

THANET FISHERMEN'S ASSOCIATION.

Gareloch,
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CT11 8AJ.

05.03.19

Written Summary of Oral Submissions at ISH6, Fishing and Fisheries.

Dear Planning Inspectorate,

Further to previous responses entered in relation to the application for Thanet Windfarm Extension, please find below our written summary of oral submissions made for and on behalf of Thanet Fishermen's Association at ISH6 on the 20th of February 2019.

Thanet Fishermen's Association representatives present:

John Nichols (JN): Chairman TFA

Tom Brown (TB): Secretary TFA

Merlin Jackson (MJ): Treasurer TFA/FLO TE

██████████ Fisherman/ member of TFA

██████████ Fisherman/member of TFA

Written summary as follows:

1. TFA had requested being able to show one ██████████ chart for each of the two vessel owners present. This request was raised by the inspector and agreed by the applicant.
2. Following introductions, JN declared that he, MJ, TB and JL had an interest with regard to the fuel company, TFA Fuel Services Ltd, that currently supplies fuel to Crew Transfer Vessels operating from Ramsgate Harbour, including those vessels operated by the applicant. GP is also a shareholder in the same company.
3. John Nichols, Chairman of TFA, gave an overview of the position and remit of Thanet Fishermen's Association stating the following: Thanet Fishermen's Association (TFA) is a voluntary organisation, with its core fleet based in Ramsgate. TFA has been established for over 30 years, acting on behalf of the inshore fleet based on the North Kent Coast. The Association gives representation, on behalf of its members, on multiple fronts. For the proposed Thanet Extension, it was agreed the applicant has had good communication with TFA. TFA vessels are mostly under 10 meters in length, predominantly non-nomadic and work within a 20-25-mile radius of their harbours. The circumference of the current Thanet Offshore Windfarm is fished by TFA vessels using

multiple methods for multiple species. If the Thanet windfarm extension is built around that circumference it will change that ground, restricting some Fishing methods and reducing available ground. JN made it clear that TFA and its Fishermen are not against renewable or offshore wind energy, but the progress of wind energy should not be to the detriment of these small-scale Fishermen. [REDACTED] was raised as a good community project which will hopefully benefit both sides and JN thanked the applicant for their support in funding the project.

4. JN continued that unlike some other stakeholders, TFA does not have legal representation or experts to act on its behalf so is reliant upon the knowledge of the association members. JN concluded by stressing that the conclusions in the summary of predicted impacts of Thanet Extension on commercial Fisheries are far lower than considered representative by TFA members
5. MJ agreed that TFA was content there was an understanding between TFA and the applicant regarding the Thanet Extension proposal and no additional clarification of the proposal was needed, as reflected in the TFA SoCG.

Agenda item 3a: Effects on navigation and operational safety for fishing vessels.

6. Regarding Navigation and Safety, JN continued that safety of TFA vessels was a serious concern and due to various pressures on the Fishing industry, up to 50% of TFA vessels now operate on a single-handed basis at times. TFA vessels around 10m in length, of up to 25/30 tons, are going to sea in often difficult weather and will be in a more condensed water space for navigation should the Thanet Extension be built. JN raised the following points:
 - Fishing displacement during construction will not be limited to the RLB and during construction, guard vessels will undoubtedly maintain a perimeter more than 500m outside the boundary, reducing water space even further, as TFA experienced previously with the construction of the original Thanet Windfarm. JN maintained that during O&M only some vessels will be able to return, while drifters and trawlers will be displaced onto other grounds.
 - JN stated there will be increased risk from Crew Transfer Vessels during construction due to swamping/collision/fog/speed etc, as seen in previous projects.
 - Increased issues with navigation re platform lights with approximately 30% unlit at any one time. Navigation through the site is already difficult and if TE is to be constructed then all platform lights need to be lit.
 - TFA will need these increases in safety risk to be mitigated and there needs to be acceptance from the applicant that these risks will increase if TE goes ahead.

