

## 8th 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 30<sup>th</sup> January 2013 at 1030 hours.

### Members Present:

Cllr Ken Sale	Chair	Suffolk County Council
Shane Bagley		MMO Appointee
Roy Brewster		MMO Appointee
Cllr Hilary Cox	Vice-Chair	Norfolk County Council
Dr Stephen Bolt		MMO Appointee
Cllr Michael Chenery of Horsburgh		Norfolk County Council
Conor Donnelly		Natural England
Cllr Tony Goldson		Suffolk County Council
Paul Garnett		MMO Appointee
Roger Handford		Environment Agency
Cllr Brian Hannah		Norfolk County Council
Neil Lake		MMO Appointee
Ceri Morgan		MMO Appointee
Tom Pinborough		MMO Appointee
Rob Spray		MMO Appointee
John Stipetic		MMO Appointee
Cllr Tony Turner MBE JP		Lincolnshire County Council
Stephen Worrall		MMO Appointee

### Eastern IFCA (EIFCA) Officers Present:

Philip Haslam	Chief Executive Officer (CEO)
Olle Akesson	Research Officer / IFCO
Jason Byrne	Area IFCO
Sandra Cowper	Marine Environment Officer – GIS
Ian Dye	Area IFCO
Nichola Freer	Head of Human Resources (HR)
Julian Gregory	Head of Marine Protection (HOMP)
Eden Hannam	Head of Marine Conservation
Christine Hurley	Head of Finance
Simon Lee	Skipper / IFCO
Judith Stoutt	Senior Marine Conservation Officer

### Clerk:

Mary Clancy

### EIFCA13/1 Item 1: Welcome by the Chair

The Chair welcomed Robbie Fisher (Defra), Joanna Messini (Defra) and Ewen Bell (Cefas) to the meeting. They would all be providing presentations during the course of the meeting.

**EIFCA13/2 Item 2: Apologies for Absence**

Apologies for absence were received from Messrs Peter Barham and Koen Vanstaen (MMO Appointees) and Cllr Williams (Lincolnshire County Council).

**EIFCA13/3 Item 3: Declarations of Members Interest**

No Declarations of Interest were presented.

**EIFCA13/4 Item 4: Minutes of the 7<sup>th</sup> EIFCA Meeting, held on 31<sup>st</sup> October 2012**

Members agreed to accept the minutes as a true record of proceedings.

**Proposed:** Cllr Tony Goldson

**Seconded:** Stephen Worrall

**EIFCA13/5 Item 5: Matters Arising**

EIFCA12/93 Review of the Authority's Standing Orders

d) The CEO advised that the paper regarding the current restriction on members' eligibility for the offices of Chair and Vice Chair of the Authority was still being compiled. It would be distributed to members prior to the end of the current Chairman's term of office.

e) Members were advised the new Access to Information Policy was still in its formative stage. Once regional statutory bodies had fully understood the process and published guidelines the CEO would ensure that EIFCA follows their lead. Further information will be provided for members once it is available.

EIFCA12/97 EIFCA Derogation Process

c) The CEO had reviewed the impact on resources and the requirement to levy a charge for completing the derogation process. It was recommended that there was no driver for change and that the status quo should be maintained. If the weight of effort to service requests for derogations becomes unsupportable, the recommendation will be reviewed.

**EIFCA13/6 Item 6: Finance & Personnel Sub-Committees held on 6<sup>th</sup> December 2012 and 16<sup>th</sup> January 2013**

HR Matters: Work on the organisational structure and salary review, which were a direct result of transition from ESFJC to EIFCA, had been completed and implemented.

**Members Agreed to note the paper.**

**EIFCA13/7 Item 7: Provisional budget for 2013/2014 and to note the provisional forecast for 2014/2017**

The Provisional Budget for 2013/2014 recommended by the Finance and Personnel sub-committee was presented for approval. It was highlighted that the budget had achieved the mandated 25% reduction in base levy, requested by the constituent funding authorities at EIFCA inception, a year ahead of schedule. The Head of Finance was confident this position could be maintained for the following year.

