

## 35<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 on Wednesday 30<sup>th</sup> January 2019 at 1030 hours.

### Members Present:

Cllr T Goldson	(Chair)	Suffolk County Council
Cllr Paul Skinner	(Vice Chair)	Lincolnshire County Council
Shane Bagley		MMO Appointee
Roy Brewster		MMO Appointee
Cllr M Chenery of Horsbrugh		Norfolk County Council
Cllr D Collis		Norfolk County Council
Cllr P Coupland		Lincolnshire County Council
Tania Davey		MMO Appointee
John Davies		MMO Appointee
Cllr T FitzPatrick		Norfolk County Council
Paul Garnett		MMO Appointee
Rob Spray		MMO Appointee
Keith Shaul		MMO Appointee
Cllr M Vigo Di Gallodoro		Suffolk County Council
Stephen Worrall		MMO Appointee

### Eastern IFCA (EIFCA) Officers Present:

Andrew Bakewell	Head of Finance and HR
Luke Godwin	Senior IFCO - Regulation
Julian Gregory	Chief Executive Officer (CEO) & Clerk
Ron Jessop	Senior Marine Science Officer
Elise Quinn	Marine Science Officer
Judith Stoutt	Senior Marine Science Officer
Stephen Thompson	Marine Science Officer

### Minute Taker:

Jodi Hammond

### EIFCA19/01 Item 1: Welcome

The Chair welcomed members to the meeting.

### EIFCA19/02 Item 2: Apologies for Absence

Apologies for Absence were received from Ms Moffat (NE), and Messrs Hirst (EA), Bolt, Tyack, Warner and Williamson (MMO Appointees).

### **EIFCA19/03 Item 3: Declarations of Members Interest**

The CEO advised members that a document had been circulated which related to the agenda of the meeting stating which members had relevant declarations of pecuniary interests and their ability to vote. A similar document would be circulated for each meeting to provide clarity, but members should still declare any new interests. Members were advised that in general where a member had an interest they are able to contribute to discussion but not vote and where commercial fishing members did not have an interest in a specific fishery they could both participate in discussions and vote.

### **EIFCA19/04 Item 4: Minutes of the 34<sup>th</sup> EIFCA Meeting, held on 7<sup>th</sup> November 2018**

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

**Proposed: Cllr Collis**

**Seconded: Mr Worrall**

**All agreed**

### **EIFCA19/05 Item 5: Matters Arising**

EIFCA18/65 IVMS PROJECT UPDATE: The CEO advised the project funding issue had been resolved and that the MMO would be the applicant for funding. IFCA's remained as project partners.

### **EIFCA19/06 Item 6: Health & Safety Risks**

The Senior Marine Science Officer (Research) provided members with an update of the current H&S risks and mitigation.

During the previous quarter there had been three minor incidents. One involved an IFCO slipping while cleaning a RIB which resulted in bruising. The second incident occurred when one of the vessels props was fouled resulting in the Lifeboat assisting the vessel to return to port. The third incident involved water ingress into part of a vessels wiring system which had to be rectified.

The Head of Operations had attended a training course and was able to take on the role of Fire Officer for the office and Unit A.

It was intended that all Officers would complete an online H&S course, but this had been delayed due to an IT issue.

Lack of a suitable server to download data had resulted in the use of Bodycams being delayed.

Members were advised staff had taken part in a Wellbeing Survey, compiled by NCC, the results of which would be circulated at a future meeting.

Cllr FitzPatrick enquired whether EIFCA were involved with Investors in People, the CEO advised it had been in the past, but a decision had been made to withdraw as it was not considered appropriate.

**Members Agreed to Note the report.**

#### **EIFCA19/07 Item 7: Finance & Personnel sub-committee – 16<sup>th</sup> January 2019**

The Head of Finance & HR provided members with a summary of the items discussed during the meeting.

