**14th 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 4th June 2014 at 1030 hours.

**Members Present:**

Cllr Hilary Cox Chair Norfolk County Council

Cllr M Baker Norfolk County Council

Cllr Richard Fairman Lincolnshire County Council

Cllr Tony Turner MBE JP Vice-Chair Lincolnshire County Council

Cllr Peter Byatt Suffolk County Council

Cllr Tony Goldson Suffolk County Council

Shane Bagley MMO Appointee

Stephen Bolt MMO Appointee

Roy Brewster MMO Appointee

Connor Donnelly Natural England representative

Paul Garnett MMO Appointee

Roger Handford Environment Agency representative

Neil Lake MMO Appointee

Tom Pinborough MMO Appointee

Rob Spray MMO Appointee

Stephen Worrall MMO Appointee

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

Philip Haslam Chief Executive Officer (CEO)

Julian Gregory Head of Marine Protection

Ron Jessop Senior Research Officer

Luke Godwin Marine Environment Officer - Data

**Other Bodies Represented:**

Emma Thorpe Natural England

Seamus Whyte Fugro Emu Ltd

Paul Learoyd Lincolnshire Wildlife Trust

**Minute Taker:**

Jodi Hammond

**EIFCA14/52 Item 1: Welcome by Chair**

The Chair began the meeting by welcoming Cllr Peter Byatt, newly appointed to the Authority on behalf of Suffolk County Council.

**EIFCA14/53 Item 2: Apologies for Absence**

Apologies for absence were received from: Cllr Wilkinson (Norfolk County Council), Mr Stipetic (MMO Representative), and Messrs Barham, Morgan and Vanstaen (MMO Appointees).

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

**It was agreed to accept the Apologies for Absence**

**EIFCA14/54 Item 3: Declarations of Members Interest**

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

**EIFCA14/55 Item 4: Minutes of the 13th EIFCA Meeting, held on 23rd April 2014**

Mr Lake advised he had offered his apologies for absence direct to the Chairperson, unfortunately she had not been present at the meeting consequently Mr Lakes apologies were not recorded.

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

**Proposed: Councillor Turner**

**Seconded: Tom Pinborough**

**All Agreed**

**EIFCA14/56 Item 5: Matters Arising**

14/33: REVIEW OF EIFCA CONSTITUTION: All actions requested had been implemented.

14/38: ALTERNATIVE BANKING & INVESTMENT ARRANGEMENTS: This action was on-going, the Head of Finance would be making a report to the next Finance & Personnel Sub-Committee (25 Jun) to advise what steps he had taken to finalise the reinvestment strategy for the Authority’s funds.

14/39: WASH LAY APPLICATIONS UPDATE: The Application process remained an on-going issue, a further report would be provided at the July meeting.

14/49: COMPLAINT AGAINST EIFCA: The CEO advised H Bellingham MP had been written to and the Chair had received a response.

**EIFCA14/57 Item 6: Report concerning the impact of cockle fishing methods on muddy sediments**

The Chair introduced this item with the following statements:

* The research report does not include a covering paper as it was delivered too late to receive appropriate scrutiny from Officers.
* It is included as an action item (as opposed to an Information item) to demonstrate transparency and to reduce the risk of perceptions of bias
* It has not been peer reviewed and cannot be used as a factor in decision making at this meeting and as a result the authority will not be taking a position on the paper.

Mr Seamus Whyte presented the findings of a research project which Fugro Emu Ltd had been commissioned to carry out on behalf of three fishing companies in the Wash. It was noted there had been similar desktop studies previously carried out.

Mr Whyte gave an overview of how the study had been carried out and the results.

The study had taken place on three separate areas using three different ‘treatments’. These being 1 – control, 2 – dredging and 3 – prop washing.

The prop washing entailed one ring of prop wash and the dredging consisted of a single 50m line of suction dredging. The areas used had been selected as they visually appeared to be muddy sand – following particle sampling it was found one of the sites could be classified as sandy.

Members were shown photographic evidence of the study, each activity in each area was photographed 5 times over a period of 6 months to compare the level of recovery of the sand after the activity had taken place.

A corer was also used to take samples of the site down to a level of 15cm which were then analysed for the number of species found in it.

Following the presentation members asked a variety of questions as follows:

* the type of engine size used for each treatment – were they consistent?;
* were the results consistent with the reality of a commercial fishery where a number of vessel would be executing dredge lines across a given area for an extensive period of time as opposed to the very limited 50m dredge track used in this trial?

Neither of these questions could be answered as Mr Whyte had been restricted by time constraints and he did not know the engine size of the vessels used only that they were consistent with vessels exploiting the fishery.

It was also noted that one area had been prop washed for a period of 20 minutes which would equate to approximately 20 passes over the sand which was not a true reflection of the actual practice of prop washing and would obviously show more damage than one single 50m dredge track. Consequently members felt the degree of variability between the two impacts was too great for the study to be considered as a factor in future decision making.

