

32nd Eastern IFCA Meeting

"Eastern IFCA will lead, champion and manage a sustainable marine environment and inshore fisheries, by successfully securing the right balance between social, environmental and economic benefits to ensure healthy seas, sustainable fisheries and a viable industry".



A meeting of the Eastern IFCA took place at The Boathouse Business Centre, Wisbech on Wednesday 25th April at 1030 hours.

Members Present:

Cllr T Goldson	(Chair)	Suffolk County Council
Cllr Paul Skinner	(Vice Chair)	Lincolnshire County Council
Shane Bagley		MMO Appointee
Stephen Bolt		MMO Appointee
Roy Brewster		MMO Appointee
Cllr M Chenery of Horsbrugh		Norfolk County Council
Cllr D Collis		Norfolk County Council
John Davies		MMO Appointee
Cllr M Vigo di Gallidoro		Suffolk County Council
Paul Garnett		MMO Appointee
Ian Hirst		EA Representative
Keith Shaul		MMO Appointee
Steven Williamson		MMO Appointee
Stephen Worrall		MMO Appointee

Eastern IFCA (EIFCA) Officers Present:

Andrew Bakewell	Head of Finance and HR
Jon Butler	Head of Operations
Luke Godwin	Staff Officer
Julian Gregory	Chief Executive Officer (CEO) & Clerk
Ron Jessop	Senior Marine Science Officer
Judith Stoutt	Senior Marine Science Officer

Minute Taker:

Jodi Hammond

The Clerk welcomed members to the meeting.

EIFCA18/25 Item 1: Election of Chair of the Authority

The Clerk asked for nominations for the role of Chair of the Authority from amongst the elected members.

Members Resolved to re-elect Cllr T Goldson in the position of Chair of the Authority.

Proposed: Cllr Chenery of Horsbrugh

Seconded: Cllr Collis

All Agreed

EIFCA8/26 Item 2: Apologies for Absence

Apologies for Absence were received from: Cllrs Coupland (LCC) and Price (NCC), Ms Dixon-Lack (MMO Representative), Ms C Moffatt (NE Representative) and Mr R Spray (MMO Appointee).

EIFCA18/27 Item 3: Declarations of Members Interest

In addition to the Declarations already held Mr Williamson advised he had an interest in Items 14, 15, 16, 17, 21, 23 & 24 on the agenda.

Messrs Bagley, Brewster and Garnett expressed interests in items 14, 15, 16, 17, 23 & 24 on the agenda.

EIFCA18/28 Item 4: Election of Vice-Chair of the Authority

The Chair requested nominations for the post of Vice Chair of the Authority.

Members Resolved that Cllr Skinner would continue in the role of Vice-Chair of the Authority.

Proposed: Cllr Chenery of Horsbrugh

Seconded: Mr Bolt

All Agreed

EIFCA 18/29 Item 5: Minutes of the 31st EIFCA Meeting, held on 31st January 2018

Members Resolved to approve the minutes as a true record of the proceedings.

Proposed: Mr Garnett

Seconded: Cllr Collis

All agreed

EIFCA18/30 Item 6: Matters Arising

EIFCA18/11 PULSE FISHING: The CEO advised he had delayed writing to Defra until the Authority had heard the presentation being made by CEFAS at the meeting on the 25th April 2018.

EIFCA18/12 MUSSEL FISHERY: The CEO advised the fishery was due to open the following weekend. A variation had been made to the conditions for opening and closing due to heights of the tides and fishing was also to be allowed over two tides rather than one. These were administrative changes but still required the agreement of both the Chair and Vice Chair.

The Chair and Vice Chair agreed with these changes to traditional procedures.

EIFCA18/31 Item 7: Health & Safety Risks

The Head of Operations reminded members that NCC provide H&S support relating to Health and Safety, in line with this, work was being undertaken to review the policies.

During the last quarter three incidents had been reported, two of which took place on board Three Counties, relating to the age of the vessel and general wear and tear, neither of which had resulted in any injury.