Members were asked to note the Provisional Forecast for 2014/2017. In addition there was a requirement to agree that MMO Appointees be entitled to expenses and allowances.

Tom Pinborough queried whether EIFCA would come under pressure to make further cuts now that the 25% reduction had been achieved. The CEO advised the 25% reduction was a direct result of the 2010 spending review. There was no guarantee that future spending reviews would not highlight further requirement to make savings, however, he had met with the Heads of Finance of the constituent County Councils and was confident they were now aware of the role of EIFCA and he could put forward a good case that the Authority represented value for money. The level of future funding represents a key strategic risk to the Authority and will need to be tracked closely if the current IFCA model is to be supported and enabled through appropriate and consistent funding.

New Burden Funding was a further concern as the current provision will end in at the end of financial year 2014/15. The issue has been tabled with Defra who are considering their position and mechanisms to sustain current funding. The Association of IFCAs is leading the discussions and members will be kept fully abreast of developments.

John Stipetic questioned whether the CEO had investigated the possibility of reclaimed MMO Appointees expenses back from the MMO. The CEO advised that reimbursement of expenses was within EIFCAs gift, therefore it is a choice to make the payment and it is not possible to ask for reimbursement. If the situation arose that there was insufficient funds to make these payments then a review would take place.

**Members agreed to:**

- **approve the Provisional Estimates for the period 1st April 2013 to 31<sup>st</sup> March 2014**
- **to note the Provisional Forecast of Estimates for the period 1st April 2014 to 31st March 2017.**
- **Marine Management Organisation Appointees be entitled to expenses and allowances as required by Article 15 of the Eastern Inshore Fisheries and Conservation Order 2010.**

**Proposed:** John Stipetic

**Seconded:** Cllr Tony Goldson

**EIFCA13/8**

**Item 8: Payments made and monies received during the period 13<sup>th</sup> October 2012 to 18<sup>th</sup> January 2013**

**Members Resolved to accept the report on payments made amounting to £202,879.65 and monies received amounting to £49,126.50.**

**Proposed:** Stephen Bolt

**Seconded:** Ceri Morgan

**EIFCA13/9**

**Item 9: Management Accounts for the period 1<sup>st</sup> April 2012 to 31<sup>st</sup> December 2012**

Accumulative accounts for the nine month period were produced to provide comparison to projected figures. The underspend is caused by EIFCA being in the formative stages in terms of personnel employment and vessel operations. This would be mitigated by award of back pay at the end of January 2013 driven by the result of the salary review. Other savings accrued were a result of the decision not to outsource services for Communications & Development, a reduction in IT support fees and lack of projected expenditure on inshore VMS units.

The CEO highlighted that the savings were all for distinct reasons, not because the Authority was over resourced. He added that once the Authority was running at its full gamut of staff and vessels the balance sheet would provide a better reflection of the cost of operating as EIFCA.

**Members Agreed to note the report.**

**EIFCA13/10 Item 10: Replacement Enforcement Vessel**

The Vessel Working Group had been charged with reviewing the EIFCA sea-going assets. The initial phase of this identified a need to sell the fisheries protection vessel, *ESF Protector III*, as it was becoming increasingly expensive to maintain, a perception that enforcement requirements were changing and a need to accrue 25% savings on base levy budget.

The Head of Marine Protection (HOMP) outlined a capability based, objective review of all EIFCA sea going assets. The parameters used to construct the options were:

- Affordability – capital investment and cost of ownership
- Flexibility – in terms of crewing, vessel draught, operational employment
- Sustainability – prudent future-proofing where possible
- Utility – operability, adaptability and agility throughout the entire district

The three categories of vessels within the scope of the budget were as follows:

Mother/Daughter configurations whilst affordable were considered unsustainable in personnel resource terms in the future.

Open RIBs were not sustainable for long periods at sea, IT equipment would not be operable in inclement weather, consequently they had a restricted capability.

Cabin RIBs were considered sustainable, operationally they could meet all the Authority's requirements and could put to sea with less crew than a mother/daughter combination and affordable enough for the Authority to purchase two, with one being moored in Suffolk and the other in Norfolk, therefore making the entire district accessible.