Having listened to the comments and Mr Whyte’s own admission that the two methods of fishing were inherently different Mr Spray felt the study had been carried out on too small a scale to produce a useful outcome although it may have provided the desired outcome to those who have commissioned the work. Consequently, he stated that there was no useful scope to the study, with almost no worthwhile content. He acknowledged this was not a reflection on Mr Whyte’s work but on the fact that he had been commissioned to do a report from which a given result was expected.

Mr Whyte defended these comments by advising that the prop washing treatment had been consistent with the way the vessel used had fished during a cockle fishery as he had mirrored the previous track readings. Mr Donnelly advised the physical impacts shown by the prop washing were similar to those seen during the 2009 cockle fishery from a vessel which had not been prop washing correctly.

It was also questioned why the study had been carried out during the winter rather than during the months when cockle fishing takes place. Mr Whyte advised this was due to time constraints but as it had been a mild winter he felt the recovery would have given a similar result.

Members felt the study did not give combination effect or relevance to fishing on the ground, therefore it was not directly transferrable in a wider sense.

During discussion comments were read out by the CEO from Messrs Morgan and Vanstaen who could not attend the meeting but had submitted comments a précis of which is below:

Mr Morgan

* The statements about the sediments in the Wash and the methods of fishing are comprehensive but are not balanced by how the survey treatments were carried out.
* Photos of "dredged" area were in close up, whereas photos of "prop wash" were distant.
* No indication of depth of water when treatments were carried out.
* No indication of impacts when multiple dredge runs are made over the same ground.
* Concern that such a detailed survey has not described fully the methods used to impact the sediments and as such can hardly be credible as a serious report on which to base sound scientific decisions.

Mr Van Staen

* Overall felt it was quite a poor report.
* Some of the figures are also meaningless.
* The sediment results don't show much, apart from the fact that there is some natural variation. It had been hoped that they would maybe have used this data a bit more to explore how this may have influenced the community data.
* Main concern is about the comparison between a single dredge track vs an area of prop washing that was impacted for 10-20 minutes. One would expect a larger area to recover slower than a single track. Especially in the dynamic context of the wash, a single track can be covered in few weeks by mobile sediment, and hence the community that comes with this mobile sand will show quicker recovery. You will not get this as quickly over a larger area. I assume really life cockle dredging would result in a larger area being impacted and recovery could be slower. Hence comparison is a bit skewed.
* It is regrettable that the design of the study wasn't discussed in advance as now, questions remain about "what if" we could have identified issues early to help redesign the approach.
* Why just 3 sites? It isn't justified in the report. Would also have been good to see more suggestion as to what species explain the differences observed in the results.
* At best, it is a useful indication, but the study leaves too many questions to treat it as a robust body of evidence. More work would be needed to address the outstanding questions.

The Chair thanked Mr Whyte for attending and presenting the study to members. Members were reminded that as the report had not been received in time to be reviewed it could not be taken into account in subsequent decision making on the 2014 cockle fishery.

**Members agreed to receive the report.**

**Proposed: Dr Bolt**

**Seconded: Cllr Goldson**

**All Agreed**

**EIFCA14/58 Item 7: 2014 Wash Cockle Fishery**

The Chair began by making the following statements:

* Recognition that this is a contentious and emotive issue.
* Recognition of the amount of rigour that has been included in the paper.
* Recognition that the commercial fishing members of the Authority have been afforded a chance to comment and add to the paper as part of the drafting process.
* Recognition of ongoing perceptions of bias and/or unfairness by a sector of the local fishing industry.
* Reminder to members of their duties as detailed in the Eastern IFCA constitution.

The CEO began be explaining this was a comprehensive paper but the length of it was necessary to present all the facts to the Authority on which to base their decisions.

The CEO also was explicit in outlining that there recommendations made to the authority had been developed through a process to assure the delivery of the Authority’s MaCAA 09 duties alone. The repeated accusations of institutional bias towards one particular sector of the local fishing industry which had been related widely including to the Fisheries Minister himself were without substance, were dismissive of the significant efforts of Authority officers and could be construed as vexatious.

The Senior Research Officer presented members with the findings of the spring cockle surveys which had taken place during April. 1,282 stations across 21 beds had been sampled. Samples were analysed for size, weight and frequency data as well as additional environmental data. The area sampled covered most of the intertidal beds where cockles may be found.

Following analysis it was estimated there was a total stock of 19,319t, of which 11,009t were adult and 8,310t were juveniles (less than 14mm).

Authority members were provided with detailed findings from the surveys, including the tonnage on each sand and the percentage of adult / juveniles.

2013 spatfall appeared to have settled well across the Wash with the exception of the Boston Main. In view of the management measure not to open areas where juveniles are greater than 1000/m2, this may have an impact on opening areas on some of the beds, although it was not envisaged it would have much impact on the areas with the largest numbers of adult stock.

