

Kent & Essex Inshore Fisheries and Conservation Authority

MINUTES of a meeting of the Authority held as a virtual meeting via online conferencing at 10.00am on Friday 29 January 2021

Present: Cllr J Lamb (Southend BC), Mr J Nichols (MMO), Mr A Rattley (MMO), Mr E Hannam (MMO), Ms B Chapman (MMO), Dr R Korda (NE), Cllr A Bowles (KCC), Cllr T Hills (KCC), Cllr H Tejan (Medway Council), Mr J Rowley (MMO), Miss V Gravestock (EA), Cllr P Channer (ECC), Cllr A Goggin (ECC), Cllr I Grundy (ECC), Cllr L Hurst (KCC), Mr S Abbotson (MMO), Dr L Fonseca (MMO),

Apologies: Cllr S Walsh (ECC) but represented by Cllr I Grundy (ECC), Mr P Wexham (MMO)

In Attendance: Mr J Cook (Clerk, KCC), Miss C Green (Financial Advisor, KCC), Dr W Wright (Chief IFC Officer), Mr D Bailey (Assistant Chief IFC Officer), Mr H Hurst (Lead Compliance Officer), Dr P Haupt (Lead Scientific Officer), Mrs D O'Shea (Office Manager), Mrs K Woods (Admin Assistant)

By Invitation: Miss A Freeman (Defra), Mr P McBryde (Defra), Dr J Davies (Defra), Mr M Gould (Defra), Mr R Clark (AIFCA), Miss Gina Wright (NE)

The Chairman reminded Members that they had been emailed on 28 January 2021 letters and correspondence from Mr Craig in respect of various agenda items for discussion by Members at this meeting.

29. DECLARATION OF MEMBERS' INTERESTS (A1)

The Chairman requested Members to declare any interests on the Agenda item prior to it being dealt with and advised that those with a disclosable prejudicial interest may not vote on that Agenda item.

There were not any interests declared.

30. MINUTES (A2)

RESOLVED that the Minutes of the meeting held on 30 November 2020 were correctly recorded and that they be signed by the Chairman. Cllrs Hills & Channer abstained as they were not present at the November meeting.

The Chairman drew Members' attention to correspondence received from Mr Andrew Craig relating primarily to agenda item B4 (whelk permit fishery). As with previous correspondence received from Mr Craig, it had been received at very late notice just one day earlier, but Members had been sent an electronic copy of the correspondence prior to the meeting.

The Chairman advised Members that agenda item B5 (outcomes of EU-UK Trade and Cooperation Agreement) would be brought forward to the start of the meeting due to the availability of the invited Defra representatives.

31. OUTCOMES OF EU-UK TRADE AND COOPERATION AGREEMENT (B5)

The Chief Officer reported to Members that the TCA had been made in December 2020 and covered the UK-EU fishing arrangements for the next 5½ years. The UK had left the Common Fisheries Policy and new legislation, The Fisheries Act 2020, had taken effect. The headline message of 25% increase in quota over 5.5 years covered over 100 UK fish species but key species in the Kent & Essex IFCA district had been given a much lower increase of 1.7% for skates & rays over 5.5 years, for example. A Government fund of £100 million had been announced to support the UK fishing industry during the adjustment period, which was in place until 30 June 2026. The Chief Officer advised Members that Kent & Essex IFCA had been working with Defra and MMO to address trade issues which industry were facing and suggested that a working group/partnership of local fishermen and IFCA members was created to help the local inshore fleet to identify opportunities/projects and help fishing communities better access national funds and quota, as well as develop a stronger local market for fish. The Chief Officer stated that whilst KEIFCA staff could help facilitate the running of the group, there would need to be a strong lead and direction from the local fishing industry. Updates and recommendations made by the group could be discussed as agenda items at KEIFCA quarterly meetings.