The third incident related to use of a trailer, fortunately the safety cable activated which prevented a serious incident, the matter did highlight the need for appropriate maintenance schedules to be adhered to for all trailers. Training courses were being investigated to ensure staff could correctly maintain and operate trailers.

The risk matrix relating to vehicles was adjusted from tolerate to treat.

The Head of Operations advised that he was trying to encourage staff to report incidents however small they may seem. Inevitably this would result in more incidents being reported at future meetings.

Members Agreed to Note the report.

EIFCA18/32 Item 8: Review of Eastern IFCA Constitution and Standing Orders

The CEO advised members that the Constitution and Standing Orders were reviewed on an annual basis to ensure sound governance. NPLaw had been consulted who advised there had been no changes to the law that would affect EIFCA.

The only change required was an amendment to the wording regarding the CEO delegations table, this was to ensure clarity.

Members Resolved to Agree to the proposed changes to the Constitution and Standing Orders.

Proposed: Cllr M Vigo di Gallidoro

Seconded: Mr Worrall

All agreed

EIFCA18/33 Item 9: Meeting of the Planning & Communication Sub-Committee held on 14th March 2018

The purpose of this item was to report back to the full Authority the business and outcomes from the sub-committee meeting.

An annual Strategic Assessment informed the annual refresh of the 5-year Business Plan, the intention being to provide clear rationale

for business planning and a demonstrable basis for decision making.

The CEO gave a brief summary of the documents and advised that the decision had been taken to amend the approach to Communication & Engagement as the level at which it had previously been pursued was not sustainable with so many workstreams to achieve. The decision had therefore been taken to use the outputs from Community Voice to steer the programme.

Members were advised of the priorities for the year, as well as being advised that some would not be completed in a 12-month period, hence the need for a rolling 5-year Business Plan.

Members Agreed to note the content of the report and accept both the 2018 Strategic Assessment and the Business Plan 2018-2013.

EIFCA18/34 Item 11: Payments made and monies received for the period January 2018 - March 2018

The report identified the expenditure and receipts during the previous quarter. There was a notable item of expenditure relating to the purchase of a replacement RIB, this gross cost would be offset by grant funding once it was received.

Receipts included levies for the forthcoming financial year from Lincolnshire and Norfolk County Council.

Anticipated expenditure not recorded included approximately £25,000 for Three Counties refit.

Members Agreed to note the content of the report.

EIFCA18/35 Item 12: Quarterly Management Accounts

This report compared actual expenditure against budget.

The figures showed a saving in salaries and wages which was attributable to vacancies during the year.

General expenditure was generally in line with that expected in the budget with the exception of training which had taken more of the budget than anticipated due to training new seagoing staff to the level required in order to be able to work onboard the Authority's vessels.

Members Agreed to note the content of the report.

EIFCA18/36 Item 13: Payment of Expenses to MMO Appointees

Members were required to review these payments on an annual basis to ensure they remained affordable.

The Head of Finance & HR advised that expenditure remained within the budget and he could confirm the expenses remained affordable.

Members Resolved to approve the payment of expenses to MMO appointees for a further year.

Proposed: Cllr Collis

Seconded: Cllr Skinner

All Agreed

EIFCA18/37 Item 10: Electric Pulse Fishing

Julie Bremner from Cefas advised members that Cefas were an evidence gathering organisation and were not responsible for policy making.

She gave a presentation on Electric Pulse Fishing, explaining how the fishing method involved using electric pulses to produce a contraction of the body muscles (cramping) in fish.

Members were advised that Cefas initially went to Dutch researchers for advice, gaps in research were then identified and how to gather the required evidence.

It was noted that this method of trawling was less impactful on the seabed than traditional methods but that the consequences of using electrical pulses in fishing were not properly understood. The conclusion of the review project was that it was a very complex subject with an insufficient number of comparative studies and a need for ongoing work to understand the effects of pulse trawling. As a consequence, Cefas had been asked by Defra to undertake a UK pulse trawling review and would conduct an 18-month study to provide the UK with an evidence base for decision making.

