



## **Agenda Item C5**

### **Compliance and Enforcement Update**

#### **Kent and Essex Inshore Fisheries and Conservation Authority**

#### **Quarterly report for the period December to January 2018**

### **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. Proactive contact with new whelk license holders and early inspections has proved to be beneficial, mapping out our expectations from an early stage. We continue to explore ways to make whelk returns easier. Vessels have been observed dredging near the Thanet SAC area that is closed to bottom-towed gear and as a result, officers have refreshed the fishermen's awareness of the byelaw and provided written clarification.

### **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 Agency. 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.

A meeting has taken place with the Maritime and Coastguard Agency, to establish mutual areas of interest and routes for communication.

Relationships with partner agencies continue to grow. In particular, these present tangible opportunities for proactive MPA monitoring and gathering of intelligence on potentially harmful or illegal activities.

### **Enforcement Activity**

In December, Kent and Essex IFCA tasked Border Force through the National Maritime Information Centre (NMIC), following receipt of information suggesting offences were being committed. This represents good value for the taxpayer and brings enhanced effectiveness.

A joint enforcement patrol was conducted with Border Force two days before Christmas. Fishing vessels from four different ports were spoken to. We hope to grow this relationship, to provide better coverage.

Two joint shore patrols/inspections with officers from the Marine Management Organisation have taken place and a further is planned.

Two cases are currently under active investigation.

#### *Marine Protected Areas*

A series of targeted sea patrols have taken place out of hours within the Essex Estuaries in response to seasonal trends and intelligence. No offences were identified but the increased night time patrols were noted by the fishing community. The Thanet SAC area that is closed to bottom-towed gear is also being monitored more closely.

#### *Whelk Fishery*

The whelk fishery has continued to be an enforcement priority. South Kent activity has diminished, 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. Although some permit holders have improved frequency of returns, others have simply failed to comply. This is dealt with by agenda item B3.

#### *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**

Two verbal warnings have been issued, one for berried lobster and one for undersize whelks. The two current investigations relate to cockle fishing in a

closed area in September 2017 and breaches of our Whelk Byelaw in January 2018. Both cases are with our legal team.

Due to *sub-judice* rules and *Right to a Fair Trial* under Article 6 Human Rights Act, a detailed report on the offences under investigation is not appropriate at this time.

### **Training and developing staff**

Two new officers have joined the IFCA since September. Two further officers join us in February 2018. 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