- The potential for a new Ramsgate Ferry Service, will increase traffic and reduce sea space locally and increases in shipping traffic as put forward by London Gateway during ISH5, will further increase the safety risk for fishing vessels.
 - The under 10m fleet is not required to carry AIS or IVMS and partial mitigation in the future could be the fitting of AIS to help mitigate this risk. JN also noted that during ISH5, it was mentioned that Fishing vessels were not entered into the simulation study and that is a worry for TFA as it suggests this risk has not been fully assessed.
 - If the pilotage diamond is moved due to any form of agreement between the developer and Shipping, it will mean additional lost ground for Fishermen.
 - It is hoped that Brexit will present opportunities for Fishermen which may increase Fishermen's time at sea, thereby increasing the risk.
7. JN also raised Cumulative impact and the TFA concerns due to the amount of ground being lost in this area. TFA considers that this area is one of the biggest offshore building sites in the world and this is compounding the risk to TFA Fishermen.
 8. MJ offered clarification on platform lights and explained that Fishing vessels use platform lights for navigation through the site, especially in bad weather and poor visibility. Platform lights are not a statutory light and are not maintained as a navigation light would be. TFA considers the lighting of platform lights to be a high priority and is a key safety concern.
 9. In response to the examiner asking for a response on the fitting of AIS to assist in mitigating risk, MJ stated that this can be a sensitive subject with Fishermen (used for tracking), vessels already use it as a safety measure but is frequently switched off to avoid competition from other vessels. The wider Fishing group would have to be consulted, for this to be discussed further. TFA agrees that AIS could be used as part of a suite of additional safety measures following consultation. MJ agreed that the FLCP was capturing many elements of mitigation but AIS had not previously discussed. TFA agreed it would continue to engage with the applicant and assist in returning the results of ongoing discussions by ISH8.
 10. Regarding safe sea room, JN reiterated that Fishing vessel lights and signals can be seen in good visibility, however, in poor visibility ships cannot always identify the difference between small fishing vessels and other small vessels. This is possibly again where AIS could assist. MJ stated that there was anecdotal evidence of ships passing very close to small fishing vessels and there was a difference between the sea room you would like to have compared to the sea room you often get. MJ raised that [REDACTED] is fitted to some TFA vessels and could be used to show the, sometimes erratic, movements made by Fishing vessels while working. The [REDACTED] then shown at ISH6 gave an

indication of TFA vessel movements over one month using a sample of 12 to 13 vessels which may be used for further assessments on Fishing vessel traffic.

11. Regarding visible trends with near misses, MJ commented that the speed of craft had increased dramatically, and this had its own problems. It was stated that problems from high speed craft are less likely to come from operation and maintenance craft and more likely from construction craft. TFA vessels have had a number of near misses and these are compounded by the speed of windfarm craft. JL added that vessels are working more single handed and if a Fisherman is on deck working, he will sometimes have to cut gear away to avoid collision. The cost implications can be time trying to retrieve gear or financial loss if gear is lost, though this is infrequent. JL also added there are more incidents with ships than crew transfer vessels and there appears to be a notable reduction in quality of seamanship in some cases over the last twenty years.
12. MJ agreed that TFA would aim to have additional information on navigation to the applicant prior to deadline 3.
13. Responding on cumulative impact, MJ confirmed that this had been raised numerous times as a serious concern, however, it was accepted that this was a national policy problem. TFA considers that all constructed windfarms, dredge sites etc are part of cumulative impact but appreciates this is not national policy. TFA met with the applicant in this respect and are glad that Gridlink interconnector has been accepted as part of cumulative impact on the Fishermen. While TFA may understand the position regarding national policy, it does not agree with it. TFA does also accept that these hearings are not in a position to engage on national policy or any disagreements with it.

3b. Economic and employment effects on the fishing industry/

3c. Social and economic and employment effects on fishing communities.

14. MJ opened by stating the economic effects on the vast majority Fishermen are very hard to quantify. For some individuals, this can perhaps be done and possibly the two Fishermen attending ISH6 would be able to indicate a percentage of their earnings that come from particular grounds, but the inshore fleet has always struggled to justify the economic impact on the itself, and this is one of the reasons TFA asked for [REDACTED], in order to get better data.