Members discussed the pros and cons of this method of fishing and also questioned how such a high percentage of the Dutch fleet had been granted a licence to prosecute this method of fishing when the understanding was that only 5% of the fleet could legally fish with this method under EU legislation. It was also questioned why the Dutch were not applying the precautionary approach until more information on the effect of electric pulse fishing was known.

There was further concern as to whether this method of fishing had been subject to a Habitats Assessment, which Ms Bremner was not aware of.

It had previously been agreed that the CEO should write to Defra expressing the Authority's concerns about Electric Pulse Trawling taking place locally, members were asked whether having heard the presentation they still wished the CEO to send this letter, bearing in

mind that Defra were developing a research programme into the effects of this method of fishing.

There was some concern expressed about the potential for 5% of the UK fleet to have a licence to fish using this method, it was suggested that MMO be asked to advise EIFCA of any vessel taking up this opportunity. There was also concern whether fishing by this method could be used in the Wash considering it was an SSSI etc. The CEO advised it could be a permit condition that pulse fishing was not permitted.

Members Agreed to:

- **Engage with the MMO with regard to the potential licencing of 5% of the fleet**
- **Engage with the project and help to facilitate where possible**
- **Send a letter to Defra expressing concern but advising EIFCA welcome and acknowledge that steps are being taken to address the gaps in data and agree to facilitate this process.**

All Agreed

EIFCA18/38 Item 14: Wash Fishery Order Regulations

Following consultation with vessel owners and skippers the outcome was presented to Members.

There were two issues with iVMS raised during the consultation, these being the cost and there being no type approved system which worked without an electrical system, which some smaller vessels do not have, although none had been identified within the current fleet. The CEO advised that with regard to the financial implications EMFF grant funding was available providing the system was not already a requirement, therefore it was suggested the legislative requirement should not be put in place until units had been fitted.

With regard to the legal implication for the regulations the CEO anticipated that Defra would review the wording and may require minor amendments, it was felt delegating the power to approve minor amendments to the CEO would be beneficial, in the event of any amendment being more major it would be referred back to the full authority.

There was some concern with suggested length and engine power for tenders, however this was a direct rewording of old regulations, using modern measurement. No concern had been voiced during the formal consultation period. There was debate as to whether tenders require separate licences to fish, and was using a tender technically transshipping, the CEO did not believe that transshipping rules applied to hand working vessels however, he agreed to check

with the MMO regarding transshipping and whether or not a tender required a fishing licence.

Members Resolved to Note the responses to the consultation and Agree to delegate the CEO the authority to make minor amendments to the wording of the regulations in line with legal advice including from Defra, which do not change the intended effects of the Regulations.

Members also Resolved to Direct Officers to submit the Regulations to the Minister for confirmation subsequent to implementation of iVMS on the fleet and subject to MMO advice regarding tenders.

**Proposed: Cllr Vigo di Gallidoro
Seconded: Mr Shaul
All Agreed**

EIFCA18/39 Item 15 – Wash Shellfish Survey Methodology

SMSO Jessop advised members that periodically Officers review the methods used to take into account the latest developments in techniques, equipment and best practice.

As there had been moves towards implementing cost recovery for sampling work officers suggested that there was a need to review survey methods with a view to identifying whether any cost savings were possible. He therefore suggested current methods be reviewed but at the same time any risk associated with making savings would also be considered.

As there would still be a need for a certain level of information to inform HRAs the suggestion was that past surveys could be reviewed to determine the impact on the accuracy of a survey if the methodology was amended.

Members discussed the matter and alternative methods, whilst drones were suggested as a means of identifying beds Mr Jessop advised that cockle beds would not be visible and mussel beds would be too far out for the range of a drone, and there would most likely be concern with regard to bird disturbance.

Mr Worrall felt there needed to be science to base management decisions on.

Members Resolved to

- **Note the contents of the paper**
- **Direct officers to undertake a review of the WFO cockle and mussel survey and to report back their findings.**

**Proposed: Mr Worrall
Seconded: Cllr Collis
All Agreed**

EIFCA18/40 Item 16 – Wash cockle fishing method

SMSO Jessop advised that there had been no dredge fishery since 2008 and there was continual mixed feeling as to whether or not a dredge fishery should be permitted if sufficient stocks were available. If a dredge fishery were permitted this would require a HRA which would be too time consuming for a forthcoming fishery, it was therefore suggested that a desk study be carried out to establish whether any level of suction dredging was permissible taking into account environmental, stock sustainability and socio-economic factors.

