



Agenda Item C5

Compliance and Enforcement Update

Kent and Essex Inshore Fisheries and Conservation Authority

Quarterly report for the period November 2018 to January 2019

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 justification for this regulation.

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 have 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. Fishing activity has been reported in the Medway Estuary adjacent to the bass nursery area. Officers have refreshed local awareness of the byelaw, in particular with non-English speaking workers, whose understanding of regulations has in some cases been limited.

Intelligence Activity

The intelligence sharing and bi-weekly tasking and coordination meeting for staff is now well embedded. The Marine Management Organisation, Environment Agency, Border Force and the Gangmasters and Labour Abuse Authority have all participated in KEIFCA's bi-weekly tasking and coordination meetings in the past month. The vast majority of our intelligence comes from within the fishing industry itself.

Joint tasking and coordination meetings ensure enforcement activity is coordinated between fishing regulators. Every month we receive reports from

other agencies, which assist us in keeping staff safe and focusing enforcement activity.

Enforcement Activity

Joint working with partners continues to bring tangible benefits and enhances officer safety. Border Force and HMS Tyne continue to maintain a very high visibility presence in the Eastern Channel deterring illegal immigration, with a secondary tasking of KEIFCA MPA enforcement. Three joint sea patrols have taken place with the Marine Management Organisation. A further three were cancelled due to poor weather.

Marine Protected Areas

Marine Protected Areas continue to be monitored from sea and shore. An intelligence led response, supplemented by targeted enforcement has been adopted. Relevant and precise intelligence has been received from river users, which will enable targeted enforcement between April and October. Further signage has been created and agreed with Medway Council.

Awareness of our robust response to the recent MPA infringement has spread widely. The Marine Conservation Society, (UK's leading marine environment, not-for-profit organisation) winter magazine ran an article entitled 'Fine after MPA offence' praising KEIFCA proactivity. Dr Jean-Luc Solandt said "This is positive news. Our IFCAs are vital bodies at enforcing regulations in Marine Protected Areas" (see below).

Whelk Fishery

Whelk byelaw compliance has been a main enforcement focus, with out of hours inspections necessary. Whelks continue to demand a high price. Demand is very high as we approach Chinese New Year in February. Whelk return rates have improved over this period, following written reminders of permit holders' responsibilities.

Bass Fishery

Reporting of bass offences has reduced considerably. This is undoubtedly due to seasonal fishing trends, with targeted enforcement activity increasing around Easter. Bass remain a priority for the Marine Management Organisation and Kent and Essex IFCA.

Cockle Fishery

Whitstable based vessels are undergoing major refits, in order to accommodate bags in the 2019 season.

Offence Reports

Four offence investigations have been concluded in the period. Two resulted in official written warnings (whelks and bass). Two were filed without a sanction due to insufficient evidence and public interest considerations (whelks and bass).

Four offences, (2 x cockles, whelks and bass) involving six suspects are currently under investigation. It would be inappropriate to comment on detail within this report.

J Holl Lead Compliance Officer

Extract from Marine Conservation Society Winter 2018 Newsletter (below).



▲ Authorities patrol marine protected area. Photo Kent & Essex IFCA

FINE AFTER MPA OFFENCE

The Kent and Essex Inshore Fisheries and Conservation Authority (KEIFCA) has successfully issued a £1,000 financial penalty to a fisherman found trawling one kilometre within a prohibited area of the Essex Estuaries Special Area of Conservation (SAC). KEIFCA considered the seriousness of the offence along with the impact caused to the marine protected area and its designated features. The Essex fisherman was found to be in contravention of a 2016 byelaw prohibiting bottom trawling in clearly specified areas within the SAC. Alice Highton, RIB Coxswain and Marine Protected Area (MPA) Compliance Officer said: "Since the introduction of the byelaw we have conducted regular sea patrols and have received comments regarding our increasingly strong presence within the site. We'll continue to conduct patrols within MPAs to ensure compliance." MCS Principal Specialist in MPAs, Dr Jean-Luc Solandt, said: "This is positive news. Our IFCAs are vital bodies at enforcing regulations in marine protected areas. Unfortunately, there are areas that fishermen can still legitimately trawl over in these sites, making the current management measures limited, and hard to enforce. However, the UK Government is currently consulting on the use of technology that would allow them to 'see' such fishing remotely without having to be on the water."