It was noted that if members opted to open a dredge only fishery then only areas with at least 70% adult stock and on predominantly mobile sediment could be open which would equate to 5 beds and Holbeach, which is a mixed sediment. However, there would be insufficient tonnage on 4 of these beds to support a fishery which left only Butterwick and Holbeach.

Members considered the merits of handworking / dredging and the fluctuations in stock levels over a period of years. It was questioned whether stocks were currently increasing as a direct result of not having had a dredge fishery in recent years, although there is anecdotal evidence to support this suggestion, the SRO did not have scientific data to provide explicit evidence. It was also questioned whether there were any areas which had not recovered at all as a direct result of historical dredging, which again the SRO could not scientifically prove as the Wash is very variable and settlement can be erratic, however, he did advise caution when considered fishing on muddy areas as this takes longer to recover.

Mr Lake questioned why Mare Tail was a site recommended for handworking when it is 60% juvenile stock, this was due to the fact that once a handworking vessel has settled on the sand it did not move whereas dredging vessels keep moving around.

Following presentation of the surveys members were then presented with the findings of the consultation sent to all Entitlement Holders with regard to their preferences for a cockle fishery. Additional comment included the opening of the Holbeach Bombing Range over weekends when it is in operation.

Mr Lake requested that in future the responses be displayed by the number of entitlements as well as the number of entitlement holders.

Having moved onto consideration of standard bags Mr Bagley questioned how they worked if the bag was not full. Head of Marine Protection advised the introduction of standard bags was designed to smooth the operation and enforcement of the fishery and would not affect the manner in which the daily quota could be landed. The intent was to promote commonality between fishermen to reduce the tensions caused by accusations of over quota landings being disguised by bags of varying shapes and sizes.

Mr Lake expressed concern that he had just received a significant order of bags and would now have to re-order which would add to his operating costs.

Mr Lake expressed concern that any extension of the fishery to 5 days to accommodate “early die off” would need greater enforcement effort as in previous years, he perceived that beds other than those with signs of “early die off” were being targeted.

**Having considered and questioned the information presented members Resolved to:**

* **Note the report and its contents**
* **Agree to a TAC of 3,670 tonnes**

**Proposed: Cllr Fairman**

**Seconded: Cllr Goldson**

**All Agreed**

* **Agree to Option 2 to open a hand work fishery on all sands at a time determined by the preference of the majority of Wash fishery Entitlement Holders.**

**Proposed: Dr Bolt**

**Seconded: Cllr Fairman**

**All Agreed**

* **Approve the introduction of Standard Bags for landing catch.**

**Proposed: Cllr Goldson**

**Seconded: Mr Donnelly**

**All Agreed**

* **Approve the delegation to officers to determine opening times for the fishery based upon**
* **the preferences of Entitlement holders,**
* **Appropriate tides,**
* **Regular break in the fishery by operating 4 days/week,**
* **a mechanism to enable Holbeach to be exploited when the range is closed,**
* **Extension to 5 days per week should atypical mortality be judged to be a significant factor. This will also include ensuring the affected stock is targeted.**

**Proposed: Cllr Goldson**

**Seconded: Mr Worrall**

**All Agreed**

* **Approve the delegation of powers to the Chief Executive Officer to immediately (without 7 days notice) close a fishery or parts of a fishery should malpractice and/or unacceptable levels of damage be observed.** (*It was acknowledged that there may be occasions when accusations of foul play forwarded to Officers for action are proved to be unfounded. If this is a recurring event the Monoitoring Officer of Norfolk county Council has advised that there is a mechanism where vexatious claims can be formally discounted).*
* **Approve the delegation of powers to the CEO to restrict access to cockle beds if juvenile stocks are judged to be disproportionately targeted. In addition the areas containing 2013 year class juveniles recommended by the Senior Research Officer would be held closed for the duration of the fishery.**

**Proposed: Cllr Byatt**

**Seconded: Cllr Goldson**

**All Agreed**

**EIFCA14/59 Item 8: Any Other Business**

Mr Lake referred to the comment in the previous paper which suggested there was insufficient enforcement capability to enforce a dredge fishery. He felt that if this is the case and with the extra enforcement burden required for EMS / MCZs the Authority needed to relook at the enforcement capability in more detail, including revisiting the decisions made by the vessel sub-committee to purchase a further vessel. His main concern was that if an inshore fishery could not be enforced how could enforcement out to 6 miles take place.

**The Chair advised that as this matter had not previously been notified it was not eligible for discussion. The CEO was directed to provide an answer at the next Authority meeting.**

The Chair closed the meeting by thanking the officers for attending the crab & lobster festival and recommended that all members try to attend one of these community events which are being held at various venues during the year.

There being no other business the meeting closed at 1330 hours.