The CEO explained that whilst the Authority had agreed that the fishery would be hand-worked by default it was prudent to look into whether or not a dredge fishery was a legitimate contingency fishery for the Wash cockles. If it was considered viable contingency measures could be put in place and if not, then it could be discounted.

Mr Williamson felt there was a time and a place for dredge fishing, and he did not believe it was necessarily a fishery for every year. He did feel in the past there had been opportunities for dredging, but stocks were lost, he felt it should be possible to dredge stocks that could not be hand worked, but there should be tight controls on the equipment used and if damage occurred to the beds then that should be the end of dredge fisheries.

The CEO advised the review would look at specific gears types and the affect they may have.

Mr Bagley recalled that 30 years ago when dredging began it was not the damage to beds or breakage rates which caused the issue but the length of time it took the stock to recover. He did not believe the industry could afford to suffer a repeat of the 5-year recovery which was experienced then.

Members Resolved to:

- **Note the contents of the paper**
- **Direct officers to undertake a literature review of the environmental and sustainability impacts of hydraulic suction dredges and to report back the findings to the Authority within a period of one year.**

Proposed: Mr Bolt

Seconded: Mr Davies

All Agreed

At this point the meeting stopped for members to have lunch (1255 - 1315 hours)

EIFCA18/41 Item 17 – Shrimp fishery Habitats Regulations Assessment

SMSO Stoutt reminded members this had been a priority piece of work for the past two years. Mrs Stoutt provided members with a presentation on the progress of the Assessment.

Following conclusion of the HRA it had been determined that mitigation was required.

Whilst NE were in agreement with the overall conclusion they had highlighted issues they had with the process, and their lack of confidence in the condition data to show the impact of the shrimp fishery, they had however, agreed to move on with mitigation.

The likely proposal was for closed areas in deeper parts of the Wash which would be incorporated with closed areas of Sabellaria spinulosa etc, and areas of mussel fisheries and saltmarshes.

Officers were looking to introduce a permitting byelaw which would enable them to cap effort, including the requirement for iVMS and specify gear used. It was also intended to set out a clear monitoring programme. It was hoped mitigation could take place during May/June, allowing proposed measures to be considered at the meeting in July, after which consultation could take place.

Mr Worrall questioned who had provided the condition data. It was advised that in theory this was NE, but in practice they gather available data, including that provided by EIFCA. NE were planning to carry out a complete condition study for the Wash. However, lack of data would not prevent action as EIFCA are required to apply the precautionary principle when considering whether the fishery had an adverse effect on features of the MPA.

Mr Williamson thanked EIFCA and the Officers for the work they had been doing for the shrimp fishery.

Mr Bagley questioned the comment to 'cap effort', SMSO Stoutt advised there was no agreed level, it would be necessary to assess what would be appropriate based on previous years' fishing activity.

Members Resolved to;

- **Note the content of the report**
- **Agree to progress work to introduce regulation to manage shrimp fishing in the Eastern IFCA district.**

Proposed: Cllr Chenery of Horsbrugh

Seconded: Cllr Vigo di Gallidoro

All Agreed

EIFCA18/42 Item 18: Office Accommodation

In view of the accommodation lease being due to expire in December 2018, the Head of Finance & HR was in negotiation with the landlords for an extension to the lease. In the meantime, steps were being taken to find more suitable accommodation, ideally with

the office and storage space in the same footprint, with sufficient car parking.

Questions were raised whether post Brexit outcomes were being considered and the CEO advised that they were as far as was possible give the current level of uncertainty.

