**13th 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 Inshore Fisheries & Conservation Authority took place at The Boathouse Business Centre, Wisbech, Cambs, on 23rd April 2014 at 1030 hours.

**Members Present:**

Cllr Tony Turner MBE JP Vice-Chair Lincolnshire County Council

Cllr M Baker Norfolk County Council

Cllr Richard Fairman Lincolnshire County Council

Shane Bagley MMO Appointee

Peter Barham MMO Appointee

Stephen Bolt MMO Appointee

Roy Brewster MMO Appointee

Paul Garnett MMO Appointee

Roger Handford Environment Agency representative

Ceri Morgan MMO Appointee

Tom Pinborough MMO Appointee

Rob Spray MMO Appointee

John Stipetic MMO repesentative

Koen Vanstaen MMO Appointee

Stephen Worrall MMO Appointee

**Eastern IFCA (EIFCA) Officers Present:**

Philip Haslam Chief Executive Officer (CEO)

Andrew Bakewell Head of Finance

Nichola Freer Head of HR

Julian Gregory Head of Marine Protection

Judith Stoutt Senior Environment Officer

Ron Jessop Senior Research Officer

Luke Godwin Marine Environment Officer - Data

Dan Steadman Temporary ICT Project Officer

Robin Strigner Research Officer

Stephen Thompson Research Officer

Pete Welby Research Officer

**Other Bodies Represented:**

Neville Copperthwaite Blue Marine Foundation

Rob Davies Defra

Tim Glover Blue Marine Foundation

John Hiskett Norfolk Wildlife Trust

Richard Inman Defra

Roger Mason MMO

Emma Thorpe Natural England

**Minute Taker:**

Jodi Hammond

**EIFCA14/23 Item 1: Re-election of Chair**

The Clerk advised that under the Authority’s constitution it was necessary to re-elect the Chair on an annual basis. As there is an understanding that the Chair of EIFCA shall remain in post for a period of two years unless there is a proposal for an alternative chair the Clerk asked for any other proposals. As there were none forthcoming the current incumbent, Cllr Cox, was elected to position of Chair for the second year.

**Proposed: Dr Bolt**

**Seconded: Tom Pinborough**

**EIFCA14/24 Item 2: Apologies for Absence**

Apologies for absence were received from: Cllrs Cox, Cllr Wilkinson (NCC), Goldson (SCC) and Patience (SCC) and Mr Donnelly (NE Rep).

Members considered the reasons given for not be able to attend and formally agreed to accept the apologies.

**Proposed: Ceri Morgan**

**Seconded: Paul Garnett**

Members who did not attend and did not forward their apologies were: Mr Lake (MMO appointee).

**EIFCA14/25 Item 3: Declarations of Members Interest**

Messrs Bagley, Brewster, and Garnett all re-acknowledged the declarations of interest they have made at previous meetings in relating to lay holdings and licence entitlement holders.

**EIFCA14/26 Item 4: Re-election of Vice Chair**

Following on from Item 1, there is a requirement to annual re-elect the Vice-Chair, as there were no alternative proposals put forward it was agreed Cllr Turner would retain the position for a second year.

**Proposed: Dr Bolt**

**Seconded: Tom Pinborough**

**EIFCA14/27 Item 5: Minutes of the 12th EIFCA Meeting, held on 29th January 2014**

Mr Garnett advised that he had also declared an interest as his family and lay and WFO entitlement holders.

With this amendment in place members agreed to accept the minutes as a true record of proceedings.

**EIFCA14/28 Item 6: Matters Arising**

14/12: SEA ANGLING 2012 SURVEY: The CEO advised that a Recreational Sea Angling strategy had been produced. This will appear on the EIFCA website by the end of the month for comment. The CEO would also be contacting the three County Councils to request the strategy is featured in their newsletter to stakeholders and to alert them to the potential economic benefits of promoting regional RSA activity.

14/14: MUSSEL FISHERY 2014: As a result of the last meeting the CEO had consulted the fishing industry and held a meeting with representatives of local associations. As a result agreement had been reached to open a seed relaying fishery with 40% of the overall available stock forming the TAC. This fishery would commence on 28th April 2014. The remaining 60% would be left to promote future fisheries.

14/16: WASH LAY APPLICATIONS UPDATE: As requested the Wash Bio-security Plan had been published.

