost of the card, the Financial Advisor informed them that they cost £32 per annum each, however this cost would be offset as currently the IFCA paid KCC a fee to enable them to use their cards. The maximum transaction allowed in one month would be set at £1000 per card.

In response to a question regarding loss of income from DP World, the Assistant Chief Officer informed Members that due to an incident on the Maplin Sands in June 2016 when both quad bikes were lost a review of the Health and Safety procedures for these surveys had taken place. This had found that, although there was mitigation for undertaking the two surveys required by the Authority, there was insufficient mitigation for undertaking an additional two surveys purely to obtain samples for DP World. DP World had been spoken to and were aware of the decision.

10:15 Cllrs Wood and Walsh arrived

RESOLVED that:

- i) the underspend of £39,588 be approved; and
- ii) the following officers be approved to hold Lloyds Bank business charge cards:
 - Dr William Wright – Chief Fishery Officer
 - Mr Dominic Bailey – Assistant Chief Fishery Officer
 - Mr Benjamin Hermitage – Skipper, Kent
 - Mr Colm O’Laoi – Skipper, Essex
 - Mrs Deborah O’Shea – Office Manager

33. 2016 COCKLE FISHERY MANAGEMENT (B2)

Members were advised that the area within the TECFO had been opened between 26 June 2016 and 7 October 2016. The total allowable catch (TAC) set by the IFCA in May 2016 had remained at 6160 tonnes and specified landings had been adhered to. The Industry had reported high meat yields and multiple spat falls which had been backed up by with surveys carried out by the Authority. The vessel monitoring system (VMS) had been used for monitoring and enforcement action. Analysis of the data would allow the Authority to write subsequent Habitat Regulation Assessments of the cockle fishery.

Cockle stock surveys were undertaken in September with the number of adult cockles lower than the last three years. Multiple spat falls had been observed with three different size of classes which had not been seen since 1998. Although much would depend on the weather this indicated a good outlook for the fishery for the next two years. This would be confirmed following the Spring surveys.

Mr Rattley, on behalf of the Industry, thanked officers for their work. He stated he would be interested to see the data from the VMS to show the areas that had been fished. He suggested that officers may consider if there was a need to insist that Area 6 be fished as there was concern that the cockles there may be lost if they were not harvested.

Members **APPROVED** the management of the Thames Cockle Fishery Order as specified

34. MARINE PROTECTED AREAS UPDATE (B3)

The Lead Scientific and Conservation Officer informed Members that the deadline for assessment of the impact of medium and low risk interactions of fishing activities on the features of European Marine Sites (EMS) was at the end of 2016. The IFCA was working to meet to this deadline. All Appropriate Assessments (AA) had now been formally approved by Natural England.

An extension to the Dungeness, Romney Marsh and Rye Bay (DRMRB) SPA to protect tern foraging grounds had been proposed. This was being consulted on by Natural England who had met with the fishing industry in Rye in November. Members were advised that it was not anticipated that management measures would be required from KEIFCA although it would be necessary to carry out a Habitat Regulation Assessment (HRA) if the extension were to be confirmed. This would be carried out with Sussex IFCA as it was a cross-boundary site.

Members were informed that the formal consultation process for the Essex Estuaries Byelaw had closed on 5 November. Nine formal responses to the consultation had been received and were being answered. Once these had been completed then the byelaw would be submitted to the Secretary of State for confirmation.

The second tranche of Marine Conservation Zones (MCZ) had been designated by Defra in January 2016 with the expectation that any required management measures be put in place by the start of 2018. A third tranche of MCZ designations would then follow. Members were informed

that Natural England was in informal discussions with the fishing industry and IFCA's regarding the potential new sites. No date had been set for the designation of these sites but it was likely to be in the next few months.

10:30 Mr Hannam arrived

The annual stock assessment had been carried out in September in the Blackwater, Crouch, Roach and Colne (BCRC) MCZ in collaboration with the PhD student that the IFCA is supporting with a total of 102 dredge samples were taken. Discussions with Natural England with regard to the efficiency of the oyster dredge had taken place and an agreed efficiency value of 20% had been agreed. Members were advised that from the data gathered it was estimated that there was between 200 to 400 tonnes of oysters in the whole MCZ.

