

## 26<sup>th</sup> 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, Cambs, on 2<sup>nd</sup> November 2016 at 1030 hours.

### Members Present:

CLlr Tony Goldson	Chair	Suffolk County Council
CLlr Hilary Cox	Vice Chair	Norfolk County Council
Shane Bagley		MMO Appointee
Roy Brewster		MMO Appointee
CLlr Peter Byatt		Suffolk County Council
John Davies		MMO Appointee
Emma Dixon-Lack		MMO Representative
CLlr Richard Fairman		Lincolnshire County Council
Paul Garnett		MMO Appointee
Ian Hirst		Environment Agency Representative
Tom Pinborough		MMO Appointee
Keith Shaul		MMO Appointee
Rob Spray		MMO Appointee
CLlr Tony Turner MBE JP		Lincolnshire County Council
Stephen Worrall		MMO Appointee
Stephen Williamson		MMO Appointee

### Eastern IFCA (EIFCA) Officers Present:

Andrew Bakewell	Head of Finance
Dawn Cummins	Procurement Officer
Sandra Cowper	MEO
Luke Godwin	Staff Officer
Julian Gregory	Acting Chief Executive Officer (ACEO)
Ron Jessop	Senior Research Officer
Simon Lee	IFCO
Laura Rutland	Research Officer
Judith Stoutt	Senior MEO

### Minute Taker:

Jodi Hammond

### EIFCA16/72 Item 1: Welcome by Vice Chair

The Chair welcomed members to the meeting and began by announcing the retirement of Mr John Stipetic who had been a member of EIFCA since its inaugural meeting and had been a valued member, always willing to share his vast experience, knowledge and encouragement. This was followed by a presentation to Mr Stipetic on behalf of staff and members of EIFCA.

Following this the Chair welcomed Emma Dixon-Lack to the meeting, who would be taking over the position of MMO Representative.

The Chair then advised members that Phil Haslam had announced his intention to accept a permanent post with the MMO. This had been discussed by the F&P sub-committee who had agreed to appoint Julian Gregory to the post of CEO on receipt of Phil Haslam's formal resignation.

As Mr Gregory had been covering the role for the previous year it was felt this was the appropriate step to take, and the Chair looked forward to welcoming Mr Gregory to the role once the official notice had been received.

### **EIFCA16/73 Item 2: Apologies for Absence**

Apologies for Absence were received from: Messrs Donnelly (Ne Representative), Bolt and Morgan (MMO Appointees) and Cllr Wilkinson (NCC).

### **EIFCA16/74 Item 3: Declarations of Members Interest**

There were no additional Declarations of Interest, only those previously recorded.

### **EIFCA16/75 Item 4: Minutes of the 25<sup>th</sup> EIFCA Meeting, held on 27<sup>th</sup> July 2016**

Mr Davies advised that he was not an EA Representative, and the minutes were amended to reflect his membership as an MMO Appointee.

**Members Resolved to sign the minutes as a true record of the meeting.**

**Proposed: Cllr Cox**

**Seconded: Mr Garnett**

**All Agreed**

### **EIFCA16/76 Item 5: Matters Arising**

EIFCA16/59 SHRIMP BYELAW 2016 Members were advised this would be discussed under a later agenda item.

EIFCA16/57 WASH COCKLE FISHERY: Members were advised the initial TAC had been exhausted, however following consultation with fishers and NE the decision had been taken to extend the fishery by permitting an additional TAC on a specified sand for a period of 4 weeks. The industry had taken the decision not to continue to pursue the extension due to the level of spat on the sand in question.

EIFCA16/63 MARINE PIONEER PROJECT: At the previous meeting members had agreed in principle to being part of the project but reserved final judgement until more information was available. The members view had also been participation was only an option if full funding was provided.

The ACEO had been provided with further information which indicated the project had a far broader scope than had initially been envisaged, in conjunction with DSIFCA and AIFCA concerns about this had been expressed to Defra, at which time it was again reiterated that full funding would be required and revised figures for the project cost were submitted.

It was the ACEOs belief that it was now unlikely IFCA's would be the lead Authority for this project, but the MMO would take on the role which would also mean a complete change to the expectations of the project.