**EIFCA14/29 Item 7: Health & Safety Risks and Mitigation**

The CEO advised members that since the last meeting there had been two incidents:

1. An officer had tripped and fallen in shallow water, the outcome of the incident was that the H&S in place had been successful as the officer was correctly attired and the protective gear had worked when it was submersed in water.
2. An officer tripped and fell down a ladder when he had been working in the engine room of the vessel. The lesson learnt from this was that the oil which had collected on the soles of his boots should have been removed before exiting the engine room.

The moorings remained an outstanding risk, however Fenland District Council and Lincolnshire County Council are in discussion with a view to improving the moorings. Options are being drawn up by the two bodies to redevelop the moorings and EIFCA may be invited to contribute to the capital costs in order to secure appropriate moorings at a preferential rate into the future. It should be noted that the lease on the existing moorings will end in October 2014 and may not be renewed which will prompt a review of moorings provision.

**Members agreed to note the content of the report.**

**EIFCA14/30 Item 8: IFCA Parliamentary Report**

Mr Richard Inman from Defra, gave a brief explanation on the consultation process in place. Every four years the Secretary of State must prepare a report on the conduct and operation of IFCAs, measured against the 7 success criteria:

* IFCAs have sound governance and staff are motivated and respected
* Evidence based, appropriate and timely byelaws are used to manage the sustainable exploitation of sea fisheries within the district
* A fair, effective and proportionate enforcement regime is in place
* IFCAs work in partnership and are engaged with their stakeholders
* IFCAs make the best use of evidence to deliver their objectives
* IFCAs support and promote the sustainable management of the marine environment
* IFCAs are recognised and heard

The inaugural report would cover the period to 30th August 2014. It was anticipated the report would be put before Parliament prior to the Christmas recess in December.

Information on the consultation process is available via a link on the EIFCA website, all consultations should be provided to Defra by the deadline of Friday 1st August 2014.

**EIFCA14/31 Item 9: Wash Fishery Development Project**

Mr Tim Glover from the Blue Marine Foundation (BMF) provided a presentation on the work they were carrying out. Members were advised that the aim of the Foundation was to facilitate putting 10% of the worlds’ oceans under proper management by 2020.

A brief resume of the work being carried out in Lime Bay was given, this was the initial project being undertaken which had attracted the support of Marks & Spencer, Defra and other charities to make it possible. Achievements to date included:

* Voluntary Codes of Conduct
* Potting Study
* IVMS on all vessels in the area
* Marine Planning Consultations

The Blue Marine Foundation was looking into four others areas around the country which could potentially benefit from their facilitation process. The Wash was one of the areas being considered and an initial meeting had been held with local fishing representatives which had been well attended and constructive. It was emphasised that the collaboration of stakeholders was essential for the process to be effective.

Following the presentation Mr Pinborough questioned whether all stakeholders would benefit in some way as the presentation appeared to him to emphasise the benefit to commercial fishermen. It was advised that the project is not intended to benefit individual stakeholders but RSA and diving representatives have been included on the BMF committee in order that they have the opportunity to put across their points of view, essentially the aim of the project is conservation.

Mr Spray noted that the initial outline was for The Wash but as the North Norfolk fisheries abut the area being looked at would it be possible to extend this to include the North Norfolk Coast. Mr Glover advised that if there was support to cover this area then it was entirely possible.

Mr Barham expressed his support for the project but asked whether decisions were being made based on scientific management. The response to which was that whilst the BMF committee owns the data it has collected, with the exception of the potting study which Defra has funded, they had a signed agreement that the data will be used to ensure proper management is in place.

**EIFCA14/32 Item 10: Report on the Planning & Communication sub-committee held on 26 February 2014**

Members were reminded that the P&C sub-committee had been delegated powers to approve the Annual Plan. At the meeting the Annual Plan 2014-2015, the Communications Report 2013-2014 and the Corporate Communication Plan 2014-2015 had all been reviewed, following which the Annual Plan and Corporate Communication Plan had been approved for publication.

Both plans were made available for Members’ information.

**Members agreed to note the report.**

**EIFCA14/33 Item 1: Review of the EIFCA Constitution**

Members were reminded that the Constitution must be reviewed on an annual basis. Nplaw were involved in the review and highlighted recommended changes. Members were also asked to take into account that legislation may come in to place concerning The Openness of Local Government Bodies Regulation 2014 which would make it possible for any member of the public to record, film or blog during a public meeting.