MJ then raised the following points:

- The economic value of individual Fishing grounds is very hard to assess as not every ground holds fish, and this changes seasonally and annually. Landings by the under 10 fleet do not currently allocate fish caught to a piece of ground and can only attach it to an ICES area, which is vast. In reality only small pieces of ground are fished compared to the whole. TFA has stated in its Written Representation that they agree with the overall

landings figure for Ramsgate and Whitstable but not with how those earnings are allocated between species or methods as it is largely inaccurate.

- TFA does recognize that both ourselves and the applicant have acknowledged the gaps in this landings data as well as surveillance data.
- Displacement has always been highlighted by TFA as a main concern, vessels who are moved from a piece of ground will attempt to fish elsewhere if they can and this will usually put them in competition with others. On this basis, TFA would maintain there is an economic impact on all of its fleet to varying extents.
- There is reference in the ES volume 2 chapter 9, at 9.22.3 there is reference that justified commercial agreements may be incorporated. TFA feels Commercial agreements must recognise the domino effect caused by displacement which affects all local vessels financially. There are individuals who are affected more than others but the whole fleet will be impacted in some way.
- TFA has maintained throughout this process, the importance of the availability of multiple grounds and how vital that is. Inshore Fishermen need a choice of grounds within their range as the decision on where and how to Fish has so many variables ranging from Quota, season, species available, market, tide and weather. TFA is often challenged with statements about alternative grounds and adapting but this is far less straight forward than is suggested.
- Restrictions, quotas and reduced earnings have already made employing a crew far harder and single-handed operation is more common.
- Traditionally the crews became skippers, learned the skills needed, then perhaps purchased vessels and the industry continued. The opportunities in Fishing have reduced over the last twenty years, often with a reduction in wages and while not necessarily only linked to Windfarm development, certainly the cumulative impact in the Thames Estuary has seen the whole fleet diminish.
- Fishermen have raised concern that in the past, crews from fishing vessels have gone across to work for windfarm vessels. It's difficult to say whether that is negative or positive. Perhaps a positive for the crewman but a negative for the skipper.
- There is a worry that another development will impact earnings which will further restrict employment into fishing.
- TFA feels there will be an economic impact to these Fishermen if TE is constructed and that will not be straightforward to assess but we need to work towards that.

15. MJ stated that what is being stressed by the Fishermen, is the feeling that the impacts on them have not been fully recognized in the ES. TFA feels that the impact tables, and their conclusions, are not representative and this has been raised with the applicant.
16. MJ continued by stating that JN had mentioned TFA fuel Services Ltd. TFA Fuels was set up by the Fishermen's Association in Ramsgate in 1999 to achieve cheaper/cleaner fuel for Fishermen and the pilot service and has served vessels during the construction and operation of all the local windfarms. The Fishermen invested originally, and the majority remain equal shareholders as part of the company. The volume of litreage sold by TFA fuels helps support and fund the Fishermen's Association, which is also a shareholder, and a large part of that litreage is from the windfarm support vessels, so we know there are positives that we have managed to return as economic support.
17. However, TFA will keep returning to the key effect of an additional loss of ground in an area frequently worked and the impacts that will have on its fleet. Having a choice of grounds is vital and the constant shifts and influences on the choice of ground is making things increasingly difficult.
18. TB spoke on behalf of TFA setting out the changes that have occurred in Fishing over the last 50 years, highlighting the importance of flexibility for the small TFA vessels compared to the larger vessels of the past and the need for multiple different grounds.

3d General effects on the operation of vessels/ 3e. Access to Fishing Grounds.

19. MJ stated that TFA would again start with a positive here. In the statement of common ground, the applicant has agreed that the Fishermen listed in the SOCG will be given access to passage and fish the site during construction, if safety zones are observed. In practice, this will be down to good Fisheries liaison.
20. MJ raised the following points regarding access to Fishing grounds:
 - [REDACTED] was a difficult decision for TFA vessels as it was always likely to work for and against them. The applicant supported the initial purchase of [REDACTED] and the Fishermen's Association has picked up the ongoing costs on behalf of its Fishermen as we believe it is an important data set for the Fishermen to have. We have had a lot of teething problems with it but like all good data [REDACTED] is totally reliant on interpretation and that has to be in conjunction with the vessels that use it.
 - In the responses to Written Representations made by the applicant, there is reference to TFA stating that its vessels have a range of 20 to 25 miles and that it's vessels could work as far as Dungeness/ West Mersea and the French Coast. TFA still maintains this range is correct, although probably not agree with Ramsgate vessels working off the French Coast, but the frequency with which that range is used is not considered

properly. Bearing in mind these vessels are between 8 and 10m, in reality these Fishermen, while capable of using that range will always use the closest available grounds first and every element has to be considered, including safety, weather and economics etc, if they are going to do that.