John Stipetic questioned whether cabin RIBs were capable of getting close enough inshore to drop crew on to beaches or sandbanks. It is assessed that with an appropriate boarding ladder this would be achievable.

Having received the paper and considered the information provided both the HOMP and Simon Lee were thanked for the work involved.

**Members resolved to:**

- **Agree that a cabin RIB, or hybrid thereof, is adopted as the preferred option.**
- **Agree that a Vessel Procurement Panel is established comprising Chair of the Authority, Chair of the Finance & Personnel sub-committee, CEO and Head of Marine Protection.**
- **Agree that the Vessel Procurement Panel is authorised to oversee and approve the procurement of an enforcement vessel utilising the most appropriate methodology in accordance with relevant procurement legislation and the Authority's Financial Regulations.**
- **Agree that a second vessel will be operated but that any decision on the long term future of any interim vessel is taken at a later date by the Vessel Procurement Panel, when more information is available (e.g. detail of vessel purchased, suitability for the role etc.).**

**Proposed:** Neil Lake

**Seconded:** Ceri Morgan

**EIFCA13/11 Item 11: Change of approach to management of fisheries in European Marine Sites in England – Presentation by Robbie Fisher (Defra)**

Members were advised that Defra had revised their policy approach to national responsibilities regarding European Marine Sites (EMS), as detailed in Article 6 of the Habitats Directive and Birds Directive. The revised approach to the implementation of fisheries management measures would apply to both Special Areas of Conservation (SACs) and Special Protected Areas (SPAs). Defra requires that measures are drawn up and enacted by December 2103 and it falls to all IFCA's to take such action as necessary to achieve statutory measures within this timeframe. Failure to comply will introduce the risk of infraction from the EU with the potential for the associated financial liabilities to be lodged with constituent councils.

The presentation worked through the process beginning with the formation of an Implementation Group, and detailed how a traffic light system had been applied to highlight protected areas considered to be most at risk from fishing activities. Sites coloured red were priorities with appropriate action being required by the end of 2013, whilst those either amber or green would need to be addressed by 2016.

Defra intended to work alongside other bodies and as such would be holding workshops with MMO and IFCA's to get everyone working together. There was also the possibility that funding may be available for IFCA's to purchase equipment, if it was required to comply with the legislation.

The next steps for EIFCA would be to carry out detailed analysis then decide what action to take, Defra were confident that with EIFCA's good working relationship with stakeholders a compromise could be made to meet local needs and protect the sites.

Connor Donnelly advised that NE were already putting a project plan together to deal with Red sites and would provide whatever support

EIFCA needed. He acknowledged that sites would cross the 6nm boundary and it would be necessary to work with MMO.

Cllr Tony Turner asked the CEO to advise what was expected of the Authority and how its resources would be used. The CEO responded that there would be a need to quantify and understand a feature and the potential damage that could be caused, then take appropriate protective action to ensure compliance and avoid repercussions. Defra's presumption was that measures would be statutory and precautionary in nature.

Mr Morgan enquired how regularly Appropriate Assessments would be needed for each fishery and was advised the intention implement manage measurements as early as possible to negate the need for Appropriate Assessments.

Tom Pinborough was concerned about the timeframe, if the 'Red' sites needed a byelaw in place by December 2013 it did not leave a great deal of time for consideration and consultation. He also questioned how the system worked for sites which extended outside the Authority's district. Members were advised that for such areas the MMO would be responsible for a byelaw which would apply to the whole of the site, however management measures would be consistent with similar byelaws within the district.

Other infrastructures affecting the seabed, such as power stations, windfarms and dredging sites were discussed and the question was raised whether EIFCA could reclaim costs incurred when responding to consultations of this nature. Whilst Robbie Fisher could not provide an answer he agreed to ask Defra for guidance on cost recovery.

Mr Lake expressed concern at what he considered was the 'indecent haste' that the process was taking, he did not feel the industry would be properly consulted. He raised a concern about protection of sabellaria beds, whether the closed area would be geographically fixed or would the feature be monitored and move as the species moved. Robbie Fisher was aware of the time constraints but felt EIFCA were best placed to know the local needs. He also advised that whilst it was necessary to ensure a feature was sufficiently protected it was not necessary to 'protect every worm in the Wash'.