In addition, the CEO elaborated further on the process to date regarding the procurement of a replacement Research Vessel. Officers had gone through the tender process for suitable candidates to oversee the design and build of the vessel. This process had highlighted build costs would be in excess of that anticipated. As a result of this, Officers were looking at alternative procurement options and reviewing working practices in order to be more streamlined.

The CEO remained optimistic that it would still be possible for EIFCA to replace the current vessel within the available budget, with this in mind, he had looked at vessels being used by other IFCAs and had identified it may be possible to refit a second-hand vessel, such as those used by windfarms, to meet the IFCAs needs.

Cllr Collis noticed the shift from designing a new vessel to purchasing second hand and queried the flexibility in this method as he believed a decision had not yet been made whether to go for a mono hull or catamaran design. He suggested it may be necessary to call an additional F&P sub-Committee to discuss the matter and to keep progress going forward.

The CEO advised that it had now been concluded that a catamaran was the preferred option. He felt it more prudent to get a clear proposal ready prior to taking anything further to the sub-committee. At this time the proximity to a scheduled meeting would be considered and a meeting arranged if necessary.

Mr Shaul felt the only route was to go for a Catamaran as it would give the best flexibility with regards to where the vessel could operate.

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

#### **EIFCA19/08 Item 8: Provisional budget for 2019/20 and provisional forecast for 2019/2024**

Having been discussed and approved by the Finance & Personnel Sub-committee this matter was now put to the full authority for approval in order for Levy requests to be sent to the three County Councils.

The Head of Finance & HR advised members that the movement of suggested surplus to reserves would be subject to reality once the expenditure for 2018/2019 was known.

The provisional forecast figures had been set out to show the possible affect on reserves if New Burden funding was not forthcoming, effectively reserves would be depleted during the financial year 2021/2022, providing the new vessel was funded using the anticipated £1.5m

Cllr Collis noted the resale value of the vessel being replaced had not been taken into account. The CEO advised that this was because the value would depend on market demand at the time, and it was best not to speculate on a complete unknown.

The Chair noted there were several anomalies in the current months with regard to New Burden funding and Brexit. The CEO advised that the Association of IFCA's were well engaged with Defra on the subject of ongoing funding.

**Members Resolved to Approve the Budget for the period 1<sup>st</sup> April 2019 to 31<sup>st</sup> March 2020.**

**Proposed: Mr Bagley**

**Seconded: Cllr FitzPatrick**

**All Agreed**

**Members Agreed to note the Provisional Forecast of Estimates for the period 1<sup>st</sup> April 2020 to 31<sup>st</sup> March 2024.**

**EIFCA19/09 Item 9: Finance Officers Report on payments made and monies received during the period October 2018 to January 2019**

The paper provided the quarterly report to members detailing what had been spent and received during the previous 3 months.

The slightly higher than expected expenditure under the General Expenditure heading was as a result of the IT support for 2018/2019 amounting to £25,200 having been paid during month 7.

Enforcement expenditure was slightly raised due to the purchase of Body worn Cameras for enforcement officers.

Income included the sale of the RIB Conchita and Lay Rents received, which would ultimately be forwarded to the Crown Estate Commissioners.

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

**EIFCA19/10 Item 10: Finance Officers Quarterly Management Accounts**

The quarterly report indicated a slight overspend at the end of the third quarter, this was due to timing of purchases and some unanticipated expenditure.

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

**EIFCA19/11 Item 11: Shrimp fishery management (Marine Protected Areas Byelaw 2018 and Shrimp Permit Byelaw 2018)**

Members were reminded that previously the process had been undertaken to establish two new byelaws, part of which had been the formal consultation process. At the last Authority meeting the decision had been made to amend the proposed byelaws by removing two closed areas, removing the requirement for veil nets and amending the provisions relating to I-VMS. Re-consultation was required on the Shrimp Permit Byelaw 2018 as one amendment relating to electronic monitoring devices was substantially different to the original consultation as it changed the use of such devices from 'only when shrimp fishing' to 'when fishing at all times'.