Mr Worrall felt this was potentially a very big and far reaching project which would need a large budget, and with no set time frame it was potentially open ended, with this in mind he would be worried to take on such a large project.

EIFCA16/67 MARINE PROTECTION QUARTERLY REPORTS: The ACEO provided an update on Bass. A meeting had taken place with MMO, Defra and Recreational Angling representatives at which it was noted that new draft measures would be announced in December. The ACEO believed this may mean a complete prohibition for commercial fishermen other than those using rod and line. It was proposed recreational fishers would have a bag limit of 10 fish/month however the ACEO did not believe this was enforceable. As these were only draft proposals EIFCA would be providing feedback to Defra.

Mr Pinborough believed the proposals would be watered down before they were put in to action and the end result would be much the same as were in force for 2016, but it would be December before the final outcome was known.

### **EIFCA16/77 Item 6: Health & Safety Risks**

As part of the H&S Policy all EIFCA management meetings, including the Statutory Meetings, have an update of the H&S Risks included on the Agenda.

During the previous quarter there had been 4 reportable incidents none of which were major incidents. All four incidents had been addressed and any necessary action taken.

The Risk table showed most of the identified risks were moving in the right direction with only one remaining in the red zone, this was still ongoing with the management team actively taking steps to address it.

Member were advised that Ann Hacon, the H&S consultant from NCC had spent a day onboard RV Three Counties during which a risk assessment of the vessel was completed, the outcome of which was very positive.

Members Agreed to Note the report

### **EIFCA16/78 Item 7: Finance & Personnel Sub-Committee Meeting held 19<sup>th</sup> October 2016**

**HR:** The Head of Finance advised members that whilst the bi-annual employee engagement survey results appeared to show a backward step in engagement with staff the feedback received from the course organisers was positive and they felt for such a small number of staff this outcome was expected. However, the Management team would be taking steps to address the highlighted issues.

**FINANCE:** A meeting had taken place with finance directors from the three county councils which had been extremely positive. The key area of discussion had been moving forward and future expenditure, with this in mind the directors had been reasonably keen for EIFCA to continue developing reserves to cover the purchase of future assets.

### **EIFCA16/79 Item 8: Permit Byelaw Update**

The Staff Officer advised members there had been a slight change of direction since the introduction of the Emergency Whelk Byelaw.

Whilst developing the permanent byelaw a broader look had resulted in the development of a permitting byelaw. The principle being a one permit approach for many species.

The key difference between this and a traditional byelaw being the separation between prohibition and permission. Following scrutiny by Defra legal they were not convinced there was enough clarity in the new approach and were therefore not willing to accept it, which meant EIFCA had to act quickly to establish an alternative byelaw. Fortunately, this was put before the minister and consent received to coincide with the expiry of the extended period for the Emergency Byelaw.

Going forward this would mean the Shrimp Byelaw would need to be written in a similar style to that of the Whelk Byelaw, as clear direction had now been given.

The ACEO was frustrated that it had not been possible to adopt an innovative approach and that two sets of scrutiny, MMO and Defra, had to be gone through which differed in opinion, before a byelaw could be adopted. He had raised the matter with AIFCA and he felt the process needed to be revised to allow more innovation and efficiency.

**Members Agreed to note the report.**

#### **EIFCA16/80 Item 9: Shrimp Byelaw 2016 Update**

The Staff Officer reminded members that EIFCA had to put in place measures to protect the WNNCEMS from damage by shrimp fishing. Consequently a byelaw had been made in April, however this now required remaking to overcome the issues encountered with the permitting byelaw.

In addition to this there were issues with the implementation of spatial areas. Defra had raised concerns with the Regulated Areas Byelaw which meant there was now no mechanism in place to address the closure of spatial areas.

The Staff Officer advised there were two methods of limiting effort in the interim, one being limiting the number of permits and the number of days they could be used to fish and the other being to issue as many permits as were requested until a certain level of fishing had been achieved, at which point there could be a limit put on the number of tows per month. These options would be considered at a R&C sub-committee in December.

Currently there was a draft drawn up of areas to close following consultation with fishers.

The Staff Officer advised that the introduction of IVMS would make applying the threshold method much easier and would assist the shrimp accreditation project as it would complement the project and make protecting habitats easier.