The Essex Native Oyster Restoration Initiative (ENORI) had met in October when Natural England presented a draft management plan for the restoration of the Native Oyster in the public grounds of the MCZ. Cultivation of Native Oysters in the majority of the MCZ would not be allowed as this would be in conflict with the SAC in the area. An exception to this would be in the mouth of the River Blackwater where research projects could be undertaken by members of ENORI. Once conservation advice had been received consideration could be given to the introduction of a Native Oyster permit byelaw

10:35 Ms Allison arrived

In response to concerns raised by Members to the extension to the DRMRB SPA and any impact on the fishing industry, Ms Holly advised that Natural England's initial assessment did not foresee a need for management measures in respect of fishing activities.

The Chief Fishery Officer advised Members that there was a possibility that Hythe Bay, previously discussed as a possible site under Tranche One, may be designated by the Minister as a MCZ. Once more information was known this would be brought back to Members to discuss

Members **RESOLVED** that the report be noted

35. WHELK RESEARCH UPDATE (B4)

Members were reminded that in their meeting held in January 2016 it was decided that the technical requirements of the Whelk Permit Byelaw would not be changed and that more information and evidence should be provided to them with regard to the impact of increasing the number of escape holes and the riddle size.

Members were advised that experiments had been carried out off Ramsgate, Kent and St Osyth, Essex, in November 2016, using ten pots with 20x 22mm escape holes and ten pots with 20 x 25mm escape holes. Whelks that were collected were then riddled through a 22mm riddle and a 25mm riddle. In both areas the majority of the whelks caught were very small, with most passing through both the 22mm and 25mm riddle. No conclusions could be reached from this experiment due to the lack of medium and large whelks caught. Members were informed that

fishermen in Kent had reported that whelks were small and as a result they were moving out of the district to fish.

Members were informed that a funding proposal had been drafted to be submitted to the European Maritime and Fisheries Fund (EMFF) for approximately £15,000 to study how whelk populations vary seasonally. This project would pay two fishermen to collect whelks once a month for two years, processing of the samples, project management and report writing. A tender invitation had been issued to all whelk permit holders in October to see if they were interested in collecting the samples.

Mr Rattley addressed Members on the subject of improvement of the riddling system for whelks. He stated that working with the Industry he had developed a prototype riddle for which the technical drawings were now complete. This new riddle was similar to that used by the cockle industry. All whelks would be loaded into a hopper and slowly go through the riddle itself, allowing the undersized whelks to go through and the sizeable whelks to be retained. The prototype would be expensive to build at a cost of £3250 + vat. The Industry had asked if the IFCA could fund this prototype through the research budget. This would be a one off cost. Mr Nichols added that the fishing industry wished to move forward with the development of a whelk riddle. No single person within the industry would be able to fund this so they were asking for the IFCA to fund this. He felt that the cost may be more in the region of £5000.

A Member commented that by January 2017 the IFCA would have delayed their decision by one year. The long term management plans were good but the IFCA needed to know more about the stock status to know whether it was possible to wait beyond January 2017 as at the moment they felt they were not in a position to make a decision. In response the Chief Fishery Officer stated that he intended to place a set of management options before the Authority in January. He had been encouraged by the discussions that had been had with the Industry and he felt that they understood the threat that the stock could be overexploited. The industry had issues with the riddle and wanted a sorting mechanism that was as efficient as possible. There would be short, medium and long term approaches with fishermen receptive to other technical management measures – closed seasons, better effort controls.

In addition, the Member asked how much the research would cost the IFCA and what research and development projects would not be covered as a result of this cost, and if the IFCA had been asked to approve an EMFF proposal, why had a tender been issued if the proposal had not been approved. The Lead Scientific and Conservation Officer advised that the cost for the research would come from EMFF funding and not the research budget as initial research had suggested that no match funding would be required. Should match funding be required then Members would be asked to approve that spend. In respect of the tender being issued; the strict rules around the funding application required the IFCA to submit contracts for fishermen that they wished to pay from the funding. This meant that the tenders had to be sent prior to the application being made so that contracts could be drawn up if the application were approved.

