

By: Chief IFC Officer  
To: Technical Panel Kent and Essex Inshore Fisheries and  
Conservation Authority – 7 February 2018  
Subject: Native Oyster Flexible Permit Byelaw  
Classification: Unrestricted

### **Background:**

Following public consultation, the Blackwater, Crouch, Roach and Colne MCZ (BCRC MCZ) was designated in November 2013. The conservation objectives include:

- Recovery to favourable condition of native oyster beds (marine habitat)
- Recovery to favourable condition Native oyster (*Ostrea edulis*) (Species of marine fauna).

The concept of this site is to restore native oyster populations allowing them protected areas and areas that can be fished. Local oystermen want to build on the work that they have achieved in their private grounds in rebuilding native oyster populations.

Native oysters are now designated as a conservation feature in the MCZ and are protected under conservation legislation rather than fisheries legislation. The native oyster beds in this area were closed in 2012 under existing KEIFCA legislation due to a lack of young stock. They have been opened a few times since then for short periods but the lack of young stock meant that in May 2015 KEIFCA decided to close the beds until May 2018. Due to the vulnerability of this species any management needs to be precautionary and based on evidence.

### **What are Technical Panels?**

The Authority appoints Technical Panels, made up of Members of the full Authority, to make recommendations to it on any matter which requires more in depth discussion than there would normally be time for at a full meeting of the IFCA. It is important to note that the Technical Panel does not make decisions,

but rather makes recommendations as to actions which the Authority may wish to make.

Technical Panels may choose to involve non IFCA Members in their deliberations.

The members appointed by the Environment Agency and Natural England, and the member appointed as an MMO employee may invite a colleague or colleagues to present information with the prior consent of the Chairman.

The CFO, in consultation with the Chairman of the meeting, may allow representatives of other partner agencies to present information.

### **Developing oyster management**

On 30 October a Technical Panel met to discuss the responses from an earlier consultation document and the management options available. This Technical Panel made a series of recommendations (Appendix 1) that could be translated into the legal wording of a byelaw. At the meeting held on 30 November, Members agreed to these recommendations.

The management plan that has been developed lays out a framework, indicating in broad terms when the fishery could be opened and how it would be managed under certain scenarios. An annual assessment of native oyster stocks in the public grounds within the site would be carried out by KEIFCA. If stock levels were above agreed trigger points within the plan, following approval from Authority Members of management recommendations that had been developed with permit holders and an appropriate assessment with NE, the fishery would be opened. Key fisheries data would be required from all permit holders which would include landings, catch rates, number of tows; these returns would feed into any fishery management plan. A meeting would be held with permit holders to discuss the result of the surveys and to advise them of the proposed management recommendations. If trigger points had not been reached the fishery would remain closed and reassessed the following year.

### **What kind of output will come from the meeting?**

To review the legal wording of the draft byelaw and associated management plan, and comment and input into a draft byelaw impact assessment document

### **Members of the Technical Panel are therefore requested to:**

1. Review the wording of the draft Native Oyster Fishery Flexible Permit Byelaw (Appendix 2)
2. Review the wording of the Management Plan (Appendix 3)
3. Review the wording of the Permit Schedule that accompanies the Byelaw (more information to be provided at the meeting)
4. Discuss the requirements of the Appropriate Assessment (more information to be provided at the meeting)
5. Discuss the requirements of the Byelaw Impact Assessment (more information to be provided at the meeting)