The MPA Byelaw 2018 had been submitted to the MMO for formal QA without two of the proposed closed areas, so as to prevent further delay of the protective effect of the other proposed restricted areas.

The requirement regarding the use of veil nets had been removed because it was not overtly clear that it was required within the Habitat Regulation Assessment for the fishery within the MPA. The two closed areas had been removed for the same reason. Advice had now been received from Natural England which effectively provided the rationale to re-introduce the two closed areas and the requirement for veil nets. On the latter, the CEO advised that this have a limited effect on the industry as only 8 vessels currently did not require veil nets, however 5 of these 8 had chosen to use them so it would only impact three vessels.

With regard to the use of iVMS it was felt the requirement to have such a system installed should be a requirement of both Cat 1 and Cat 2 permits, however, it was suggested that it should not be required for Cat 2 permits until iVMS became a national requirement. The basis for this was that the roll-out of iVMS units may not cater for vessels that would apply for a Cat 2 permit for a year or two.

Mr Brewster explained to members the difficulties he had recently experience with the vessel monitoring system installed on his vessel and the fact that it had taken almost a month to have the issue resolved, which was both costly in terms of repair but would have been costly in terms of loss of fishing opportunity if the problem had not occurred over the Christmas period. The CEO advised that for the system being proposed there would be three different device types available with the intention that it would be a low-cost option for vessels under 12m in length, with a contract in place stating what

happens if the device fails, companies would be required to have spare parts available.

It was also noted that in the event of breakdowns Officers would work towards a pragmatic solution to ensure the right balance, allowing vessels to get to sea and make a living when a device failed.

Mr Brewster remained concerned about the use of these devices on small vessels as they would encounter significant wear and tear as well as being subjected to water damage.

Mr Garnett expressed concern that not enforcing the use of iVMS for Category 2 permits may open a loophole for larger vessels to exploit. The CEO acknowledged this was a possibility but advised a policy would be written in conjunction with Category 2 permits.

Ms Davey queried whether the delay in enforcing electronic devices for Cat 2 permits would affect data collection. The CEO advised the pathfinder project would be underway within the next couple of months, Cat1 permits would apply to the whole of the WNNCSAC, whilst Cat 2 permits applied outside the Wash where very little shrimping took place.

Cllr FitzPatrick noted the second round of consultation had not received much response and queried whether relevant parties had been targeted. The Senior IFCO advised those who had responded to the first round of consultation had been spoken to directly.

Mr Davies queried what would happen in the event of losing gear and needing to get to sea to reset pots etc if the unit had failed, as it would be too costly not to be able to go back out to sea. The CEO accepted there was much to take on board with regard to the use of iVMS but the policy was still to be written and measures put in place for contacting the office out of hours, as well as advising fishers. The important thing would be to let Officers know as soon as a problem occurred.

The Senior IFCO advised that the national regulation was in development and suggested the Authority give the CEO delegated authority to amend the Shrimp Permit Byelaw wording to reflect the national approach.

The CEO had received email correspondence from Mr Williamson, who was unable to attend the meeting, this was read to members. Regarding the size of nets members discussed this and whether or not measurement was of the inside or outside of the 'shoe'. It was felt the measurement should be 'inside', this would be reflected in the change of wording.