The Lead Scientific and Conservation Officer stated that there were a number of barriers to creating a good stock estimate. There was a lot that was not known about whelk biology and movement. In her opinion whelks were being caught that had not had a chance to breed. Reports

had been received from fishermen together with a scientific study in Wales that suggested females moved off at certain times of the year. They appeared to be temperature driven and did not move a great deal in warmer weather. There was a possibility that the sampling that had taken place had been carried out in a nursery area. The purpose of the longer term study would be to try to create a stock model.

Members made the following comments:

- If money would be spent on funding the development of the riddle then the IFCA would need to register intellectual property rights on it.
- The application for the EMFF had not been provided with papers so it was not felt appropriate to approve the application if it had not been seen.

The Chairman advised that if Members did not wish to vote on the EMFF application without seeing it first then they should either vote against it or abstain.

In respect of approving an application to the European Maritime and Fisheries Fund for payment of £15,000 to allow a study into how whelk populations vary seasonally, Members voted as follows:

In favour – 15

Against – 0

Abstention – 0

In respect of approving a payment of up to £5,000 from the research fund to fund a prototype riddle, Members voted as follows:

In favour – 17

36. PROPOSED EU BASS MANAGEMENT MEASURES AND AN UPDATE ON BASS RESEARCH AND FUTURE RESEARCH OPPORTUNITIES (B5)

The Chief Fishery Officer informed Members that draft management measures for bass had been released ahead of the EU Council meeting. These provided a good indication of possible bass management measures for 2017.

These measures included:

- a ban on all commercial fishing during February and March 2017 with a catch and release only system for recreational fishers during the same period.
- A quota of 10 bass per person per month for recreational fishers for the months of January and April to December 2017
- 10,000kg bass per vessel per year for the months of January and April to December 2017 for commercial hook and line fishers only
- A prohibition on all other commercial vessels fishing for bass except for demersal trawls and seines where 1% bass by-catch permitted

The Chief Fishery Officer stated that there had been a lot of discussion by commercial fishermen regarding these new measures with concerns raised by the local Industry. As an IFCA he was happy to pass these concerns on to the Minister. Members were reminded that this was an international policy.

Members made the following comments:

- The split between the two sectors was not even-handed. This potential ban would cause loss of employment for a lot of fishermen within the district
- Fishermen should be encouraged to directly engage with the Minister and should make use of their fishing associations and national bodies to lobby the Minister's office.
- The timescales involved were ridiculously tight. The advice had come from ICES in the summer and Defra had one month to respond. Any specific communication should go through Stephen Bolt as Chief Executive of the AIFCAs
- The IFCA should write a letter to the Minister informing him that Members consider the breakdown of the proposals to be imbalanced especially to commercial fishermen

Members **RESOLVED** that a letter be sent to the Minister informing him that the proposals were unfair across the board especially as they related to commercial fishermen

37. THORNBACK RAY MANAGEMENT UPDATE (B6)

The Chief Fishery Officer informed Members that as requested at the previous meeting he had contacted Defra and Cefas in respect of the concerns of this fishery. He had been advised that it would be more effective to raise this with the Minister in January 2017, once the EU Council decisions on Bass had been decided. It had been suggested that feedback of the concerns from the Industry would be useful to present to the Minister. Members were provided with a draft letter which was proposed to be sent to the fishing associations within the district asking that they support the actions that the IFCA were undertaking and provide information on their concerns.

Members were also advised that discussions had been taking place with other groups in Europe. France had stated that it would be developing an Industry led project (Interreg (SUMARIS) Project) to improve the management system for skates and rays in the Southern North Sea and Eastern Channel, working with the English, Dutch and Belgium. The aims of the project would be to:

- Provide the panel with the most appropriate joint management scenarios.
- Provide accurate data on rays and skates stocks by species in the East Channel and South North Sea area.
- Provide accurate data on the survival rate for rays and skates by species.
- Implement an experimental fisheries campaigns, collecting stock and survival rate data.
- Create a joint database knowing exactly the different species of rays that can be found in the INTERREG 2 Seas area.
- Train fishermen to accurately identify and handle the species of rays and skates.

