



### Agenda item B3

By: Chief IFC Officer  
To: Kent and Essex Inshore Fisheries and Conservation Authority – 15 September 2017  
Subject: Native Oyster Flexible Permit Byelaw Update  
Classification: Unrestricted

#### **Summary:**

This paper updates Members with the progress made in developing a Native Oyster Flexible Permit Byelaw to include results of meetings already held with stakeholders and details of other meetings and consultation that will take place.

#### **Recommendations:**

Members are asked to **AGREE** to the continued engagement process described in the paper.

#### **Background:**

Since the May 2017, two meetings have been held continuing the discussions on the creation of a native oyster permit byelaw. The first meeting discussed and applied the draft management plan with wider stakeholders and the other updated the local Essex oyster industry to the progress made so far and reflected some of the key findings of the industry questionnaire. Based on these discussions and feedback KEIFCA officers then developed a consultation document with the next step to hold a Technical Panel meeting to start to develop the wording of the bylaw. Although the timing of the consultation process has slipped slightly this is due to very positive engagement at additional meetings.

#### Stakeholder meeting in July

Using the management principles developed in the draft fisheries management plan, a range of different 'real-life' oyster stock scenarios were presented to

groups made up (where possible) with members of the oyster industry, a Natural England lead and an NGO expert or an academic. The scenarios helped explore what recommendations the groups would make when applying the fisheries management plan criteria to the opening and running of the fishery. Although the data was fictitious it helped the groups walk through some potentially tricky decisions especially when stock metrics were close to agreed trigger point values. In general, the meeting felt walking through the management plan process and applying the key features of the management plan really helped show how the process could work in the future. There was a general feeling that the detail in the plan was about right and that when decisions were made with the whole package of components (the management plan and process, the MCZ conservation objectives, the industry's needs and the data available at the time) as well as being made through the informed lens of expert opinion, a package of appropriate management measures could be developed. Notes of this meeting are provided as Appendix 1

#### Industry meeting in August

A follow-up meeting with the Oyster industry provided an opportunity for members of the industry that were unable to come to the stakeholder meetings to keep up-to-date as to the progress of the byelaw. The meeting was relatively informal and allowed the industry to ask questions about key issues in the byelaw. The meeting also provided an opportunity to discuss some of the results of the industry questionnaire as well as options for developing byelaw measures and the consultation document. Notes of this meeting are provided as Appendix 2

#### Consultation September – October

A consultation document outlining the proposed management options has been developed to be sent to all interested parties. A 10-week consultation period has been allocated to allow ample time for all stakeholders to engage and submit written replies outlining their views on the proposals. In developing such a consultation document, it is hoped that it will allow people or organisations that have so far not inputted into the permit byelaw making process to have the opportunity to do so. Receiving written replies will also help clearly explain what different stakeholders want from the byelaw helping inform Authority members when they are making decisions. The expectation would be that all replies would be put into a briefing pack for the technical panel members. A copy of the consultation document is provided for information.

#### Technical panel meeting

The Technical Panel meeting will

- Review the progress made to-date in making the byelaw
- Review the structure and mechanisms within the byelaw (the static and flexible components of the byelaw as well as the relationship and mechanism between the byelaw and the fisheries management plan).
- Scrutinise in detail each component of the byelaw (working from background, to options, to recommendation, to legal wording).

The Technical Panel will then make a series of recommendations on the byelaw and fisheries management plan as well as on the next steps for the Authority to consider.

**Recommendations:**

Members are asked to **AGREE** to the continued engagement process described in the paper.