

7 February 2018

NOTES of a Technical Panel meeting of the **KENT AND ESSEX INSHORE FISHERIES AND CONSERVATION AUTHORITY** held in the West Mersea Yacht Club, 116 Coast Road, West Mersea, Essex on 7 February 2018 at 1.25pm

Present: Cllr J Lamb (Southend BC), Mr J Nichols (MMO), Mr A Rattley (MMO), Mr E Hannam (MMO), Ms B Perkins (MMO)

Apologies: Miss R Korda (NE), Mr J Cook (Clerk), Cllr R Binks (KCC)

In Attendance: Dr W Wright (CIFCO), Mr D Bailey (ACIFCO), Mrs D O'Shea (Office Manager)

Also Present: Mr W Baker (Oyster fisherman), Mr A Bird (Blackwater Oystermen's Association), Mr R Haward (Blackwater Oystermen's Association), Miss A Debney (ZSL)

The Technical Panel met to discuss and review:

- the wording of the draft Blackwater, Crouch, Roach and Colne Estuaries Marine Conservation Zone Native Oyster Fishery Flexible Permit Byelaw
- the wording of the Management Plan
- the wording of the Permit Schedule that accompanies the Byelaw
- the requirements of the Appropriate Assessment
- the requirements of the Byelaw Impact Assessment

Declaration of Interests:

No declarations of interest were declared

Key Points considered by the meeting

The Panel reviewed the draft Permit Byelaw and made the following observations:

INTERPRETATION

Item 1 (e) - ...hand raking would be amended to read "hand collection"

PROHIBITIONS

The Panel queried item 5 which stated that no person could carry a Native Oyster on board a fishing vessel within the MCZ unless they held a permit or had notified the IFCA two hours beforehand.

The Panel were concerned that this would cause inconvenience to companies that held private grounds within that area. The ACIFCO advised that they would likely be covered by item 8 which detailed exemptions to those that held rights specified under MaCAA. The ACIFCO stated that he would review the wording of the prohibition with the MMO.

Item 6 – the Panel were advised that this was a deeming clause which would prevent the landing of more than the quota allocation.

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EXEMPTIONS

Item 8 – the Panel were advised that although the MCZ covered private grounds these private grounds would be exempt from the byelaw as NE and MaCCA exempted them. Companies with these rights would be consulted on the byelaw and would be required to show they met the criteria to be exempt. It was likely that in order to claim they operated on private grounds the IFCA would require either sight of a CEFAS aquaculture business licence, title deeds or written permission from the landowner.

PERMITS

Item 9(a) – this should read ...“paragraph 20”...

Item 9(e) – this should read ...“paragraph 18 to 27”... and ...“paragraph 24 to 27”

Item 12 – the ACIFCO advised the Panel that this date could be flexible as it needed to take into account the period when the oyster surveys would take place.

Item 14 – the Panel discussed the level of the fee and whether it should increase each year. The Chief Officer reminded the Panel that at a previous meeting it had been agreed for it to remain at £150. The Industry had expressed a desire for as much clarification as possible on the amount.

Item 15 – the Panel considered that this would be the case if the fishery was not opened by the IFCA. If it was closed by any other body (eg Cefas) then the fee would not be returned.

Item 16(b) – should read “is valid for one year from the date of issue”.

Item 17 – the ACIFCO confirmed that the IFCA would carry out the Habitats Regulation Assessment (HRA) with a standard oyster dredge. It was confirmed that the management plan stated that if NE did not agree with a recommendation by the IFCA to open the fishery then the fishery would remain closed.

PERMIT CONDITIONS

Item 19(b) – add “or equivalent” to the end of the sentence.

QUANTITIES

Item 21 – the Panel was advised that the figure of 250kg had come from the Industry and would allow a trip to be economically viable.

Item 22 – should read “must not be retained but must be returned immediately to the sea”

FLEXIBLE PERMIT CONDITIONS

GEAR RESTRICTIONS

Item 6 – amend to read “a combined maximum weight of 75kg”

BIOSECURITY

Amend title to read Biosecurity and Shellfish Health

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The Panel reviewed the draft management plan and made the following observations:

THE EXPERT GROUP

Item 3-5 – The Panel were advised that the Expert Group would meet if following an Appropriate Assessment, NE gave advice that the fishery could be opened.

CONSERVATION OBJECTIVES CRITERIA

Item 6(b) – amend to read “population structure (including age, size, weight...”

THE RESTORATION BOX (AREA 2A)

Item 8-9 – The Panel were advised that a meeting had been held on 12 December 2017 to discuss the management of the restoration box through voluntary measures. It was hoped that this would be the means with which this management would be controlled. The meeting had not been attended by representatives from the trawling industry and it was hoped that they would attend further meetings as part of the ENORI group.

OPENING OF THE FISHERY

Item 11 – “taking into account” is written twice – delete one of them

Item 14 – amend to read “...then there may be a supplementary stock assessment...”

SPECIFIED CRITERIA FOR OPENING

Item 17(b) – delete “occurred”

Item 18 – amend wording to read “Provided that 17 (a) or (b) and (c) are met...”

Item 19 – amend wording to read “ small areas may be opened or closed to reflect localised abundance or constraints”

HARVESTING TRIPS

Item 22 – reword to take out the formula. Add wording to item 13 to state the TAC would be recommended by the expert group.

ALTERING MINIMUM SIZE

Item 26(a) – alter to “... at a stock density of above 10 per m²...”

The Panel reviewed the requirements of the Appropriate Assessment and the Byelaw Impact Assessment for the proposed Byelaw. The draft Impact Assessment would be sent to members of the Technical Panel five weeks prior to the IFCA meeting for consultation.

The Vice Chairman thanked all those who had attended the meeting

Meeting closed at 16:05