The Chief Fishery Officer advised Members that this project was at an initial concept stage and that KEIFCA, Cefas and SWFPO had expressed an interest in involvement. An initial budget of 2.5 million euros for the project had been applied for although as an IFCA it was not known how that was broken down. It was proposed at this stage that KEIFCA would be involved in the following elements of the project:

- Joint cross border strategy for the management of rays and skate fisheries
- Completed rays and skate stocks shared database
- Training module regarding the identification and the handling of the catches by rays and skate species
- Survival rate test report

Members **RESOLVED** that:

- i) a simplified version of the draft letter to the fishing associations be sent to all fishing associations within the district and also to the AIFCA
- ii) KEFICA should have continued involvement with the Interreg (SUMARIS) grant application

38. ANNUAL REPORT (B7)

Members were advised that following the previous meeting comments had been received from two Members regarding the draft Annual Report. The Report was now published on the Authority's website and would be submitted to the Secretary of State by 30 November 2016.

Members **NOTED** the Annual Report

39. MEETING DATES 2017/2018 (B8)

Members were asked to note the meeting dates for the year 2017/2018 as follows:

Friday 15 September 2017
Thursday 30 November 2017
Tuesday 30 January 2018
Tuesday 22 May 2018

40. MATTERS FOR REPORT

Members received:

- Quarterly Report of the Kent IFCO (C1)
- Quarterly Report of the Essex IFCO (C2)
- Quarterly Report of the Patrol Vessel 'Tamesis' and 'Blue Jacket'(C3)
- Communication Update (C4)
- Sea Angling Report (C5)
- Enforcement Report (C6)

12:15 Meeting closed to the public

Members resolved that the exempt minutes of the meeting held on 12 September 2016 were correctly recorded and were signed by the Chairman.

Members were provided with an update by the ACIFCO on the progress of the build of the patrol vessel 'Nerissa'. They were advised that the vessel had been transferred to South Boats at Cowes on 24 August 2016 to allow rectification work to be carried out. This work had been completed and 'Nerissa' was now back at Ramsgate harbour. Following receipt of paperwork from the MCA she should be operational in the next few weeks.

12:55 Members broke for lunch

Cllr A Wood left

Members reconvened at 13:35 in order to transact the following business:

41. MANAGEMENT MEASURES MARGATE AND LONG SANDS SCI (B9)

The Chief Fishery Officer advised Members that following an Appropriate Assessment (AA) carried out by the Marine Management Organisation (MMO) it had been confirmed that additional management measures were required to manage bottom towed gear on the Margate and Long Sands SCI. In order to best inform Members' decision on the issues and rationale behind the site a series of presentations would be provided by the IFCA, MMO, NE, Marine Conservation Society and the National Federation of Fishermen's Organisation.

The Chief Fishery Officer informed Members that this particular site was listed for their feature sandbanks which were slightly covered by sea water at all time. The conservation objective was to maintain the sandbanks in a favourable condition subject to natural change. This site also acted as habitat for a variety of different biotopes. As the site straddled the 6nm limit the MMO had been leading on the AA and HRA with input from KEIFCA. NE advice was to reduce the pressure from bottom towed gear on the site. The HRA carried out by the MMO had concluded that bottom towed gear would have an adverse effect on the site. Members were provided with a copy of the MMO Fisheries Assessment in respect of the site. Members were advised that otter trawling and some beam trawling did take place on these sites targeting sole, thornback ray, cod,

bass and herring with an estimated 14 boats operating from Queenborough, Whitstable, Southend, West Mersea and Ramsgate.

