

By: KEIFCA Chief Fishery Officer

To: Kent & Essex Inshore Fisheries and Conservation Authority  
– 7 March 2023

Subject: **Review of the feedback on the day to day running of the cockle fishery and recommendations for Consultation 4.**

Classification Unrestricted

**Summary:**

This paper reviews the feedback from Consultation 3 on the technical management requirements (size of gear etc) and the day to day running of the cockle fishery, with an evaluation from Officers on the specific suggestions made by stakeholders. The paper also includes the outcomes from an internal officer review on the same topic and makes a series of recommendations. Finally, the paper recommends the scope, process and timings for Consultation 4.

**Recommendations:**

1. **APPROVE** and **COMMENT** on the officers progressing the specific suggestions as outlined in Table 1.
2. **APPROVE** and **COMMENT** on the action to develop more detailed proposals to:
  1. Outline the role and duties of a specialist cockle officer.
  2. Work with a local university to explore a workplace PhD to better analyse and utilise historic cockle data, set up systems and processes to help Members make informed decisions about the fishery and work with fishers to develop and trial new gear/ management solutions.
  3. To explore routes and options to collect a wider range of pertinent data which will help inform future management decisions.
  4. To develop a series of costed options to collect and store cockle data more efficiently.
3. **APPROVE** and **COMMENT** on the process and actions officers are planning to take to engage stakeholders in Consultation 4.

## **Introduction – Reviewing operational management.**

At the Authority meeting held 26 November 2021 the Authority agreed Consultation 4 would focus on the practical day-to-day details of how the cockle fishery will be managed and run (e.g. reviewing regulations concerning the gear and equipment used in the fishery, fishing trip details and management procedures). The plan also outlined the ambition to have a draft wording of the proposed legislation.

In preparation for this, a series of questions were included at the end of the Consultation 3 document that asked for feedback on a number of operational issues and the feedback is summarised in Appendix 1.

## **Feedback from Consultation 3**

Below are illustrative examples of replies received from the consultation - For a compilation of all the replies please read the Consultation Summary document pages 38-41.

## **Harvesting technical measures e.g. size of gear**

*“there should be a derogation to allow trials of new methods under strict IFCA control if it will benefit the environment and cockle grounds.”*

*“Keep bar spacing at 16mm. Increase minimum riddle length and include a minimum width on the riddle. Trials to see if 76cm dredge aperture can be increased to 90cm and the vessel can tow the gear with the existing horsepower allowed within the IFCA by laws.”*

*“It could be argued that a wider dredge opening would reduce working time but there are many aspects that affect the catch rate, not least the competence of the skipper. MSC approval was achieved by doing exactly what we do now. The day to day running of the fishery should remain exactly as it is now. It has evolved over 28 years to become what is widely acknowledged to be the best managed and most successful fishery in the country. It is madness to change anything!”*

*“Increasing the width of a dredge would improve efficiency leading to vessels spending less time dredging on the grounds greatly helping sustainability.”*

*“be allowed to use batch or suction dredge depending on area”*

*“sealed tag on dredge after inspection”*

*“Current gear works very well”*

*“Consider widening the dredge, so fishing time is reduced, and therefore less time damaging the ground, altering the riddle size. Allow trials on different gear.”*

## **Landings and inspections**

*“Unless there is another way of informing the IFCA officers of when the vessel will be landing, keep it the same as it is now. Inspections can sometimes be intimidating, especially if it is multiple times in one week which can be very stressful for the Skipper and crew. There should be a tolerance in the bags if one or more are just over the line. If this keeps happening, then a warning is necessary.”*

*“keep it the same”*

*“Everything seems to run OK. Don’t know why you’d want to change it”*

*“Landings and inspections are adequate. It’s often tricky to phone the KEIFCA line, reception and signal not great.”*

*“Are more digital approach for declaring landings. Perhaps a WhatsApp number, that we could report to.”*

*“KEIFCA supply the bags from the same supplier. If they go miles over the top, perhaps tell them only 10 bags the following week for all trips? Then the next time a warning which will count against their licence application and 10 bags again. “*

*“Work with the owners, not each other trying to catch the other out, photograph the catch invest in making the hold workable to save carrying loads of spare in the hold.”*

## **Vessel tracking**

*“A must have in the modern world.”*

*“Current tracking is acceptable.”*

*“Each vessel has already VMS fitted with the E-log system reporting to the MMO. KEIFCA can also track our movements using the VMS live data. I’m not keen to see anymore tracking systems fitted to the vessels.”*

*“Every vessel should have VMS within the district even under 10s and those not involved in cockling.”*

## **Surveys**

Most replies suggested that current surveys work well but if the IFCA had more time and money it would be good to do more intense surveys. A number of replies also asked for a dredge survey to be included in the survey programme.