Presentation by Anne Freeman and Phil McBryde, Domestic Fisheries and Reform Team at Defra, on outcomes of EU-UK Trade and Cooperation Agreement (TCA)

Anne Freeman thanked Members for the invitation to speak at the meeting and explained that there were 4 key aspects of the TCA:

1. Quota – a 25% increase in quota over 5.5 years had been set by the TCA; a 15% increase this year and a further 10% over the subsequent 4.5 years. Although the tonnage quota had not increased, there was provision for annual negotiations to swap/exchange quota and to set a TAC.
2. Non-quota stocks – this was more complex but for now existing regimes would continue for EU vessels in EU waters/UK vessels in UK waters. A lot more work was required on the details, but in the future EU vessels in UK waters (and vice versa) would be managed by tonnage, based on 2012-2016 tonnage limits.
3. Access to 6-12nm – it was a disappointment that the UK must continue to allow access to EU vessels to fish in these waters. Work was being carried out on issuing licences to EU vessels and on developing a methodology for EU vessels to provide proof of their right to fish the 6-12nm waters.
4. Regulatory Autonomy – the UK now had regulatory autonomy on fishing rules in UK waters. This was a powerful tool for fisheries management and, provided the principle objectives laid out in the TCA and the Fisheries Act 2020 were met and any new rule(s) introduced were not discriminatory to EU vessels, the UK could introduce new measures. For example, a new regulation on scallop dredging and gear type could be introduced which might have greater impact on the EU fleet but would apply to the UK fleet as well. This would not have to be negotiated and the UK would just need to give a reasonable notice period before introducing it.

Anne stated that Defra recognised the KEIFCA area was the most affected by the disappointing situation of EU vessels continuing to have access to 6-12nm waters. The £100 million fund was in addition to the equivalent of the previous EMFF funding which government had already agreed to match. The new fund could be used for a range of purposes including infrastructure, improving fishing gear, helping industry adapt to climate change and establishing new markets. Defra was focused on building on the work they had already done over the past 2-3 years on various work streams including Fisheries Management Plans, improving communication with industry and stakeholders via established working groups for shellfish, whelks, crabs, scallops etc. and maximising new trade opportunities. Anne summarised by reiterating the value of regulatory autonomy as a fisheries management tool and implementing the Fisheries Management Plans to develop a holistic approach to fisheries management with input from IFCAs, MMO and industry.

Phil McBryde of Defra spoke to Members of Defra's plans to better inform inshore fisheries and regulatory management in the future. The UK currently had approximately 2,500 under 10m vessels with many different gear types and target species varying around the country. At the moment management was a "one size fits all" top-down approach which Defra wanted to move away from and towards regulation which was better informed by local knowledge from fishermen. Different areas had different challenges so the aim was to set up about 6 or 7 regional groups with representation from MMO, IFCA, Defra and commercial & recreational fishermen and for each group to set their own priorities for issues specific to their region. Phil reported that Defra had already run some workshops around the country and input/feedback had been very encouraging so far. It was likely that the regional groups would be introduced gradually 1 or 2 at a time and Phil invited KEIFCA to be included in the first tranche of groups.

A Member commented that they believed regional management was on the horizon which was very important for the industry. At present the industry did not have trust in Defra, MMO or IFCAs and any future lead regulator would need to involve industry more to build back the trust that had been lost over a number of years. The Member stated that he believed the lead regulator should be IFCAs but that it was essential to have increased industry representation among Authority Members. In addition, he would like to see an independent official employed in a liaison role to work directly with fishermen and the leading regulatory authority. The Member suggested running a pilot scheme in the KEIFCA district to trial a new kind of management based on proposals in a paper submitted by Thanet Fishermen's Association to Defra approximately 12 years ago entitled "Non Sector Proposals for a Sustainable Fishery with Technical Measures, Effort Control and no Discards with Regional Management".

In response to a question from a Member on whether fisheries scientists and marine conservation bodies would be invited to contribute to the new regional management group, Phil McBryde responded that it would be for each group to write their own standing orders and decide on membership. The initial challenge was to make the groups work and it was anticipated that over time more people would be invited to the groups. Phil advised that he had liaised with Cefas to ascertain how they may be able to support/be involved with the regional groups.

A Member commented that there was a 5.5 year timeframe to be proactive and that regional management could be very successful. He reflected that there were some issues with KEIFCA engaging with industry and suggested adapting from written communication to online Zoom or

Teams meetings held early evening when industry would be more likely to attend. It was important to rebuild a successful industry and encourage younger people to be involved in it.

