



Agenda Item C6

Compliance and Enforcement Update

Kent and Essex Inshore Fisheries and Conservation Authority

Quarterly report for the period May 2019 to August 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 within the KEIFCA district are compliant with the regulations and controls that affects them. KEIFCA works to try to ensure that all parties understand both what rules apply to their industry and the justification for this regulation.

Full compliance with EU, UK and 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 taxpayer receives value for money.

Prevention Activity

The distribution of educational materials such as posters and stickers has been maintained throughout the quarter in order to raise awareness of relevant legislation. This has included efforts on publicising minimum sizes for common species in the district, bass regulations, and MPA management measures. Officers have achieved this by paying regular visits to angling shops and other maritime businesses in the local area, in addition to providing advice directly to members of the public and fishing community when out on patrol.

Officers have also demonstrated the new rotary whelk riddle to commercial fishermen at all major ports in the district, making industry aware of the new equipment being used for inspections implementing the riddle for regular use. In doing this the fishermen have been made aware of how landing inspections will be conducted in future.

Intelligence Activity

Intelligence continues to be generated by officer interaction with industry, reports from the public and shared information from partner agencies. This information is assessed and collated to prioritise objectives through the bi-

weekly tasking and coordination group meetings (TCG). A total of 94 intelligence reports have been processed and disseminated during the last quarter. TCG meeting taskings have given enforcement officers clear direction to focus on significant non-compliance issues while simultaneously improving officer safety by increasing awareness of potential risks. KEIFCA have hosted representatives from Eastern IFCA, the Marine Management Organisation, UK Border Force and the Environment Agency at TCG meeting in the last quarter, cementing our important relationships with external enforcement partners.

Enforcement Activity

Joint working

KEIFCA have continued to work with key partners such as the Eastern IFCA and the Marine Management Organisation to conduct joint patrols in the district. Aside from fostering good relations, this work enables patrols to bridge gaps in respective statutory responsibilities for managing and enforcing various aspects of marine fisheries and environmental legislation.

Cockles

The conviction of two Leigh on Sea-based cockle vessel skippers at Basildon Magistrates Court in the last period resulted in a significant fine in excess of £7000 for each offender. The defendants both pleaded guilty to breaching the conditions of a Thames Estuary Cockle Fishery Order (TECFO) licence for financial gain during the 2018 Thames Estuary Cockle Fishery. These cases helped to demonstrate the usefulness of high resolution Vessel Monitoring System data that KEIFCA have introduced.

The 2019 cockle fishery has not been without incident, with a spate of minor infringements detected by officers in the initial stages of the fishery. A number of these offences have been dealt with by means of official written warnings to give notice that any future non-compliance will attract significant penalties. Other more significant offences remain under investigation by KEIFCA.

Marine Protected Areas

Marine Protected Areas continue to be monitored from sea and shore. Sea patrols in Essex have been reduced in the last quarter due to engine issues with the patrol RIB "Blue Jacket", however she has now returned to active duty and recent patrols have identified a minor MPA offence which has now been processed. Medway no take zone patrols have seen no instances of non-compliance this quarter, and a decline in intelligence reports from this area suggest that less prohibited fishing is taking place due to greater awareness of the byelaw.

Whelk Fishery

Inshore whelking activity has seasonally reduced in Essex and North Kent, although Folkestone and Dungeness vessels continue whelking throughout the summer. Upon inspecting whelk gear on the North Kent coast, FPV Nerissa seized two fleets of illegal whelk pots from commercial vessels. The offending skipper was issued with the standard penalties for such an offence. In South Kent, KEIFCA implemented a summer whelk compliance operation which

involved back to back sea and shore patrols over a two-week period. During this operation only a single whelk byelaw offence was detected, and aside from this instance the rest of the vessels inspected by officers were compliant. KEIFCA have been designing improvements for the rotary whelk riddle due to transport issues, with a new more compact riddle on order for September.

Bass Fishery

Bass remain a priority for the Marine Management Organisation and Kent and Essex IFCA. Inspections of commercial vessels have demonstrated compliance with bass regulations for fixed nets, trawls and hook and line gears. KEIFCA have remained vigilant to respond to recreational angling offences for retaining multiple bass.

Offence Reports

- Two convictions were secured in Basildon Magistrates Court for 2018 TECFO offences with fines in excess of £7000 each.
- Three financial penalties have been paid for whelk fishing offences.
- Three instances of illegal static fishing gear use at sea resulted in seizure, and two fleets of abandoned nets were seized from shore on Isle of Sheppey.
- Several gear marking offence notices have been issued by patrol vessel crews.
- Three instances of Thames cockle vessels failing to report landing times have been dealt with by means of written warnings.
- An Essex Estuaries MPA infringement was dealt with by means of a written warning.
- A prosecution case concerning whelk byelaw offences is due to be heard at Canterbury Magistrates in September.
- Five TECFO vessels are currently under investigation for suspected offences during the 2019 fishery.

Training and developing staff

Eleven officers are warranted including the chief and assistant chief IFCO, with two new members of staff due to attend the Torquay Enforcement Course in February before attaining their warrants. Two training days focussing on investigative interviewing is scheduled for September. IFCOs have received personal development from "on the job" training, moving between the two in Kent and Essex to understand the differences across the district.

H Hurst

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