- Using the [REDACTED] as an example, MJ explained that the [REDACTED] recorded 59 days on [REDACTED] during the period used to inform the Commercial Fisheries Technical Report. Of those 59 days, the [REDACTED] fished off Folkestone three times, a distance of 20 miles, but the other 56 days were spent within 12 miles of the harbour because this was more economical. So, whilst range is a factor, there are not the opportunities available that are being presented.
21. MJ raised vessel adaptability and what that actually means, as it is raised frequently in the ES. At 9.17.6 in the ES it states 'Most of the local UK fleet are able to operate multiple gear types allowing flexibility in their target species and also efficiency, under monthly quota allowances. The majority of this activity is concentrated within the 12 nm limit, thus avoiding interaction with large Dutch beam trawlers.' To an extent that statement is true but for clarity being adaptable and using more than gear type is not a 'cover all' that means you can just switch from one method to another, nor is it mitigation. Most adaptations or method changes are forced by other factors such as quota, economy, or a lack of available species. If a vessel has 300 pots at sea, he does not switch to being a trawlerman a week later.
22. Some vessels are using 2 types of pots at once, some can use nets on particular tides then switch to some potting but this has numerous constraints from the amount of gear that can be worked/ costs involved/ the realities of whether other methods are working well/ species available etc/ ground available etc, so adaptability is recognized and it is how many Fishermen survive but it is not a simple choice. It is out of context to say these vessels are adaptable therefore the impact is less. TFA members maintain that adaptability is fine if you are not being forced to adapt. MJ confirmed that TFA did not consider the ES had sufficiently evaluated the nature of the impacts or given them due consideration.
23. MJ asked that with vessel range, adaptability and capability in mind, the Inspector could refer to table 9.14 page 9-63 in the ES Volume 2 chapter 9. As stated in the PEIR response and the Written Representation, on behalf it's Fishermen TFA disagrees with the assessments of magnitude and sensitivity and ultimately the conclusions on predicted impacts on its vessels. TFA has raised this with the applicant and the applicant did raise some levels of impact following TFA concerns, though it is still felt this has not yet gone far enough.
24. MJ continued, it is very difficult to explain to Fishermen that multiplying tables gives you a result of low impact on what you do at sea, and what the Fishermen feel is the impact significance results which are listed in the table feel extremely low and are

incorrect. TFA understands that this has to be done at a fleet level, but the inshore fleet is very small and finely balanced, to consistently get results of minor adverse/low minor and negligible adverse for construction is not felt to be representative of the impact that will be felt by these vessels.

25. MJ continued with the following points regarding sensitivity and magnitude.

- In the FLCP, it states 'Sensitivity takes into account operational range and method versatility, along with dependence of a particular fishery'. The table used to score sensitivity is from Negligible to High. TFA commented on the original sensitivity scores in the PEIR and these were adjusted by the applicant, which is appreciated. UK netters, potters and trawlers now register medium on the sensitivity table but TFA maintains potters at least, should register High on the sensitivity scale for construction. The definition of high is 'low spatial adaptability due to limited operational range and ability to deploy only one gear type. Limited spatial tolerance due to dependence upon a single fishing ground. Low recoverability due to inability to mitigate loss of fishing area by operating in alternative areas.' TFA would suggest that every area that can be lobster and crab potted is being used. Vessel adaptability to alternative methods does not feel like mitigation if you are being forced to adapt or change method. TFA has the number of potting vessels that it does because that is what can be supported by the grounds.
- Similarly, in the FLCP the description of Magnitude is 'magnitude is primarily a function of a fleets dependence on the area of the proposed development'. The table, taking the lobster/Crab potters separately, both key potting areas lay within or very close to the RLB. Potters should register high on both the sensitivity and magnitude tables but have only managed to achieve a 'low' score on the magnitude table.
- The other conclusions for netters and trawlers are similarly questioned in the summary of predicted impacts.
- TFA also feels it is important to recognize the impact of displacement and the fact that displacement of part of the fleet will affect the whole fleet. TFA asked that the impact magnitude and significance levels, and ultimately the impacts, be revisited. The levels that have been arrived at will ultimately inform a commercial or disruption agreements, or mitigation, for the future.