The Chairman thanked Anne and Phil for their time and excellent contribution to the meeting and extended an open invitation to attend future KEIFCA meetings in order to facilitate improved communication.

The Chairman invited any Authority Members who wished to be included in the working group to contact the Chief Officer or the Office Manager but to be mindful that the group should be represented by and focused on the fishing industry, rather than County Councillors or Regulators.

A Member requested that the discussion around the formation of a working group be included on the agenda at the next Authority meeting. The Chief Officer agreed to the Member's request.

Members **APPROVED** the formation of a working group/partnership of local fishermen and IFCA members to engage with local fishermen and identify projects that could help fishing communities better access national funds and quota as well as develop a stronger local market for fish.

32. REVENUE BUDGET MONITORING 2020/21 (B1)

Members were informed that the projected underspend for the financial year was forecast as £80,111. This was as a result of income of £31,439 received that had not been anticipated in the setting of the 2020/21 budget and variances of £48,672 from the actual budget. Details of the income and its sources were provided to Members for their information.

Members **APPROVED** the forecast underspend of £80,111.

33. DRAFT BUDGET 2021/22 (B2)

Members were provided with details of the draft budget and Reserves position for 2021/22. This budget included provision for a career progression pay increase to staff salaries only, but not a cost of living increase as KCC were not able to offer this to staff this year. Members were advised that the refurbishment of Tamesis' electronics and deck which had been scheduled to take place in 2020/21 had been postponed and was anticipated to take place in 2022/23. This would require the use of £170,000 from reserves and would be followed by an engine refit in the subsequent year to allow Tamesis to remain operational past her ten-year anticipated life span. KCC would oversee the tender process for this work and Members would be notified of the result.

The Financial Advisor reminded Members that at the January 2020 meeting they approved in principle an increase to the contribution made by each constituent Local Authority. However, given that the current financial year had been challenging, it was considered inappropriate to raise the Local Authorities' contribution for the coming year and the budget included provision to keep the Local Authorities' levy the same as it was in 2021/21. The Financial advisor pointed out that in previous years income from projects such as SUMARIS and the hiring of KEIFCA patrol vessels for survey work had covered increased costs without needing to increase the levy. However, these additional income streams were not certain or guaranteed and the Financial

Advisor asked Members to bear in mind the possibility that levy contributions may need to be increased in future years.

In response to a question from a Member about the longer-term budget outlook, the Chief Officer responded that KEIFCA were in discussions with Sussex and Southern IFCA's to provide vessel resource to the MMO to secure additional income.

The Chief Officer thanked the Financial Advisor for her sterling work on putting together a budget during a very challenging year.

Members **AGREED** the draft budget of £904,585 and the total levy payable by each Local Authority for 2021/22 as follows:

• Kent County Council	£390,057
• Medway Council	£68,296
• Essex County Council	£390,057
• Thurrock Council	£34,284
• Southend-on-Sea Borough Council	£21,891

Presentation by Dr Jon Davies, Sustainability, Devolution & Legislation team at Defra, on Fisheries Management Plans (FMPs)

Jon advised Members that work on the FMPs had been a collaborative effort across teams within Defra and whilst they were a new addition to the UK's toolkit following the Fisheries Act 2020, they were not a new concept and were currently used by many countries. FMPs would consider stocks, species, locations, fishing activity and provided a clear tool for collaborative working. Under the new legal framework of the Fisheries Act 2020, FMPs would be Domestic plans meaning quota and non-quota species could be included and, where appropriate, integrated into a single FMP. Jon reported that although it was still early days in terms of developing what FMPs might look like, the Fisheries Act 2020 set out 4 basic elements: governance, remit, available evidence and compliance & monitoring. FMPs were a UK wide initiative and Jon reported that he had worked closely with colleagues in devolved Administrations as some shared large stocks would have joint FMPs, but there was also scope to develop separate FMPs for other stocks. Stakeholder engagement was vital and it was crucial that FMPs worked for all parties, on an environmental level as well as a social/political level.

In response to a comment from a Member about environmental responsibilities, Jon responded that a key part of FMPs was the impact of fishing on the wider environment.

In response to a question from the Chairman about whether FMPs were included in KEIFCA's Annual Plan, the Chief Officer advised that FMPs were a key IFCA responsibility and were included on next year's Annual Plan.