Members were advised that the current level of fishing aimed at the shrimp fishery was below the maximum that could be allowed.

Mr Fairman questioned how long the shrimp season lasted, Mr Williamson advised that the fishery continued all year but peaked in Sept-Dec with a slump during Spring/Summer although it would vary on a yearly basis.

## **EIFCA16/81 Item 10 : Inshore Vessel Monitoring System**

The ACEO advised members that vessels over 12m were already required to be fitted with VMS, and discussion regarding under 10m vessels had been ongoing for several years.

There had now been progress in that three 'type approved' units had been developed which would be commercially available. With this in mind it was hoped that the EMF funding stream could be used to secure between 80/90% of the purchase of these units to enable all under 12m vessels to be fitted with IVMS. In the initial roll out the remaining cost would be met by IFCA's, subsequent costs would have to be met by the industry.

The ACEO advised the use rate was still to be established but it was expected to be a very modest/low cost to the user

IFCA Chief Officers believed IVMS should be a national approach and were making the case that it would have benefits across the board, for fisheries management, MPA management, monitoring and control, compliance and marine planning. It was therefore hoped there would be support for a national approach, if this was not achieved each IFCA would have to put it in place themselves.

Mr Pinborough questioned whether there was a timescale for this, and whether there was sufficient time to get the funding, he also questioned how it would effect vessels from outside the district.

The ACEO advised that for an SI to be put in place would take 2 years, however it was hoped funding could be secured in advance of the SI. Visiting vessels would need to have IVMS of an approved category onboard their vessel in order to fish within EIFCA district.

Cllr Turner enquired whether the industry had been involved in discussion on the use of these units, to which the ACEO advised the matter had not been formally discussed.

Mr Garnett advised that currently over 12m vessels were fitted with VMS systems, which pole once every 2 hours when working in specific areas but were not applicable to shrimp and cockle fishing, how would this be addressed? The ACEO advised there had been assurance that VMS would work as IVMS.

Members spent time discussing signal reliability and any network sim cards as well as the practicality of IVMS on small open beach boats which would be subject to weather and theft.

Data security was also questioned but the ACEO advised data would not be shared and any analysis would use aggregated data.

**Members Agreed to Note the report and Resolved to Agree in principle to the introduction of IVMS on all under 12m fishing vessels through the Eastern IFCA District, subject to national developments and further analysis of local requirements.**

**Proposed: Cllr Turner**

**Seconded: Mr Worrall**

**With 2 votes against and no abstentions the motion was carried.**

### **EIFCA16/82 Item 11: EIFCA Constitution and Disclosable Pecuniary Interests**

Following the annual review of the Constitution in April there remained an outstanding issue, concerning the Localism Act, which was carried forward until further information had been gathered.

The Staff Officer had established there were two outstanding issues relating to the Register of Interests and the ability to vote.

Firstly, it was necessary for ALL pecuniary interests to be disclosed and secondly those members who had disclosed an interest would not be able to vote or take part in discussion. However, the make-up of the Authority was such that it would be necessary for members with pecuniary interests to be able to take part in discussion, therefore it would be necessary to grant them dispensations under Section 33 of the Localism Act.

This will require a written application from the member following by formal consideration by the authority. Any agreed dispensation would be valid for 4 years.

**Members Resolved to Agree to the new model for recording Disclosable Pecuniary Interests and the granting of dispensation under s.33 of the Localism Act 2011.**

**Members also Agreed to direct officers to undertake a consultation on Disclosable Pecuniary interests.**

**Proposed: Mr Worrall**

**Seconded: Cllr Byatt**

**All Agreed**

### **EIFCA16/83 Item 12: Annual Report 2015/16**

In addition to the 5 year Business Plan the Authority also produce an Annual Report. The Report for 2015/16 financial year had been compiled, following the format of previous years, and members were asked to approve the report in order that it could be published and forwarded to the Minister.

**Members Resolved to Approve the content of the report and to Direct the ACEO to publish the report and distribute it to Defra.**

**Proposed: Mr Worrall**

**Seconded: Cllr Cox**

**All Agreed**

### **EICA16/84 Item 13: Payments made and monies received during the period July 2016 to Oct 2016**

Members were advised there were no particularly notable items of expenditure during the quarter and at this point in the year the expenditure was as was expected.