The evidence of where over 12m vessels fished could be gathered from their vessel tracking systems. Vessels under 12m were not required to have vessel tracking. Since 2009 KEIFCA had been recording sightings of fishing vessels when the patrol boats went to sea. These had allowed KEIFCA to gain an idea of where fishing activity took place and the intensity of it. The NNFO had worked with a company that had interviewed a range of local fishermen who fished the site. This had looked at how the different types of gear interacted with the sediment and looked at how big an area came into contact with that fishing gear. Natural England had provided advice on the areas of sandbanks that they regarded as the most sensitive where they considered that bottom towed gear be banned as a precaution to allow the sandbanks to be maintained. Officers had also spoken with fishermen to discuss the areas that they fished more heavily in and the impact it would have on them. All this information had been used by the IFCA and the MMO to inform their decisions and to allow a consistent approach to adopting relevant management measures. It was therefore proposed to update the existing Bottom Towed Gear Byelaw to close areas to bottom towed gear (as specified on page 4 within the agenda paper) in Knob Channel, Pan Sand Hole and East Margate Sands as a precautionary approach.

A Member pointed out that trawling in that area had taken place for three to four hundred years. Every time the tide came in it moved thousands of tonnes of sand along and in storms this amount could increase by fifty times. They felt it was not correct to compare the effect of a ground rope to that of the tide and was concerned that fishermen were being targeted once again. It was pointed out that dredging was taking place further off that site with permission and that windfarm cables were being uncovered, all of which changed the environment. Another Member stated they felt that conservation was taking priority over the wellbeing of the fisheries.

The Chairman informed Members that they needed to remember that they were a conservation authority and that as with all IFCAs around the country it was their remit to look to manage the MPAs appropriately. He accepted that it was difficult as there may be an effect on fishermen's livelihoods but Members did need to put management measures in place.

Leanne Stockdale, head of the marine conservation team within the MMO addressed Members. She informed Members that the Margate and Long Sands site covered two administrative areas, KEIFCA and the MMO. Unlike the IFCA, the MMO had to work with other Members states, in this instance French and Belgium colleagues to understand how they used the site. She advised that NE was the lead advisor to the MMO who had provided advice on the sensitivity of the habitats and biotopes. The MMO had concluded that there were some areas deemed to be sensitive within the 6 to 12 mile limit which required management measures, whether regulatory or voluntary. The MMO had an open consultation ongoing which proposed five options; do nothing, zoned management options, close it all, activity through a statutory instrument and voluntary management. The favoured option for the MMO was zoned management of areas to bottom towed gear. Members were provided with information on the activity on the site for the UK, Belgium and French fleet. If a byelaw were to be made, then it would go to the Secretary of State in January to be signed.

Giulietta Holly, Lead Marine Advisor for NE based in the Kent team addressed Members. She advised members that Margate and Long Sands SCI was classed as an amber risk category by Defra, with management required to be in place by the end of 2016. NE was the statutory nature conservation body. Their role was to provide support and advice to the IFCA's by issuing conservation advice packages for all the MPAs as IFCA's required them to coincide with their production of HRAs. This information would include information about the site, features, sub features and advice on fishing activities including all different gear types and provided information on the sub feature sensitivities to all those activities. NE had also provided updated habitat maps to all IFCA's. The data consisted of the latest and most up to date data that NE held and was made available through map and software to enable the IFCA's to use to produce their own activity maps overlaid on the habitat maps. Members were advised that NE worked closely with the IFCA's to give advice on HRAs both formally and informally. Formal advice would be available within 28 days of request from the IFCA. In respect of Margate and Long Sands SCI, Central Government had put this site forward to the European Commission as a candidate for SAC in 2010. It was adopted by the European Commission as a SCI in 2011, with the Government able to designate it as an SAC by 2017. The qualifying feature of Margate and Long Sands was the sand banks which were slightly covered with sea water all the time. There were a number of sub features that were also listed. The boundary of Margate and Long Sands enclosed a series of sand banks, the largest of which was Long Sands which laid north east to south west orientation and Margate Sands which laid to the south west of Long Sands. In response to concerns regarding the mobility of the site, Ms Holly advised that three surveys that had been undertaken showed that Margate Sands remained relatively stable in comparison to Long Sands which was similar to other sandbanks in that it was much more dynamic and mobile. The sub tidal sand sub feature formed the majority of the sediment of the site, supporting a lower diversity especially in the crest of the sand banks. The sub tidal core sediment was primarily in the southern section with some to the tip of the site in the north. This supported benthic and burrowing communities. In 2014 a benthic survey was undertaken to gather further data on previous habitat mapping projects. Sediment analysis was carried out and biotype mapping was undertaken to inform a condition assessment for the site. This survey identified the most sensitive areas within the site which would benefit from management and protection. The IFCA proposal to close areas to bottom towed gear reflected the advice that NE had given as it protected the most sensitive areas.