A Member asked Jon to report back to Defra on the amount of fishing effort along the south east coast outside 12nm which was resulting in damage outside 12nm and preventing fish to come into the inshore waters. Jon responded that Defra were aware of this activity and reminded Members of the new Regulatory Autonomy which Anne Freeman had spoken about earlier.

There was a request from a Member that Defra disseminate information on progress of projects in stages rather than at conclusion.

The Chairman thanked Jon for an interesting and information presentation and extended an open invitation to attend future Authority Meetings.

12:10 Cllr Channer left the meeting.

34. MPA MANAGEMENT (B3)

The Chief Officer reported to Members that the final round of MCZ designations made in Summer 2019 resulted in the creation of two new MCZs: Goodwin Sands MCZ and Swanscombe MCZ; along with the addition of new features in two current MCZs: blue mussel beds, high energy circalittoral rock, moderate energy circalittoral rock and Ross worm reefs in the Dover to Deal MCZ; and stalked jellyfish to the Thanet Coast MCZ.

Members were advised that a key priority for 2021 was to progress work on new T3 MCZ assessments and to develop new management measures. The Science Officers had been working with NE and the MMO to review the feature data for the sites, assess the fishing activity impacts and develop local community engagement. Initial assessments for the sites suggested that new management measures were likely to be required which could mean updating the current MPA bottom-towed gear byelaw or making new byelaw. Stakeholder engagement meetings were planned but, due to COVID 19 restrictions, initially they would be held using Zoom/Teams.

Members were advised that the Goodwin Sands MCZ was the most challenging of the T3 sites to develop management options for as the MMO had issued a significant dredging licence covering an area in the south of the site and management of fishing activity on the site outside the 6nm could be affected by the new deal that outlines 6-12 nm access arrangements for EU fishing vessels. In addition, the presence of Ross worm reefs (*Sabellaria*) on the site posed challenges to developing management. The Science Officer notified Members of a proposed survey project to better understand the extent and location of *Sabellaria*; a small drop-down camera, part-funded by Natural England, would capture a digital video data set of the seabed at 50 to 100 sites in the Goodwin Sands MCZ. The project would help to inform future management measures and contribute to the recovery of the feature to a favourable condition. A brief report presenting the analysis of the results would be prepared and presented to the Authority at a subsequent meeting.

In response to a comment from a Member regarding a map indicating the sizes and locations of the T3 MCZ sites, the Chief Officer responded that a chart of the district showing the MCZ sites would be distributed to Members following the meeting.

In response to a question from a Member regarding the cost to KEIFCA for the survey project, the Science Officer responded that the proposed application to Natural England was for £10,000 and the costs to KEIFCA would be in terms of staff time.

Alternative survey methods such as side scanner and acoustic camera were discussed and it was agreed that if the NE application was unsuccessful the AIFCA owned side scanner would be a favourable alternative.

A Member commented that as some of challenges KEIFCA faced over management of the Goodwin Sands MCZ were partly caused by the MMO aggregate dredging licence, it may be worth approaching the MMO licencing team to discuss funding options as a condition of the licence. The Chief Officer agreed and thanked the Member for their input.

Members **AGREED** to the stakeholder engagement process laid out in the paper and **APPROVED** the application to Natural England to help fund a small drop-down camera survey to help assess Ross worm reefs (*Sabellaria*) on the Goodwin Sands MCZ site.

Presentation by Rob Clark, CEO of the Association of IFCAs, on the role of the AIFCA