## **Management meetings**

A call for more meetings, potentially during and at the end of the season.

## **In year TAC adjustments**

General point made by most replies repeated the importance of maintaining flexibility in adjusting TAC during the season as this helps address the unknown elements of the fishery.

## Day to day running of the Regulating Order fishery

Overall, the comments reflected the current system works well and that the fishery could work better with more industry involvement and sometimes better communication.

## Addressing specific suggestions from stakeholders

A number of positive and sensible suggestions were made from stakeholders regarding possible future changes to the management and running of the fishery. The replies range from suggestions to use a whatsapp number instead of the current cockle phone line, to create a derogation to allow trials of new harvesting methods, using a sealed tag on inspected gear and recording and monitoring damage rates and fishing time on the cockle beds more closely. Table 1 addresses and evaluates each suggestion and outlines whether the intention is to develop the suggestion further in Consultation 4.

*Table 1. A compilation of the management suggestions made by stakeholders in Consultation 3.*

Specific suggestions	Officer comment/ Action
Are more digital approach for declaring landings. Perhaps a whatsapp number, that we could report to.	Happy to explore this idea further and look at how this could work for all parties.
a derogation to allow trials of new methods	A key priority of the new regulating order will be to look at how the impact of gear can be minimised and review the benefits of changing different aspects of the harvesting and grading process. KEIFCA will look to set up derogation so that these ideas can be trialled.
Increase minimum riddle length and include a minimum width on the riddle.	
be allowed to use batch or suction dredge depending on area	This is already an option under the current TECFO wording and officers would look to translate this capability across into the new legislation. What ever gear is used the same damage rates will need to be adhered to.
sealed tag on dredge after inspection	Happy to explore this idea further and look at how this could work for all parties.
A standard bag brought from the authority to ensure consistency as all bags are different.	KEIFCA would need to look at our organisation's liability of selling a cockle bag that then failing in some way. Will work up this option but it might be over stretching our remit as a regulator.
I would like to see a vessel scoring system to outline the best and worst performing vessels. The KEIFCA will have this information.	A key priority of the new regulating order will be to look at how the impact of gear can be minimised. Officers will take the suggestions made in the

<p>Catch rates and breakage rates need to be monitored much more closely, so if a certain vessel isn't fishing well or has high damage rates, that vessel will have to be given a notice to sort the problem, otherwise they should be stopped until the problem is fixed.</p>	<p>consultation and see how they can be applied to the fishery.</p>
<p>We should also fish by number of trips per area so that certain grounds aren't over fished. And a certain time limit per vessel per area, but you can go to another area to finish getting your load.</p>	

### **Internal officer review and suggestions for future management**

At the same time as asking stakeholders whether there are modifications or improvements that could be made in the new regulating order senior officers ran an internal exercise with KEIFCA officers covering the same topics. The suggestions below are informed by discussions with staff and feedback from other cockle fishery managers in the UK. The majority of the suggestions made consider changes to the operational setup of the fishery rather than any fundamental changes in the new regulating order legislation.

#### Specialist cockle officer

In a number of other cockle fisheries there is a dedicated officer that leads this workstream. At present the key tasks of running the fishery are split between the Assistant Chiefs post, the Lead Scientific officer post and the Chief Officer post. Creating a dedicated post for the start of the 2025 season would help address some of the points made in the Consultation 3 feedback about better communication, more regular meetings and potentially more intensive surveys including a dredge survey. Most importantly however, the new post would add resilience to the management and running of the cockle fishery, as highlighted by numerous replies, the Thames cockle fishery is highly specialised, and it takes time to build expertise in such a unique and complicated fishery.

#### Work with a local university to set up a dedicated cockle fishery research workstream.

Under the new regulating order the Authority will be required to review the fishery every 7 years. KEIFCA could work with a university to better analyse and utilise historic cockle data, set up systems and processes to help Members make informed decisions about the fishery and work with fishers to develop and trial new gear/ management solutions. Potentially this could be best achieved by setting up a workplace PhD, along the same lines as we had previously developed to investigate the Essex native oyster fishery.