Members Resolved to:

- **Note the content of the paper**
- **Direct officers to secure an extension to the current lease at best possible terms to include regular 'break out' points**
- **Direct officers to explore options to increase available office space**
- **Delegate authority to the CEO in consultation with the Chair, Vice-Chair and the Chair of the Finance & Personnel sub-committee, to make decisions on appropriate accommodation options to facilitate immediate action if required.**

Proposed: Cllr Chenery of Horsbrugh

Seconded: Cllr Vigo di Gallidoro

All Agreed

EIFCA18/43 Item 19: Three Counties Replacement Project

Members were advised that 5 suppliers for the design and to oversee of the build had been identified. The cost for this was generally expected to be about 7% of the overall build cost.

The CEO was seeking approval from the Members to identify a suitable professional naval architect or company to support the build of the replacement vessel.

Members queried the type of vessel being designed and were advised it would be dual capability as well as carrying a daughter vessel.

Cllr Collis questioned whether the CEO would like the support of the F&P sub-committee in making the final decision. The CEO advised he was happy for the sub-committee to be involved if that was the Authority's wish and noted that they already had oversight of the project.

Members Resolved to:

- **Agree to the appointment of appropriate professional support to the vessel replacement project**
- **Approve expenditure to the levels estimated in the report**
- **Delegate the selection of a preferred supplier for managing the total design and build process to the CEO.**

Proposed: Cllr Collis

Seconded: Mr Bolt

All agreed

EIFCA18/44 Item 20: Resolution

- 1 **It was Resolved that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for items 21, 22, 23 & 24 on the grounds that they involve the likely disclosure of exempt information as defined in sections 100(A) (2) and (3) or Paragraph 1 of Schedule 12A of the Act**

**Proposed: Mr Worrall
Seconded: Cllr Skinner
All Agreed**

EIFCA18/45 Item 21: Inshore Vessel Monitoring System – EMFF Control Fund Project

Summary in accordance with Section 100(C)(2) of the Local Government Act 1972

The CEO updated members on the process to identify type approved units and the EMFF funded project to install devices on all licensed fishing vessels.

EMFF funding had been approved in 2016 and the 10% required to be paid by a public authority had been provided by Defra and was lodged with EIFCA for distribution to IFCA's as the project progressed.

Members were advised the project had some risks attached among which was the need for vessel owners to take ownership of the system which would require a legal agreement.

There were a variety of questions asked including who was responsible if the unit was waterproof, how would fishers know if the unit was not working and if the unit broke down would fishers be prevented from going to sea?

The CEO advised IFCA would be facilitating provision of the kit and that Defra were dealing with the potential introduction of national legislation to require units to be fitted and operated. Whilst the rules were likely to stipulate that where a device is not functioning then a vessel cannot fish the CEO advised that ultimately EIFCA were not in the business of stopping vessels going to sea unnecessarily.

Members Resolved to:

- **Note the content of the report and the associated project and financial risks.**
- **Note the role that Eastern IFCA would undertake in the project.**
- **Agree in principle to progress work to introduce a byelaw to harmonise reporting rates for all fishing vessels when in the Eastern IFCA district.**
- **Agree that reserve funds were utilised to support the roll-out of iVMS within the District.**

**Proposed: Cllr Skinner
Seconded: Cllr Chenery of Horsbrugh**

All Agreed

EIFCA18/46 Item 22 – Operation Blake Update

Summary in accordance with Section 100(C)(2) of the Local Government Act 1972

The CEO updated members on an issue which had occurred after the discovery of PSP around the coast, following the death of two dogs. There were concerns that the toxins could be present in edible species. Various agencies became involved establishing a group to develop a strategy and objectives to monitor the situation. Interim sampling had identified PSP in some edible species, although it was very low, and most samples were clear. The sampling regime had been undertaken as a gesture of goodwill however, this had been exhausted so support was being sought from the Food Standard Agency for longer term support. If national funding was not available, then funding would be sought from all members of the group. An option to fund via EMFF was also being explored.

Both Messrs Shaul and Davies expressed the appreciation of fishermen on the North Norfolk coast for the work which had been done on this issue, all parties were very grateful and wished to pass on their thanks to EIFCA staff.