A further issue was the continuing representation by MMO Appointees. Initially MMO Appointees are elected for a period of 4 years, following this they can be retained on an annual basis for a period of a further 6 years, following an appraisal process. The CEO advised there needs to be a mechanism in place to administer such an appraisal process. The CEO believed this process would need to be predominantly carried out by elected members, and suggested the process should be developed by the Finance & Personnel sub-committee. Mr Pinborough questioned whether the suggested process would be taken back to full committee for final approval, which the CEO agreed it would.

There followed further discussion on whether such a process should be set up at a national level rather than by individual IFCAs, and what mechanisms would be in place to ensure the right balance of stakeholder representation was maintained at such time as MMO Appointees were replaced.

**Members Resolved to:**

* **Agree to the proposed changes to the Constitution and Standing Orders**
* **Note the pending legislation concerning The Openness of Local Government Bodies Regulations 2014 which may require changes to Section 10 of the Constitution and Standing Orders in due course**
* **Direct the CEO to make changes to Section 10 if legislation changes before April 2015**
* **Agree to delegate to the F&P sub-committee the development of an MMO appointee review mechanism.**

**Proposed: Stephen Worrall**

**Seconded: Peter Barham**

**All in favour**

**EIFCA14/34 Item 12: Sub-Committee output for the year 2013/2014**

The CEO had carried out a review of the sub-committee structure to gauge relative workloads and assure members that those sub-committees charged with making executive decisions on behalf of the full Authority were enabled to do so. Whilst compiling the report the CEO had consulted with the Chair of the various sub-committees.

The outcome of the review was that the CEO considered the sub-committees at this time were fit for purpose.

**Members Resolved to:**

* **Agree that the sub-committee structure remains fit for purpose**
* **Agree with the sub-committee Chairs that the current structure is maintained for the forthcoming year**
* **Direct the CEO to conduct a review of the sub-committee structure to be presented at the Authority meting of April 2015**

**Proposed: Ceri Morgan**

**Seconded: Tom Pinborough**

**All in favour**

**EIFCA14/35 Item 13: Payments made and monies received during the period 18th January 2014 to 9th April 2014**

The report provided a breakdown of the amounts expended and received during the period. The Head of Finance advised that this was not the full expenditure for the 12th month as the ledgers would not be complete until the end of the week. Income was higher than expected as it included two of the Levy payments for the forthcoming financial year. The CEO and Vice-Chair both highlighted their appreciation that levies had been paid promptly.

**Members Resolved to accept the report on payments made amounting to £357,378.51 and monies received amounting to £1,023,750.21**

**Proposed: Paul Garnett**

**Seconded: Stephen Worrall**

**All Agreed**

**EIFCA14/36 Item 14: Quarterly Management Accounts**

The figures for the fourth quarter were not complete as the ledger for the financial year had yet to be completed. The initial indication of a 6% saving against budget was therefore likely to be much closer to the actual budget. Any savings which were made would be due to savings in salaries as a result of not having a full compliment of staff for the whole financial year, and savings in vessel fuel costs having estimated fuel for a vessel which there was no background to based consumption on as opposed to the previous ESF Protector III.

**Members Agreed to note the Management Accounts**

**Proposed: Stephen Worrall**

**Seconded: John Stipetic**

**All Agreed**

**EIFCA14/37 Item 15: Report on the update of expenditure approval limits**

The Head of Finance advised that the current expenditure approval limits had been in place for a number of years and he believed they needed to be revised to create a slightly less onerous process which would be less resource hungry but still fell within the best value practice. With this in mind members had been provided with a paper outlining the suggested amendments to the purchasing arrangements.

Mr Worrall questioned whether the cheapest option is always the one which is taken. The Head of Finance advised that this was not the case, there is a list of preferred suppliers based on service and quality they provide. Cllr Baker advised that he would hope this list was skewed towards the Eastern region. It was noted the list was predominantly local but use was also made of the Government purchasing schemes.

