

Kent Essex Ifca
Paragon House
Albert street
Ramsgate
KENT
CT119HD

Tricia B Shellfish ltd

LINCOLNSHIRE

11/10/2018

Mr Cllr Lamb

We are writing to you with great concern over the lack of communication from your officers Mr W Wright and Mr D Bailey.

After sending letters to Mr Bailey on 9/9/2018 and telephone conversations and emails to Mr Wright we are very disappointed that we do not seem to be of any importance to warrant a speedy reply to our concerns over the running of the Thames outside cockle fishery.

After a meeting in Brightlingsea offices in October 2017 between Mr Bailey myself and five other skippers and boat owners we raised our concerns why we were only given one days fishing but there was still TAC left for a further days fishing.

We were promised that Mr Bailey would look into this for the 2018 cockle season but to our disappointment it appears that he didn't bother.

As your committee are aware we have been part of the outside fishery for over Twenty Six years and this as always been a part of our financial yearly income but over the last few years we have noted a steady decline into the number of days we have been allowed to fish even when as this year as proven there was TAC left over yet again as was the same case last year. We cannot understand why a TAC is given but then not allowed to be taken it just doesn't make sense when it does not only effect the few Wash boats but also the local boats.

Therefore I would like to request a meeting between myself and sons and your Officers if they wish to attend as in our opinion there are several other issues that need to be addressed concerning the outside cockle fishery.

We believe that we are going on the right lines of your complaints procedure before this is Carried any further.

Once again we send copies of our complaints for you to view.

Yours Sincerely

Mr R A Brewster Mr W R Brewster Mr K A Brewster

TRICIA B SHELLFISH LTD

Your Ref:
Our Ref:
E-Mail: clrlamb@southend.gov.uk
debbie.oshea@kentandessex-ifca.gov.uk
www.kentandessex-ifca.gov.uk

Chairman: Cllr J L Lamb
Clerk: Mr J Cook

13 November 2018

Dear Mr Brewster,

Thank you for your letter dated 11th October 2018, which was received on 22nd October 2018. Please take this letter as a response to both that letter and your 9th September letter, which was laid in front of and discussed by the full Authority at their meeting on 14th September 2018 ahead of the 2018 fishery. Please accept my apologies for not responding to you sooner, however my understanding is that officers did speak to you several times throughout the fishery at the start of October following your first letter. I would also advise you that we have appointed new legal representation ahead of this response.

We do recognise and appreciate the frustrations which are evident in your letters and your wish to see the fishery larger than it presently is. KEIFCA does take your views seriously and into consideration when managing the Permitted Cockle Fishery, and the points in your letters have been discussed with you several times both in person and on the telephone by both the Chief Officer and the Assistant Chief Officer. Indeed, as has been communicated on several occasions by officers to a number of permit holders, the aim for this fishery is to set up a regular fishery which occurs each year, rather than an ad hoc fishery which cannot be relied upon.

I would like to take this opportunity to state that decisions regarding the management of this fishery are not, and have never been, taken by officers regardless of who those officers are. The byelaw provides the management structure for the fishery and the Authority makes decisions based upon it, the officers are then responsible for enacting those decisions.

I am aware of your long standing interest in the Thames cockle fisheries and your participation in the permitted cockle fishery which was previously known as the 'outside area'. As you will no doubt recall, in 2014 a new byelaw was made to provide the management of the permitted cockle fishery. The primary measure within the Cockle Fishery Flexible Permit Byelaw is the use of an overall Total Allowable Catch (TAC) being set, to be taken equally by all of the boats who have applied for a permit to fish. The total fishery TAC is not a target which is worked up to until it is taken but is instead the maximum amount which may be taken if all of the permitted vessels work their allocated number of trips. Whilst I appreciate that all of the permitted vessels did not take part in the fishery this year, they nevertheless still had a right to the stock and it was unforeseen that someone would pay for a permit and then not use that permit. The byelaw does provide a mechanism to reallocate any remaining TAC if it is not all taken, but it specifies that it must be reallocated to all permit holders, not just those who are actually fishing. Your frustration with this has been taken on

board and KEIFCA is exploring the option of commissioning legal advice on this subject of TAC reallocation in time for next year's fishery.

We take the view, following Natural England advice, that having a regular fishery, even if it is of limited trips, is far better for the long term sustainability of the cockle stocks and the Marine Protected Areas which the fishery takes place within than having irregular, larger fisheries where the recovery time is significantly increased. That being said, KEIFCA would like to see the number of trips per vessel increase but this must be balanced with the needs of the environment and our conservation duties. There are additional areas within the District such as along the Kent coast which we continue to be hopeful will produce sufficient stock in future years, however in the modern landscape of Marine Protected Areas and environmental concerns, the impact of fishing these areas must be properly taken into account when setting up any fishery, including this one.

With regards to your queries about the cost of the permit for this fishery, the charging mechanism for this byelaw was discussed at length when the byelaw was made and was consulted upon with the byelaw through the statutory process. KEIFCA would have preferred to have more flexibility with regards to the setting of the permit fee but legally this was not possible. As a result, the byelaw charging mechanism is written directly into the byelaw itself along with the costs and refund mechanism.

Finally, with regards to your comments regarding annual consultation; all Authority meetings are advertised along with their agendas and are open to all with the management of the permitted cockle fishery decided upon at the May meeting each year. I have requested that, in future, we write to all permit applicants ahead of the May meeting each year to notify them of that meeting. This letter will also provide details of how to request the opportunity to address Members of the Authority to put forward thoughts on each year's management as well as any financial points relating to economic viability. We would welcome your input at this meeting.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J Lamb', written in a cursive style.

Cllr John Lamb
Chairman, Kent & Essex Inshore Fisheries and Conservation Authority