#### **Having discussed the matter in depth Members Resolved to:**

- **Note the consideration of restricted areas 32 and 33 and the requirement for all shrimp fishing vessels to use separator trawls or sorting grids (veil nets) including advice from Natural England.**

- **Agree to implement restricts area 32 and 33 in the next iteration of the Marine Protected Areas Byelaw.**
- **Agree to introduce the Shrimp Permit Condition to require all shrimp fishing vessels to use separator trawls or sorting grids.**
- **Note the summary of responses to the re-consultation of the Shrimp Permit Byelaw 2018 and the amended Impact Assessment.**
- **Agree in principle to Introduce the Shrimp Permit Condition to require electronic monitoring devices.**
- **Agree to delegate authority to the CEO to make a final decision as to whether electronic monitoring devices should be implemented through a provision of the Shrimp Permit Byelaw 2018 or as permit conditions issued under the same byelaw having sought advice on the matter.**

**Proposed: Cllr Skinner**

**Seconded: Cllr Chenery or Horsbrugh**

**All Agreed**

**Agree to delegate authority to the CEO to amend the wording of the electronic monitoring device requirement in either the Byelaw or permit condition in accordance with advice received to take account of the national requirements and to determine whether they should apply to Category 2 permits.**

**Proposed: Cllr Collis**

**Seconded: Cllr Chenery of Horbrugh**

**All Agreed**

## **EIFCA19/12 Item 12: Wash Shellfish Survey Methodology**

SMSO Jessop provided a presentation regarding the research he had undertaken to ensure current sampling procedures met best value for money.

Surveys had always been carried out to a very good standard but with the advent of 50% cost recovery it was felt there was a need to ensure they were good value and not too much data gathering was taking place which would affect the cost.

A study was carried out into whether it was possible to reduce the areas sampled, the number of samples taken, distance between sample sites, reducing the number of crew, alternative technologies etc, with confidence in the surveys considered if any of these parameters were changed.

Members considered the various options for reducing costs which had been trialled and it became apparent that the integrity of the data set would be lost in most of the proposed scenarios. It was however, felt some small tweaking could be done which would reduce the number of survey days involved.

Members also took into account whether this would affect information provided to other bodies, information used to inform lay application decisions and whether it would lead to over/underestimation of TACs and closed areas for protection of juveniles.

Use of drones was also considered but due to the regulations in place this would involve taking the vessel to sea anyway and as it would take longer to analyse the footage then to analyse sample results it was felt this would not create any financial saving.

**Members Resolved to:**

- **Note the contents of the paper**
- **Note officers had already successfully trialled surveying some mussel beds that were close to each other on the same day, resulting in a saving of 3 days of sea time**
- **Direct officers to implement the following low-risk options to the survey regime:**
  - **Remove 342 sample stations from the cockle survey regime where no cockles had been found during the previous 10 annual surveys.**
  - **Align 418 cockle sample stations that were surveyed at a higher resolution to the same resolution used through the rest of the site, allowing a saving of a 102 stations.**
  - **Reduce the survey frequency on five of the smaller mussel beds to biennial rather than annual surveys.**
- **Direct officers to further explore the option of reducing cockle survey station resolution across the whole site and report back their findings, including assessment of the associated risks.**

**Proposed: Mr Worrall**

**Seconded: Cllr Collis**

**All Agreed**

**EIFCA19/13 Item 13: Wash Fishery Order licence fees**

Members were reminded that a previous decision had been made to recoup 50% cost recovery for managing the WFO 1992. The first incremental increase to this effect was scheduled to take place in April 2019. The original cost for a handwork licence being £330, with a proposed initial increase to £678.

Further investigation had resulted in the proposal of a new licence fee model which would distribute costs associated with managing the fishery fairly.

It had been identified that if a fishery was not opened there would be no enforcement costs, however the survey costs would still have been incurred. With this in mind the fees had been divided between survey costs and delivery costs. Survey costs would include costs associated with the surveying, whilst delivery costs would include the costs associated with compliance, production of HRAs and administration of licences. Limitation of the model being that unless

a full complement of licences was taken out for a fishery it would not be possible to recoup 50% of the delivery costs. The proposal for this model involved an increase in fees for 2020/2021 to represent  $\frac{3}{4}$  of the 50% cost recovery with the full amount being applied from April 2021 onwards. Therefore, a WFO licence in 2020/21 would be £568.31 + the cost of endorsements relevant to the fishery being pursued, which would rise to £757.75 + endorsement costs from April 2021 onwards.