#### Broader data collection

As outlined by the vision and evaluation questions future management decisions will be based on a wide range of factors. To help the Authority make better informed decisions officers are recommending that a broader suit of data is collected from the fishery. Examples of the type of additional data KEIFCA would like to record include:

- Damage rates and fishing time on cockle beds
- Yields per trip
- Prices of cockles and factory cockles processed in

A brief annual statement at the end of the season collecting information on the jobs sustained by the fishery by the licence holder.

#### More efficient data collection and storage

One of the areas that operational officers felt strongly about was the need for KEIFCA to develop better and more efficient data input and storage systems. Primarily officers thought that either an app or some kind of online portal could be developed that would allow fishers to input and review their data directly. Supported by a cloud-based database the data could be more easily aggregated, analysed and reviewed by officers, making a range of processes more efficient.

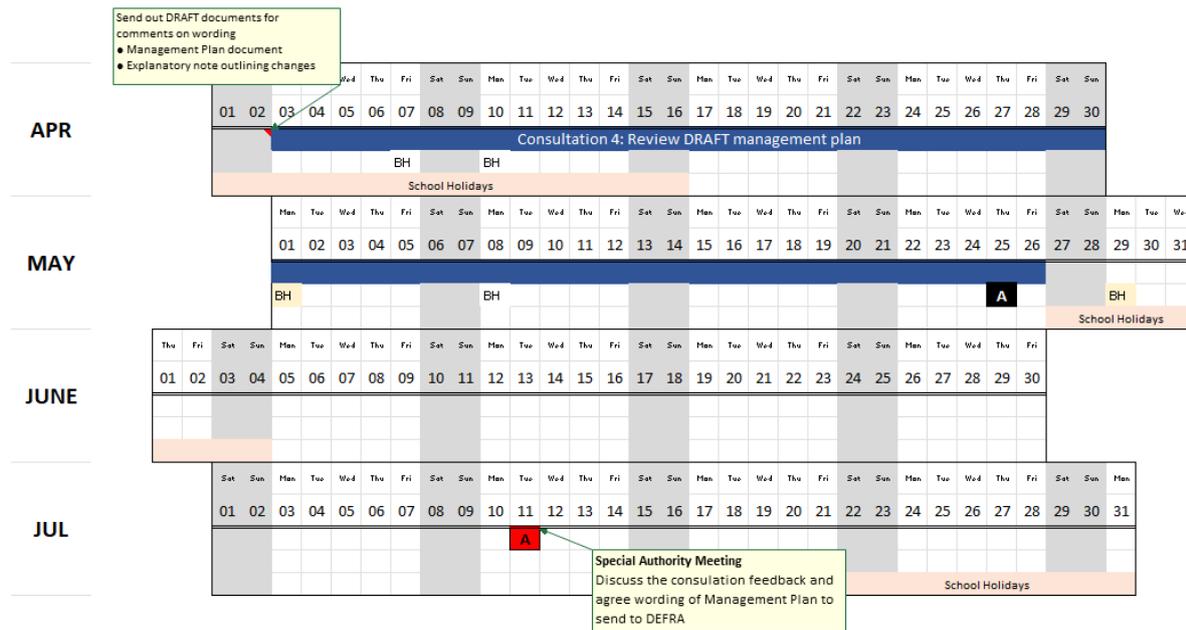
#### **Next steps**

Since taking the decision to progress with making a regulating order in June 2022 officers have been engaging with DEFRA colleagues to scope out and agree how this process would work in practice. Different to making a byelaw, the wording of the new Regulating Order is drafted by DEFRA rather than by KEIFCA and the MMO are not involved in this process. In discussions with DEFRA staff the legal resource that DEFRA would normally have to assign to this task has already been allocated to the considerable job of reviewing and amending retained EU legislation that comes under the duties of DEFRA (The Retained EU Law (Revocation and Reform) Bill 2022). Although DEFRA subject leads have attended and inputted throughout the process of reviewing and developing management, officers have been informed that DEFRA will find drafting a new regulating order challenging given its paucity of legal resource.

To try and reduce the burden on DEFRA officers and ensure that a new regulating order is in place by the 21 February 2024 officers suggest that KEIFCA make a formal application within weeks of our decision-making meeting (7 March). Apart from a few straightforward suggestions, overall feedback from the Listening Phase (Appendix 1) and Consultation 3 on the 'nuts and bolts' operational regulations that underpin the TECFO cockle fishery management, suggested stakeholders were happy with the current arrangements and strongly advocated retaining them in the new regulating order.