**Members agreed to the updated expenditure approval limits and the slightly amended procurement process which would streamline the process whilst still maintaining best value.**

**Proposed: Councillor Baker**

**Seconded: Peter Barham**

**All Agreed**

**EIFCA14/38 Item 16: Report on alternative banking and investment arrangements**

The Head of Finance advised members that the current investment bonds were about to withdrawn which meant there was a need to review the manner in which the funds in the reserve accounts was invested. It was felt there were alternative investment opportunities available, which would give a better return than a standard savings account, whilst still maintaining the safety of the funds. The Head of Finance was therefore requesting consent for himself and the CEO, to investigate alternative investment arrangements, under advice from the County Council treasury departments.

**Members Resolved:**

* **that the Responsible Finance Officer and the Head of Finance should secure the best ‘low risk’ interest rates for the Authority’s deposits.**
* **The Authority withdraw its deposits with Suffolk County Council and places them in a higher yielding investment.**

**Proposed: Peter Barham**

**Seconded: Dr Bolt**

**All Agreed**

**EIFCA14/39 Item 17: Lay review and application process update**

As previously requested an update on the lay review and application process was provided to members for information. Since the last meeting the lease agreements were being updated and it was hoped they would be ready for consideration at the meeting in July. Habitats Regulation Assessments were being prepared with biotope surveys potentially taking place in mid June which would assess whether new lays can go ahead.

A further matter relating to the lays had arisen which required the attention of the Authority. Two lay holders had put forward a request to be able to swap their lay ground. One was reaching retirement age and wanted a slightly smaller lay closer to the shore whilst the other was happy to work a larger lay further out to sea. It was felt there were 3 options available for the Authority to consider although it was felt option 2 was the most sensible mechanism to enable an exchange of lays without setting a precedent.

Mr Garnett stated that there was potentially a 4th option should also be taken in to account where under the Wash Fishery Order a lay lease could be assigned to another party, this could be done under para 6(2) of the WFO with the consent of the Authority, and would not lead to complications with subleasing.

During discussion it became apparent there were several outstanding structural issues with regard to the Wash Fishery Order and relating to custom and practice with lay leases management. Officers are fully aware of these issues and, as lays are potentially a finite resource, it was felt the issues needed far more considered thought than could be given at the current meeting.

Cllr Baker expressed concern that there were so many unresolved issues that the matter being discussed should be deferred until the next meeting when all the facts could be presented, he made a counter proposal to this affect which was not seconded and therefore the proposal did not proceed any further.

A request was made for the issues raised to be looked into, the CEO advised a wholesale review would be factored into the overall review of the Wash Fishery Order.

Option 1, to agree to the lay exchange through the exchange of leases and to direct officers to seek ministerial consent for the exchange was proposed by Mr Stipetic, this also received no seconder and therefore did not proceed.

Option 3 also received no proposal.

The question of what level of Ministerial scrutiny would be involved was raised. The Data MEO advised that as one lay holder would be in control of more that 10 hectares of lay ground Ministerial consent would need to be applied for in accordance with WFO Article 6(7). Members were advised for the purposes of lay ground an individual lay holder included anyone in business together or a spouse or child, meaning their combined lay holding would count.

**Members Resolved to take Option 2, to agree to the lay exchange through subleasing mechanism and directed Officers to seek Ministerial consent for the sublease.**

**Proposed: Dr Bolt**

**Seconded: Ceri Morgan**

**With 7 votes in favour the proposal was moved.**

**EIFCA14/40 Item 18: Research & Environment Report 2013-14**

The Head of Research began by outlining the research work which had been carried out during the previous year, and explaining the mechanism in place which dictated which projects would be undertaken during the year. He also advised detailed results of all these projects were available in the recently published Annual Research Report.

The Head of Research then gave a brief summary of the Cockle Growth Rate project, the methods used and the findings of the survey.

Further presentations were given by Research Officers outlining projects carried out in Crustacean fisheries and juvenile fish. Both presentations highlighted anomalies between data provided by either Cefas or Defra which compared to data provided by EIFCA officers, it was questioned whether any discussion would be taking place to ascertain the cause of these anomalies. It was noted that some discussions were ongoing, but part of the difference was attributable to vary methods of data collection.

*At this point the meeting stopped in order to allow a half hour break for lunch.*

*The meeting reconvened at 1330 hrs.*

At this point the Senior Environment Officer gave a brief overview of the work carried out by the Environment team and explained how it fitted together with the work being carried out by the research team. During the presentation members were advised that the workload for the previous year and been largely dictated by the most pressing work to ensure EIFCA met its conservation objectives.