Members queried the proposed models and the need to pay for the surveys even in years when there was no fishery, which the CEO advised was the case as currently the cost was being met from the public purse, for a fishery which had exclusive access for 62 fishing vessels. Because of the designations of the site it was necessary to carry out a survey to enable a fishery to ensure no impact on the site.

It was felt the increased cost could prove prohibitive for some fishermen and it was questioned whether an analysis of the burden on small vessels had been carried out. The Senior IFCO advised there were very few vessels which were not capable of carrying 2 tonnes, and during years of low TAC the price was usually high per tonne, he felt the increase of £700/£800 per year was a small percentage of the overall earnings, he believed there had been very few years in the past when it would not have been viable. The CEO added that to apply different costing to small vessels would require a regulatory change to ensure they only landed 1 tonne and the vessel owners may not want that restriction applied to them.

Mr Shaul queried why a dredge endorsement was so much more expensive than a handwork one, this was due to the higher cost of compliance work involved.

**Having thoroughly discussed the proposals members Agreed to:**

- **Note the amended costs associated with WFO fisheries management set out in Appendix 1.**
- **Note the implementation of the first incremental increase of WFO Licence Fees as of the 1<sup>st</sup> April 2019**

**Members further Resolved to agree in principle to implement the new licence fee model set out in Appendix 2 as of 1<sup>st</sup> April 2020 pending provision of further legal advice and consultation with Defra and Licence holders as required.**

**Proposed: Cllr Skinner**

**Seconded: Cllr FitzPatrick**

**2 members voted against the resolution but all others who were able to vote were in favour.**

**EIFCA19/14 Item 14: Wash Fishery – slipper limpet removal**

Members were given a brief presentation on the history of slipper limpets in the Wash and the current findings. The presentation advised that generally this species does not have a big impact on fisheries however, in large densities they can have an effect.

It had been noted that larger densities were present on the Roger/Toft sand. It was therefore proposed that a clear up project be undertaken to reduce levels and minimise the risk.

The proposal would involve the use of 1 or 2 fishing vessels to handwork the slipper limpets prior to back raking the sediment to smother the cleared areas before spawning took place in May. The removed slipper limpets would be disposed of using a licence waste contractor. In order to carry out this work members were asked to approve the use of WFO Funds to cover costs of the removal as well as further monitoring and management of this species. This would include work to establish a baseline survey followed by post management surveys to establish how effective the clear up had been, followed by 5 annual surveys to establish the success of the project and the recovery rate of the species.

Mr Bagley advised that lays in this area had also been subject to increased numbers of slipper limpets but following the lay being dredged the previous year there were no further signs of them, he suggested it may be prudent to dredge the area in question. It was felt there was no scientific evidence as to whether dredging was beneficial and there was also concern that dredging could split the chains which would encourage greater growth.

The SMSO Jessop advised that once established this species is impossible to get rid of, whilst they are not currently seen in great numbers through the district the stock levels would definitely increase over time, which was why it was felt necessary to treat this small problem area in an attempt to fend off the day when they became a bigger problem.

Members considered the proposal as well as discussing the spawning and preferred habitat types of this species.

**Members Resolved to:**

- **Note from the content of the report that while slipper limpets had been present in the Wash in low densities for at least 20 years, a small high-density population was identified in 2018 near the Toft lays which had the potential to breed and spread faster than low-density populations to the detriment of the Regulated Fishery.**
- **Note that the proposed management would not eradicate slipper limpets from The Wash, but it was hoped to slow down their rate of spread and diminish the impact on the Regulated Fishery.**
- **Agree that the proposed monitoring, clear up and disposal of slipper limpets was undertaken as outlined in the paper.**

- **Approve the use of resources from the WFO 1992 fund for the proposed plan to survey the affected area, remove the slipper limpets from the high-density site identified near the Toft lays and for their disposal ashore.**
- **Agree to officers not enforcing Regulation 8 (Mussels: minimum size) for the purpose of carrying out the proposed activity.**
- **Delegate authority to the CEO to approve expenditure once accurate costings were known.**

**Proposed: Cllr Chenery of Horsbrugh**

**Seconded: Cllr Vigo Di Gallidoro**

**All Agreed**

## **EIFCA19/15 Item 15 – Eastern IFCA / MMO Collaboration**

The CEO summarised the content of the associated paper and Members were asked to consider the possibility of continuing to develop collaborative working with the MMO.