26. In response to the question of what TFA anticipated moving forward, MJ stated that it was asking for recognition that impacts were higher than set out.

27. MJ raised the loss of ground and how that has been assessed, as pointed out in the written representation, and stressed that, though teetering on national policy, following construction only some ground will be able to be returned to fishing. Some potters will be able to return to grounds but for some methods the loss will be permanent. The footprint of a monopile and a safety zone cannot be fished and

therefore is a permanent loss of ground. If a monopile is constructed on a piece of drift ground, the drift is lost, this is a permanent loss of ground. The continuing impact of that affects every Fisherman. TFA has not been able to achieve agreement on permanent loss of ground with the applicant.

28. Responding to a question asking if the footprint of lost ground around a turbine had been quantified, MJ answered that this has been assessed as 9000 square meters per turbine. It is also important to note that the current indicative layout affects some Fishermen in a particular way but if the layout changes that will affect different Fishermen in a different way because the ground within the RLB is used in different ways.
29. If the impacts are not correct and the criteria are not correct it is very hard to agree on how losses of ground are assessed.
30. When asked whether any commercial agreements were in place with the applicant, MJ confirmed that none had been discussed, though this is not uncommon. TFA Fishermen feel this project is in a different place to previous projects and there is more concern that effects need to be recognized fully in order that any discussions going forward are fair. TFA had not contemplated commercial agreement discussions at this point and anticipate this will take a great deal more work.
31. TB raised that he had been FLO previously and pointed out the importance of TFA being able to choose who the FLO is going forward.
32. Following the applicant's response to mitigation or commercial agreements and the CFLP, MJ stated it was fair to say that the FLCP has begun to adapt and the bottom drift survey that has been accepted is significant mitigation for the Fishermen and will go some way towards ongoing discussions. TFA has also suggested other mitigation measures and are aware these will be worked through with the applicant.

4. Individual Fishermen's representations.

33. [REDACTED] a [REDACTED] Fisherman, spoke first and stated that he could not agree with the impact assessments. He would need to remove all of his pots from within the RLB during construction and there is nowhere else to go. Having got a government grant, the pots used are specific to the ground worked by the [REDACTED] and being wider and heavier, are now able to stay at sea all year round. JL stated that his [REDACTED] data, [REDACTED], showed he only worked the area within the RLB. Asked whether a screenshot of the [REDACTED] could be made available, MJ explained the sensitivity of the data. Following some discussion with JL and GP it was agreed that screenshots of each vessel would be entered by deadline 3. MJ explained that both charts being shown were already part of the Fisheries technical report. MJ added that a key difference between the [REDACTED]

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Point 7. TFA to submit to ExA anonymised screenshots of the [REDACTED] data presented at ISH6.

As shown in ISH6, TFA has provided two anonymised screenshots. Screenshot 1 shows the track and gear positions of [REDACTED]
Screenshot 2 shows the track and gear positions of the [REDACTED]
[REDACTED], [REDACTED] Both [REDACTED] are for the month of May 2017

Point 6. Survey vessel track. The Applicant is to confirm whether there is a plotted track of the shipping survey vessel. If this exists, it should be submitted at D3. It should also be made available to the technical workshop where consideration should be given to the question of whether its location and avoidance behaviours by other vessels might have affected the shipping survey outcomes.

We think this action point was intended for ISH5, the Shipping and Navigation questions. This was not raised by TFA at ISH6.

Yours sincerely,

T.H.Brown/ J.Nichols/ M.Jackson on behalf of TFA.