Members Resolved to:

- **Note the work being undertaken to address the discovery of PSP**
- **Agree to Eastern IFCA making a financial contribution to the proposed sampling regime to a maximum of £10k.**

Proposed: Mr Worrall

Seconded: Cllr Collis

All Agreed

EIFCA18/47 Item 23: Fishing Industry Correspondence

Summary in accordance with Section 100(C)(2) of the Local Government Act 1972

Having received correspondence which related closely to that discussed at the previous meeting the CEO provided copies for members to consider.

Following discussion Members Resolved to:

- **Note the close association between the current correspondent and those discussed at the previous meeting.**
- **Note the content of the correspondence**
- **Agree to postpone the judgement of whether this correspondent could be considered vexatious until negotiations have been attempted**

- **Agree that the draft response be sent**
 - **Agree that the CEO should seek to establish a more constructive relationship with the correspondent and VOSA**
- Proposed: Chair**
Seconded: Cllr Skinner
All Agreed

EIFCA18/48 Item 24: Consideration of WFO applications

Summary in accordance with Section 100(C)(2) of the Local Government Act 1972

Mr Williamson left the meeting whilst this item was discussed.

Members were asked to consider the transfer of a WFO Entitlement, and dispensations relating to Byelaw 12 and WFO Regulation 7. Effectively the vessel belonged to a company but to comply with the WFO Entitlement the vessel needed to be in the name of an individual. The company was in the process of transferring the vessel from the name of father to son. This was acceptable in relation to the WFO Entitlement but to comply with Regulation 7 the vessel would have to have changed hands but not been 'sold'. For byelaw 12 the matter was more complicated. However, representatives of the industry felt this vessel had been in the fishery for a considerable number of years, the current owner had had the vessel extensively refitted in order to keep it working, in comparison to a modern vessel the one in question would likely be less efficient and therefore be less detrimental to the fishery. They believed that providing the vessel complied with all the rules regarding beam size etc there would be no harm done to the fishery.

Having debated the issue extensively Members agreed to postpone the decision with regard to Byelaw 12 until the CEO had investigated further, at which time he would report back to members with a clear rationale.

Members Resolved to:

- **Note the investigation into the application**
- **Agree to:**
 - **Postpone any decision relating to Byelaw 12 until the CEO could report back with more information**
 - **Dispensation from Regulation 7 of the WFO 1992 in relation to MFV Wash Princess was maintained on the condition that the vessel was not 'sold' when it passed from father to son**
 - **The WFO 1992 Entitlement 59 being transferred from father to son on the condition that the father formally surrenders any 'entitlement' to a further WFO Licence in association with the Entitlement and that the current licence associated with**

Entitlement 59 was cancelled on the date that such surrender was received.

Proposed: Cllr Vigo di Gallidoro

Seconded: Cllr Skinner

All agreed

Mr Williamson returned to the meeting

EIFCA18/49 Item 25 – Quarterly progress against Annual Priorities

Members Agreed to note the report.

EIFCA18/50 Item 26 – Marine Protection quarterly reports

Members Agreed to note the content of the report.

EIFCA18/51 Item 27 – Marine Science Quarterly Reports

Members Agreed to note the content of the report.

EIFCA18/52 Item 28 – Association of IFCA update

Members Agreed to note the content of the report

EIFCA18/53 Item 29 - Any Other Business

SHRIMP ACCREDITATION: the Authority had previously agreed in principle to support the accreditation, the CEO now needed agreement that the Authority were content for him to sign up to a Memorandum of Understanding (MoU). He envisaged that it would mean that officers would, in line with their normal duties, inspect cod ends, veil net sizes etc and maintain records to pass on to the shrimp accreditation body.

Members Resolved to agree in principle to the CEO signing off an MoA when he was happy with the wording.

Proposed: Cllr Chenery of Horsbrugh

Seconded: Cllr Skinner

All Agreed.

END OF YEAR ACCOUNTS 2016/2017: the Head of Finance & HR advised members that whilst the F&P Sub-Committee had approved the accounts they had not been approved by the full Authority.

Members Resolved to approve the End of Year Statement of Accounts for 2016-2017.

Proposed: Mr Shaul

Seconded: Mr Davies

All Agreed

There being no other business the meeting closed at 1534 hours.