**Members resolved to:**

**Note the content of the report.**

**Agree that officers should progress closer collaborative working with the MMO as identified in the report.**

**Proposed: Cllr Vigo Di Gallidoro**

**Seconded: Cllr FitzPatrick**

**All Agreed**

## **EIFCA19/16 Item 16 – CEO Update**

It was noted the Defra 4 yearly report on the progress of IFCAs had been conducted and the work of IFCAs had been complemented.

Referring to the Fisheries Bill, members discussed the impact of discard bans and what should be done with the fish as they cannot be legally landed or returned to the sea. The CEO advised they can be landed but not for direct human consumption, however they still need to be taken off the quota. The CEO believed the Fisheries Bill to be an enabling framework for fisheries management in the future.

Members were advised that an IFCA evaluation had been commissioned by Defra following the four-year review. This had been a very quick tender process and at this point the object of the evaluation was not known.

Referring to the Spending Review 2019 members were advised allocation of New Burden funding to IFCAs was from Spending Review monies. The current round of funding was due to expire in March 2020. Under the current spending review Defra were exploring further funding streams, this progress had been slowed due to work on the EU Exit, however AIFCA had taken the opportunity to apply for additional funding for IFCAs. The process was ongoing.

The CEO further advised members that it had been suggested that the current New Burden doctrine had a 10 year limit which IFCAs which would expire in 2021.

Referring to Operation Blake the CEO advised that the project remained ongoing, although no meetings had taken place since June a bid had been submitted for an ongoing sampling regime for a two-year period.

Members were advised Lord Pickles had invited the CEO to take part in a Parliamentary Review, this would consist of a series of

independent publications providing a summary of the past year. The cost to be part of the review was £2,700, which members were advised would get the IFCA into the spotlight on a national level which met with the objective to be seen and heard.

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

#### **EIFCA19/17 Item 17 – Quarterly progress against Business Plan priorities**

Normally included as an Information Item the CEO had moved this to Action Items as he felt members may wish to comment as it was essentially their opportunity to hold the CEO to account.

Mr Shaul requested more information on the Cromer Shoal MCZ, the CEO advised current evidence suggested whilst previously potting was not thought to be a problem evidence now suggested that potting may have an impact upon protruding chalk bed. He advised stakeholders would be contacted once further work had clarified the position.

Ms Davey felt this was a useful paper but would like the opportunity for more detailed discussion. The CEO advised members can always phone and ask for more detail. He acknowledged the authority did not have working groups, but the sub-committees took part of the work load from the full authority to carry out the work on its behalf. This raised the question of whether members wished to be engaged in developmental work.

Mr Spray highlighted the demise of the MPA sub-committee as decisions needed to be made at full authority, but this did not always allow full discussion and timing of statutory meetings could be too late for the item in question.

Members discussed the inherent risks and benefits of working groups rather than the structure currently employed by EIFCA. The Chair requested the CEO comeback to the full authority with options / suggestions for the future.

**Members Agreed to note the content of the report and that it should be included as an Action Item on future Agendas**

#### **EIFCA19/18 Item 18 – Marine Protection Quarterly Reports**

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

**EIFCA19/19 Item 21 – Marine Science Quarterly Report**

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

**EIFCA19/20 Item 22 - Association of IFCA Minutes**

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

There being no other business the meeting closed at 1332hours.