



Agenda Item C6

Compliance and Enforcement Update

Kent and Essex Inshore Fisheries and Conservation Authority

Quarterly report for the period September to November 2017

Introduction

In undertaking its regulatory responsibilities, KEIFCA starts from the position that the vast majority of the community of people, organisations and industries using the marine area are compliant with the regulation and control that affects them. KEIFCA works to try to ensure that all parties understand both what rules apply to their particular industry and the rationale for the regulation being necessary.

Full compliance with EU, UK and in particular local fisheries and environmental legislation is the overall aim of the Authority. This aim is best achieved through the adoption of an adaptive co-management approach to fisheries management.

Adopting the 'Prevention, Intelligence and Enforcement' model used by police forces across the UK, we are making best use of proven methods, using a proportionate approach and ensuring the tax payer receives value for money.

Prevention Activity

Education and prevention has long been used within newly established MPAs, to educate and inform. In July, we wrote to fishermen who had failed to submit the required whelk returns. We personally visited two, reissuing books and refreshing their understanding of procedures. We received feedback about ways to make returns easier and are exploring this.

In October, we wrote to all whelk permit holders giving advanced notice of increased whelk inspections, particularly out of hours during November and December, when whelks can be smaller. We explained that we would very much prefer to work with fishermen, catching them 'doing things right' rather than 'doing things wrong'.

Intelligence Activity

The intelligence sharing and bi-weekly tasking and coordination meeting for staff is now well embedded. Information ranging from details of visiting boats to possible offences and risks to staff has been shared in a proportionate way with agencies such as the Marine Management Organisation. We dial into the Marine

Management Organisation tasking and coordination meetings to ensure enforcement activity is coordinated. Every month we receive reports from other agencies, which assist us in keeping staff safe and focusing enforcement activity by directly contributing to operational activity and effectiveness.

Enforcement Activity

Between September and November, 35 patrols and 20 boarding inspections at sea plus landing and shore inspections have been carried out by all staff. The number of patrols is slightly lower this year due to staff turnover before the cockle season commenced.

The objectives of patrols during this period were to ensure that both commercial and recreational fishermen were compliant with the bass regulations, conduct landing inspections right through to the end of the cockle season, and gear inspections at sea. One of the angling patrols was mounted jointly with Port of Dover Police and the Marine Management Organisation in response to issues on Admiralty Pier.

Five commercial fishermen have been formally interviewed under caution.

Two Financial Administrative Penalties (whelk offences) have been paid.

Two cases are currently under active investigation.

Thames Estuary Cockle Fishery

For the third year the vessels which are licensed to operate in the Thames Estuary Cockle Fishery Order 1994 were fitted with VMS+ (Vessel Monitoring System). This enables officers to identify where vessels are at any point during their fishing trip. Each vessel transmits a frequent 'ping' when they are inside the TECFO and when operating within the main fishing areas. This has enabled officers to operate much more efficiently in targeting their patrols and inspections as well as helping to identify the best way to inspect a vessel, whether that be at sea or ashore. This directly led to one of the cases currently under investigation.

Outside cockle fishery

For the two weeks prior to the fishery opening staff were involved in preparatory engagement with fishermen from Kings Lynn and Boston. Three visits were made to this area to inspect vessels and ensure bio-security standards were adhered to. Officers also ensured crew were completely clear on the regulations and understood our enforcement approach.

During the week, all staff were involved in proactive enforcement of byelaw management measures. FPV Nerissa operated during the day, enforcing spatial closures and monitoring the fishing vessels and their active fishing time. Damage rates were commenced but inclement weather conditions impacted upon the boarding of all vessels. FPV Tamesis and her crew of three officers working the night hours with the same tasking.

Officers also worked extended hours, conducting landing inspections in five ports which were landed into by vessels including, Whitstable, Queenborough, Leigh,

Brightlingsea and Paglesham. The output of this effort was that officers effectively enforced all the management measures employed within the fishery.

Whelk Fishery

The whelk fishery has continued to be an enforcement priority. South Kent activity has diminished this quarter, with the bulk of whelking activity taking place off the North Kent coast. In addition to ensuring EU and byelaw size/standards are met, increased focus is being put on the timeliness and accuracy of returns. The data contained within these returns may be key in supporting science and protecting local fishermen's interests in the future.

Bass Fishery

The bass fishery has continued to be a priority enforcement action due to the very tight regulations currently in force and ahead of the tightening of the EU regulations proposed for next year. Due to the high-profile nature of this issue, KEIFCA officers have been working closely with Marine Management Organisation officers, sharing information and coordinating activity.

Offence Reports

Both Financial Administrative penalties were in relation to undersize whelk landings.

The two current investigations relate to unmarked fishing gear and cockle fishing in a closed area.

As investigations are ongoing, a detailed report on the offences under investigation is not appropriate or legally permitted at this time.

Training and developing staff

Due to staff turnover, several new officers are coming on stream in the next few months. Training and development is key to giving these officers confidence and ensuring they are operationally effective at the earliest opportunity. This has been incorporated into the activities of the new Lead Compliance Officer.

J Holl

Lead Compliance Officer