A Member commented that the features in question were still present despite vessels having worked on them. It appeared that the fishing industry were being hounded when windfarms and aggregate dredging was allowed to continue. Members also commented on the mobility of the sandbanks and the need to protect something that was so volatile.

In response Ms Holly advised that all developments would require an IA to be carried out which would look to consider if there was potential damage to any protected feature. In respect of the mobility of the sandbanks she advised that NE took their mobility into account and identified the most stable that needed protection.

The Chairman commented that Defra and the MMO were asking the IFCA to put measures in place to preserve the features in order that they could remain there. This was something that all IFCA's were having to consider not just KEFICA.

14:40 Cllr Channer left

Dale Rodmell, Vice Chairman of the NFFO, addressed Members. He informed Members that his organisation had commissioned a project in 2015 which supported risk assessments processes for MPAs as far as fisheries were concerned. This had looked at the impact of trawl activities that had occurred in the Margate and Long Sands SCI as well as at other sites outside the K&E district. This had been undertaken as the NFFO felt that the science behind MPAs and certain types of habitats and the interaction with fisheries was a developing science which they wanted to contribute to and to try to improve the level of certainty that could be introduced into the system so that they could reduce the levels of precautionary management that was required. If the precautionary approach was taken, then this would have a significant effect on the sector that the NFFO represented. This project looked at the impact of fishing gear on features by analysis of VMS data and, particularly in respect of the Margate and Long Sands site, interviews with fishermen to generate an estimate of the fishing footprint which could then be related to the ecology of the site. Natural disturbance modelling was also carried out. This looked at the proportion of days that there would be a natural disturbance of the sediment. Combining all this information together with that of NE and JNCC provided a vulnerability assessment which were published as shadow risk assessments. In respect of direct impact from the fishing gears, research commissioned by the NFFO suggested that the amount of penetration by fishing gear was less than published in other literature. By using the shadow risk assessment NFFO found that all but one biotope (fine muddy sand) did not have a potential adverse interaction. In respect of the introduction of management, Members should consider that from the fisheries perspective there was limited sea space with a multitude of other activities taking place, windfarms and aggregate dredging, which were pushing the fishing industry over the edge. It was therefore important to consider how any management measures were introduced in order to protect the fleet. In 2015 Defra produced a paper regarding adaptive management which the NFFO felt should be considered for the Margate and Long Sands site as there was uncertainty in the nature of the interactions between the fisheries and what was trying to be conserved and where a prohibition would be disproportionate in terms of management measures. The NFFO were keen to see all options explored. Fishermen had looked at how they might adapt their gear to allow fishing to continue but needed time to develop and test this.

In response to a question from a Member asking whether he had confidence in the amount of fishing activity data that had been quoted in the paper, Mr Rodmell advised that he thought it had been over estimated.

A letter was read out from Thanet Fishermen's Association (TFA). Members were informed that the size of the Ramsgate fishing fleet had decreased in the last forty years from trawlers of 17m to mainly under 10m boats operating as small netters and potters. In the last six years there had been an increase in construction projects, legislation, protected areas, banned fishing methods and catch restrictions which had added to its decline. TFA felt that the damage to the sea bed by projects such as the Nemo Interconnector project and the dredging required for this would cause more damage than that of their fishing gear, yet any EIA produced by these companies would be accepted and the work allowed to be carried out. TFA asked that Members considered the impact any decision they made would have on the fishing community. If the no bottom towed gear zones were to be approved, then where would their members fish. TFA considered that everything was

loaded in favour of conservation and less towards fisheries. If there was to be regional management then this issue needed to be redressed.