Taking this feedback onboard in combination with input from DEFRA, officers are recommending that Consultation 4 is focused primarily on the reviewing the wording and detail of the management plan in the new regulating order (including licence fee options). The consultation will run from the 3 April 2023 until the 26 May 2023, and it is hoped that taking this course of action will allow maximum time for DEFRA to undertake its legal duties. As Consultation 4 is focused on the detail of the management plan rather than political or policy decisions, the evidence KEIFCA needs to review will be written and detailed, and so there are no plans to run an oral evidence session. As always if stakeholders have any questions about the consultation, they are more than welcome to chat

to the Chief Officer or the Assistant Chief Officer.



It is proposed that KEIFCA hold an Authority meeting on the 11 July 2023 to review the feedback from Consultation 4 and then agree any detailed changes to the management plan. The agreed management plan would then be passed to DEFRA for a final review before the statutory consultation phase begins in the autumn of 2023. It must however be remembered that it is DEFRA that will draft the legal wording of the Regulating Order not KEIFCA.

Finally, it must be stressed that Consultation 4 is not going to be a re-run of previous consultations as the Authority has already made these decisions. Consultation 4 will review and agree the detailed wording in the management plan and any feedback replaying previous arguments will be included in the consultation feedback for members but will not be analysed or summarised by officers.

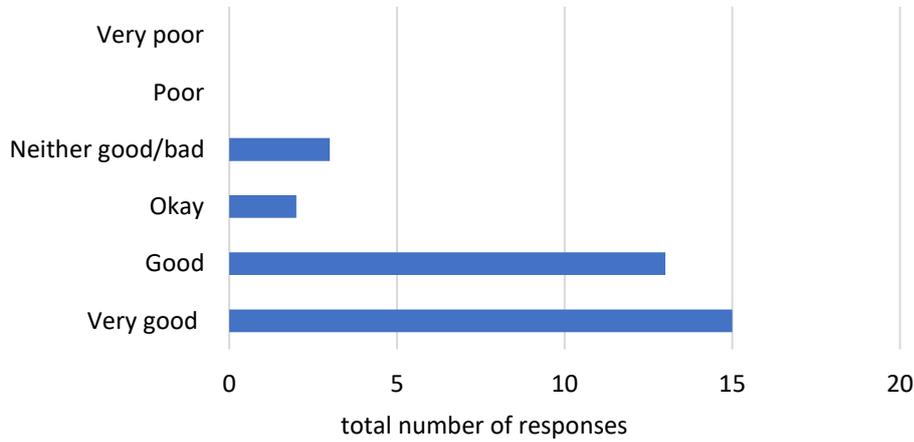
## Recommendations

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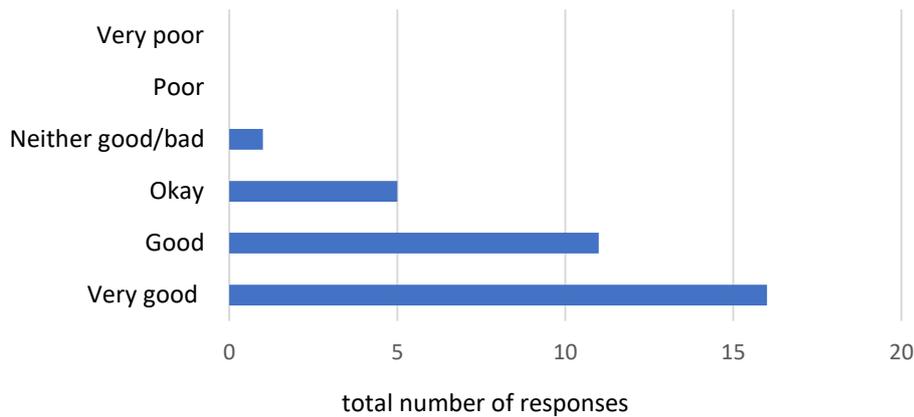
## **Appendix1 - Listening Phase responses to current TECFO management.**

S3A1. How would you rate the following aspects of the management of the current cockle fisheries?