**EIFCA14/41 Item 19: Research and Environment Plan 2014-2015**

**Having been informed in detail of the work of the Research and Environment teams members Resolved to Agree to the Research and Environment projects for 2014-2015 as set out in the Research and Environment Plan.**

**Proposed: Peter Barham**

**Seconded: Stephen Worrall**

**All Agreed**

**EIFCA14/42 Item 20: Quarterly Progress against Annual Plans**

This report was included for information only.

**EIFCA14/43 Item 21: Update of HR Activity**

Although this paper was included as a matter of report the Head of HR advised members that EIFCA were currently recruiting new staff. As a result of recent departures from the Authority the Exec team had reviewed he structure and looked at particular pinch points, consequently they had revised the available posts in order to alleviate these problems without any additional expenditure. Posts being recruited were; 1 IFCA/crewman, 1 IFCO/Project Officer and 1 MEO/Consultations lead. Prior to advertising these the CEO had sought approval from the Chair of the Authority and the Chair of the F&P sub-committee.

**EIFCA14/44 Item 22: Marine Protection Quarterly Reports**

The Report was included for information only.

**EIFCA14/45 Item 23: Senior Research Officers Quarterly Report**

This report was included for information only.

**EIFCA14/46 Item 24: Senior Marine Environment Officers Quarterly Report**

This report was included for information only.

**EIFCA14/47 Item 25: *It was Resolved that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for items 26 and 27 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 12A of the Act.***

**Proposed: John Stipetic**

**Seconded: Stephen Worrall**

**EIFCA14/48 Item 26: Report on the six month probationary period of a Research Officer**

Members were advised that the most recently recruited Research Officer had passed their six month probationary period and it now required members to decide whether or not to approve him as a permanent member of staff. It was noted that this officer had successfully developed into the role and was taking responsibility for his own research projects.

**It was Resolved to confirm the permanent appointment of the Research Officer.**

**Proposed: Tom Pinborough**

**Seconded: John Stipetic**

**All Agreed**

**EIFCA14/49 Item 27: Report on a complaint against EIFCA**

The CEO brought to the Members’ attention what Defra considered to be a complaint against EIFCA. A deputation of 3 Kings Lynn fishermen had met with the Fisheries Minister, hosted by Henry Bellngham MP. Whilst Defra had invited input from EIFCA for the Ministers’ brief, there had been no contact from H Bellingham MP or his office so it was not possible to ascertain the purpose of the meeting. Subsequently, it became apparent that during the 20 minute meeting, the Minister had been apprised of a perception that the fishermen with larger vessels/businesses were being dictated to by artisan part-time fishermen. The key issue which was discussed was the potential for damage caused by poorly conducted ‘prop washing’, the contention being that it is equally as damaging as suction dredging for cockles.

Mr Brewster commented that he did not believe the fishing method being employed was damaging as NE had been out and inspected the grounds and found them satisfactory, he also felt dredging did not provide a sustainable fishery it was more a case of ‘boom & bust’.

The CEO had been in contact with the Minister and felt he was reasonably assured EIFCA were responsible enough to deal with the fisheries in their district.

**Following discussion it was Resolved to note the content of the paper and to agree that the Chair should write to Henry Bellingham MP to:**

* **Express concern that the meeting as held without any prior engagement with the Authority**
* **Encourage him to speak with other fishermen within the Wash fishery to assure a balanced perspective**
* **Invite him to the Authority meeting in June 2014 to witness the debate surrounding the 2014 cockle fishery**

**It was also Resolved to direct the CEO to liaise with Defra to ensure his visit to the region includes and opportunity to discuss Wash fishery management with IFCA members and officers.**

**Proposed: Rob Spray**

**Seconded: Koen Vanstaen**

**All Agreed**

**EIFCA14/50 Item 28: Report on payment of expenses to MMO Appointees**

The Head of Finance advised that this was another matter which needed to be reconsidered on an annual basis. He advised that under the current budget framework and based on the expenses claims made during the previous year there should be sufficient funds available to allow payment of Expenses to MMO Appointees for a further year.

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

**Proposed: Roger Handford**

**Seconded: John Stipetic**

**All Agreed**

**EIFCA14/51 Item 29: Any Other Business**

No further items of Business had been put to the Chairman for discussion at the meeting.

There being no other business the meeting closed at 1400 hours.