Jean-Luc Solandt, Principal Specialist MPAs, Marine Conservation Society, addressed Members. He stated that MPAs existed to allow the recovery of animals and plants and to lead to better biodiversity. It was not the physical habitat that mattered, rather the animals that lived within the mud and sand that mattered. More productive and biodiverse seas were good for society in that they resulted in increased carbon capture, nutrient absorption and nursery areas/areas for fish. Sandbanks were a healthy 'coupling' between water and sediments. The MPAs were not about protected mud and sand but enhancing the life found within it. The Margate and Long Sands site was special, having a very diverse habitat assemblage which needed protection to enhance the biological life. The MCS felt that some habitats were missing from the proposed closed areas, particularly within the Queens Channel. Members were reminded of the necessary legal tests for this MPA. In particular, that of the precautionary principal and case law stated that an activity should not be permitted unless there was no scientific doubt as to the absence of adverse effects. MCS considered that the IFCA should close fishing in vulnerable habitats (SS.Ssa. CFIa and SS.Ssa. CmuSa.AalbNuc), put iVMS on all vessels and have a 1min transpondrate within buffer areas of closed areas that should be at least 250m wide. In addition, the MCS would recommend the full closure of the site to all bottom towed gear.

The Chairman reminded Members that the recommended areas to be protected was as stated within their papers. He referred Members to the report B9:1 which explained that in 2012 the UK had committed to the OSPAR convention and as a result were required to set up MPAs. Part of their duty as Members of the IFCA was to look at these areas and be guided by the information provided by all the agencies. It was necessary to take actions and precautions.

15:15 Ms Stockdale left

In response to a question from a Member regarding the wording of the recommendation, the CFO advised that the specific wording of the byelaw would be the same as that used for other sites where bottom towed gear was banned. Members had been provided with a broad overview from various national and international experts of a description of all the issues regarding this site. The CFO acknowledged that sand was a moveable feature and that this feature was very different to that dealt with in the past. He advised that Members should consider NE's advice which was based on current data. The proposed closed areas were large areas that took into account that the sandbanks moved. There was a balance to take to protect these habitats and to have an Industry that could continue to function. The IFCA should consider the work that the MMO and by definition the UK had undertaken with regard to this site and their management proposals.

Ms Chapman stated that she endorsed the need for setting up MPAs and managing those areas. It was important that the IFCA protect at least the most sensitive habitats within the area. She suggested that the IFCA should protect the whole of the sensitive habitats there as a really important base for marine life and biodiversity to underpin the fisheries for the future. As a result, she felt that the areas to be protected should go beyond those proposed in the paper and include all sensitive areas.

This proposal was seconded by Ms Allison.

In response to a query as to the area that was proposed, Ms Chapman stated that the IFCA should look to increase the size of the inshore areas.

In favour	2
Against	9

The Chairman advised that this amendment failed

Mr Hannam stated that at the previous meeting Members were advised that officers would begin to consult as to the advantages and disadvantages of the options available and would present these findings to Members. It appeared that this stage had not taken place and he considered it would be more helpful to have a variety of options that Members could choose from. Mr Hannam therefore proposed that Members should be provided with a range of management options from which the Authority could choose from at their next meeting. This proposal was seconded by Dr Fonseca

In favour	6
Against	7

The Chairman advised that this amendment had failed and invited a proposer and seconder for the original recommendation as detailed within the agenda paper

Cllr Harrison proposed that an updated version of the KEIFCA bottom-towed fishing gear (prohibited areas) byelaw should be drafted to include the areas identified in chart 1 as well as the impact assessment for the byelaw. This proposal was seconded by Cllr Walsh

In favour	9
Against	5

The Chairman advised that this recommendation had been approved.

42. AOB

The Chairman advised that he had been passed an email from Mr Paul Gilson which he would arrange to be circulated

15:50 Meeting closed