Rob expressed his thanks to KEIFCA for their ongoing support to the work of the Association and thanked Cllr Lamb for his work while Chair of AIFCA. Rob explained that he took on the role of CEO of AIFCA in September 2020 after 20+ years within fisheries management, most recently as Chief Officer of Southern IFCA. Tony Tomlinson, Chair of Cornwall IFCA, took over the role of Chair of AIFCA from Cllr Lamb. Rob gave a presentation to Members and explained that the key role of the AIFCA was to assist and promote the work of the 10 IFCAs. Since taking on the CEO role, Rob had submitted the IFCAs' revised spending review, engaged with the MMO to improve the IFCA Members' appointment process, stabilised the financial position of AIFCA and worked with KEIFCA's Chief Officer & Assistant Chief Officer to strengthen and support the role of the National Lead Training Officer (NLTO). A draft business plan set out key priorities and demonstrated how the AIFCA will support IFCAs and a draft annual plan set out specific actions against identified priorities. Rob highlighted some key proposed future actions, such as to submit new burdens funding to Defra, work on benchmarking performance to agreed National standards, support joint projects, promote regular engagement forums, develop and strengthen relationships with stakeholders such as Defra, MMO, Fishmongers Hall, Local Authorities to promote regional fisheries management and to provide briefings on matter of relevance to IFCAs. Rob explained that his presentation gave a framework of possible actions but that it was for IFCA Members to decide what was important to them to be achieved.

The Chairman thanked Rob for his informative presentation.

35. WHELK PERMIT FISHERY (B4)

Members were provided with a report giving details of whelk landings data in the district and an overview of the difficulties faced by the whelk fishing industry due to the COVID-19 pandemic. The Chief Officer explained that the majority (up to 90%) of whelks landed in the KEIFCA district were exported to South Korea and sale prices until early 2020 were approximately £1,600 per tonne. When South Korea's restaurants were forced to close in Spring of 2020, demand slowed and consequently prices fell to around £1,200 per tonne. The Chief Officer reported that although fishing effort and whelk landings were both considerably lower in 2020 compared to previous years, the catch per unit of effort (CPUE) had remained the same or higher in 2020 than in the

previous 3-4 years. This suggested that catches were still good and that it was market demand rather than stock limitation that had resulted in decreased landings.

In response to a question from a Member as to why figures 3 and 4 of the whelk paper didn't show any whelks landed in Area 3, the Chief Officer advised that a small number of permit holders had experienced difficulties in submitting catch return paperwork which the data analysis is worked from. Therefore, some of the landings data was provisional and would change slightly once all returns had been received. Fishery Officers had liaised with those whelk permit holders concerned to request all outstanding paperwork be submitted.

The Assistant Chief Officer reminded Members that at the Authority meeting held in November 2020 they agreed to make the Whelk Fishery Flexible Permit Byelaw, which would replace the Emergency Whelk Permit Byelaw. The Emergency Byelaw was due to expire on 1st February, having been made 12 months earlier, but with a 6 months extension recently granted it was valid until 1st July 2021. The full byelaw had been submitted to MMO for quality assurance ahead of submission to Defra for final approval and sign off by the Secretary of State. The Chief Officer advised that until the new byelaw was approved, existing management would continue to apply and new permits would be issued in April with the current technical management measures.

Members **AGREED** that the pot limit, the riddle size and the number and size of escape holes remained set at:

Pots – 300 for category 1 permits and 10 for category 2 permits

Riddle – 25mm spacing between bars

Escape holes – 10 @ 25mm per pot

36. DRAFT ANNUAL PLAN (B6)

Members were provided with a copy of the draft Annual Plan for comment by the end of February.

In response to a Member's question on KEIFCA's staff welfare, morale and physical/mental health, the Chief Officer responded that to date none of the staff had had COVID-19, although one member of staff was clinically extremely vulnerable so had been shielding for some time. Regular online meetings had been held with staff to update each other on work priorities and to discuss any concerns. As essential workers Fishery Officers had continued their duties, such as visiting ports in the district, with all areas of work being risk assessed and the increased risks continually re-evaluated against COVID-19 protocols. The Chief Officer thanked the Assistant Chief Officer and the Office Manager for their excellent work and advised that an online training course on "Mental Health Awareness" had been arranged to be held in February for all staff.

The Chairman requested that page numbers be included on the Annual Plan; the request was noted.

Members **NOTED** the Annual Plan.

37. MATTERS FOR REPORT (C1-6)

Members received:

- Quarterly Report of the Kent IFCO (C1)
- Quarterly Report of the Essex IFCO (C2)
- Quarterly Report of the Patrol Vessel 'Tamesis' and 'Vigilant'(C3)
- Quarterly Report of the Patrol Vessel 'Nerissa' (C4)
- Sea Angling Report (C5)
- Enforcement Report (C6)

13:30 Meeting ended