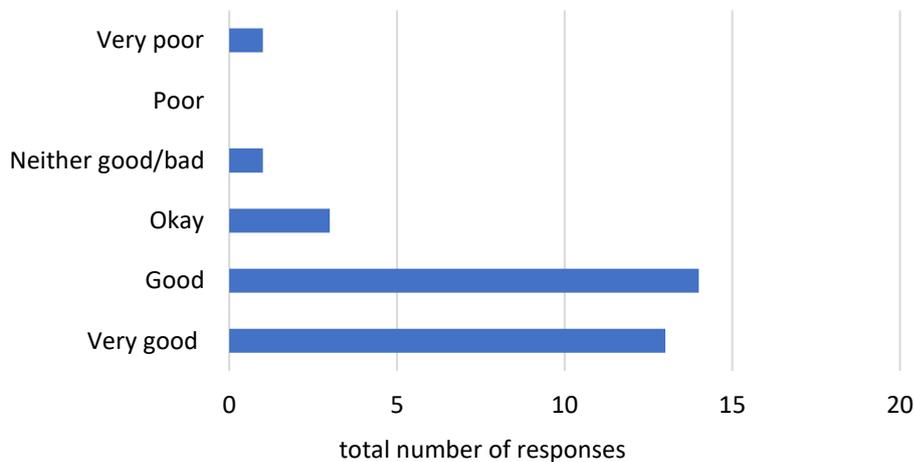
### *(a) Annual cockle surveys and stock assessments*



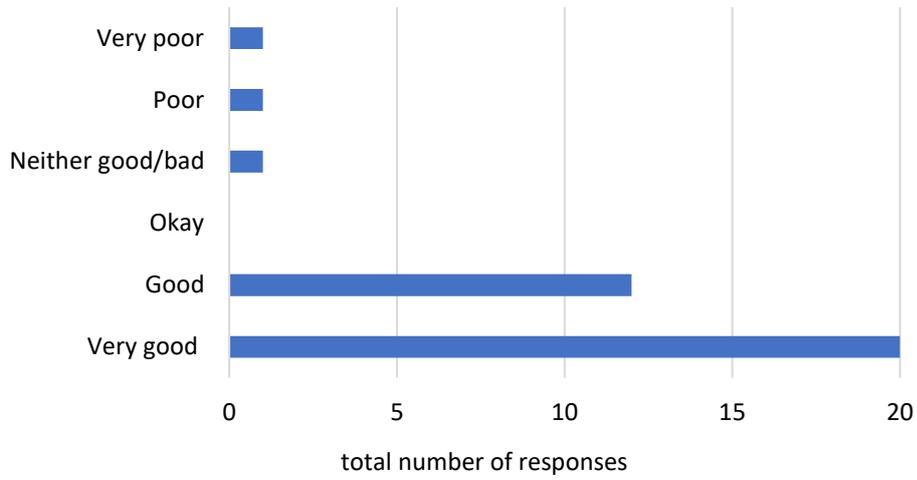
### *(b) Reports*



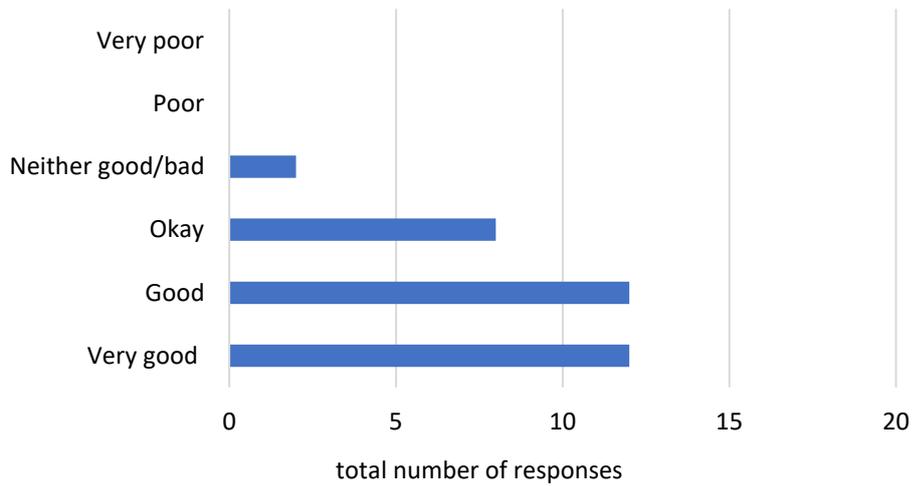
### *(c) Annual meetings and management process*



*(d) Setting TAC*



*(e) Enforcement*



*(f) Use of vessel tracking (TECFO)*