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

#### **EIFCA16/84 Item 14: Quarterly Management Accounts**

The Quarterly Accounts gave an overview of expenditure to date compared to annual budget. At this point expenditure to date was less than anticipated largely due to the continued secondment of the CEO, but also in part due to the reduced insurance premium which had been negotiated. Some saving had been achieved in the vessel budget following one of the vessels being out of action for a while, and the rent on the moorings having been reduced more quickly than anticipated.

Mr Shaul questioned what would happen when staffing levels were reassessed, the Head of Finance advised that there had already been temporary measures in place and discussions would take place to ascertain what steps should be taken now but it was anticipated the current working arrangements would remain in place until the end of the current financial year.

Cllr Byatt, congratulated the Head of Finance for the reduction in insurance costs and queried the lack of refund for the Mineral Oil Rebate. The Head of Finance advised, the system had been automated for the first time this year and was obviously experiencing teething problems, however, he had resubmitted the claim and hoped it would be received shortly.

**Members Agreed to note the Management Accounts.**

#### **EIFCA16/85 Item 15: Members Resolved that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for item 16 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Scheduled 12A of the Act.**

**Proposed: Cllr Fairman  
Seconded: Mr Pinborough  
All Agreed**

#### **EIFCA16/86 Item 16: Cross-Warranting**

The ACEO advised that although the matter had been dealt with by Officers he felt it appropriate to formally advise members of the issues which had been encountered with IFCO warrants as a result of new legislation.

In march 2015 the new legislation came into force which revoked all others, unfortunately it also revoked the legislation which gave IFCOs the powers to enforce some regulations, other than byelaws. The revocation was an oversight by Defra so to overcome the matter the MMO cross warranted IFCOs under MACAA. The intention was for this to be a temporary measure until the SI could be reinstated. Over time the collaborative working powers were extended to allow additional powers however, there was some concern with regard to legal risk so the extended powers were revoked.

At this point advice was taken from the MMO QC the outcome of which was that it was acceptable to continue with the original cross warranted powers. In order to completely clarify the position Defra have agreed to redraft the SI as a matter of urgency. Until that comes into force EIFCA IFCOs would continue to work under the MMO cross warrants.

### **EIFCA16/87 Item 17: Community Voice Project update**

Members were reminded that previously the decision had been taken to participate in the Community Voice Project in order to inform the future management of MPAs.

Up to this point filming had taken place of interested parties from which the common ground had been established. And views of marine management throughout the district were recorded.

The project had reached the stage of holding workshops in each of the three counties to view the compiled film and discuss the common issues.

Each workshop would take place over two evenings with a maximum of 30 people at each one. Members were invited to attend if they wished.

### **EIFCA16/88 Item 18: Quarterly progress against annual Priorities**

Members were advised that with the exception of biosecurity risks all priorities were progressing as planned.

Members Agreed to note the report

### **EIFCA16/89 Item 19: Marine Protection Quarterly Reports**

**Members Agreed to note the report**

### **EIFCA16/90 Item 20: Marine Environment Quarterly Reports**

**Members Agreed to note the report.**

### **EIFCA16/91 Item 21: Update of HR Activity**

**Members Agreed to note the report.**

### **EIFCA16/92 Item 22: Defra Correspondence**

**Members Agreed to note the report**

### **EIFCA16/71 Item 19: Any Other Business**

**FUTURE MEETING DATES:** Normally the meetings dates for the next years meetings would be provided at this meeting however as attempts were being made to arrange a meeting to take place at Sutton Bridge to allow members to view the new moorings and the vessels the meeting dates would be circulated later in the month.

**RESIGNATION OF CEO:** Cllr Turner commented on the announcement of the resignation of the CEO. Cllr Turner had been part of the rigorous recruitment process which Phil Haslam had handled well and with humour. Cllr Turner felt as a CEO Phil had been firm but fair and did an extremely good job. Cllr Turner had very much enjoyed working with Phil and wished to thank him very much and wish him good luck.

All members were in agreement.

There being no other business the meeting closed at 1218 hours.