**EIFCA13/12 Item 12: Eastern Region crab and lobster stock assessment - Presentation by Ewen Bell (CEFAS) and Joanna Messini (Defra)**

The Marine Strategy Framework states that the crab and lobster stocks must be sustainably managed by 2016. Cefas therefore, needed to determine whether the stocks were in a viable condition and whether they were being fished in a sustainable manner. Cefas had been monitoring the stocks as part of an ongoing programme, but had not previously published the results, which was why they had taken the opportunity to present their data so far, on crab and lobster stock assessments as well as advising how they would be providing 2 page summary sheets containing all the information.

The presentation focused on sustainability of stock. The definition of sustainable was explained as, "if there were mature animals in the stock and these were happily reproducing then it was sustainable".

Essentially if the MLS of shellfish was larger than the size at which they first spawn then the fishery was sustainable. Also shellfish have a high survival rate when returned to the sea, making catch and return of those below MLS less of a concern. However to achieve a Maximum Sustainable Yield there needed to be a healthy level of parent stock, so it was necessary to calculate the maximum fishing level to allow the Maximum Sustainable Yield.

Unfortunately the data for EIFCA's region is incomplete therefore assessments will be made on data up to 2010/2011 until better biological data is available. It was hoped Cefas could work in conjunction with EIFCA to investigate more accurate landing data

Having got the impression that stocks were not in a good condition Tom Pinborough asked whether there was any evidence that hatcheries, such as the one at Padstow, were making a significant difference. He was advised that there was to be a conference in the near future to assess whether the hatchery was having any real affect, but it was believed that the numbers being released were unlikely to be making a notable difference.

Tom further questioned how often Cefas would like to see a lobster spawn before it was caught, and was advised that the biomass of spawning animals was taken into account, not the number of times is had spawned.

Cllr Hilary Cox enquired whether data had been included for large lobsters taken off reefs, rather than those which come inshore to be caught. The response was that if they don't know about the data it cannot be taken into account, if the data is not registered or recorded it cant be managed, however, if reliable evidence is available then the data could be incorporated.

The CEO questioned whether any evidence, of positive or negative effects of renewable energy sites had been found. Newcastle University were carrying out a project of this nature, the results may provide information on whether the effects of new habitats were positive or negative and whether they provided a haven for larger stock to spawn.

The CEO expressed his thanks for the presentation and acknowledged EIFCA would need to consult with industry to address the issue of insufficient data.

#### **EIFCA13/13 Item 14: Eastern IFCA Corporate planning**

The CEO reminded members that the Authority has a duty to plan and report annually up to and including the Secretary of State. For any plan to meaning it must be part of a wider strategic plan to deliver either a vision or a defined end state. A corporate plan was described that set out an enduring centre of gravity to give a defining reason for all activity, the decisive conditions that must be set, the supporting effects that characterise the decisive conditions and the lines of operation to produce a direction of travel. Using this mechanism would ensure that the activities and tasks detailed in the annual plans would be nested within a wider context and shaped to deliver the final outcomes. It would also ensure that nugatory activity is identified and discounted.

Executive and Senior officers had been fully engaged in the development stages as it is considered essential to generate the appropriate ownership of the plan.

The subsequent action is to devise a measurement system to indicate progress.

**Members Resolved to:**

- **Agree the direction of travel and outcomes of the corporate planning.**
- **Agree to the timescale to produce the 2013/14 Annual plans.**
- **Agree to delegate final signature of the Annual plan to the Chairman of the Planning and Communication Sub-Committee.**

**Proposed:** Tom Pinborough

**Seconded:** Brian Hannah

**EIFCA13/14 Item 15: Marine Conservation Zones**

Members were advised that Defra have published a document setting out sites for this year, those for future years and those not going forward.

In the initial phase EIFCA only had one MCZ in their district, sited in the Stour & Orwell rivers. It was anticipated that there would be others in future years.

The current need was to focus on communication, to develop appropriate management measures. The Authority need to form a firm opinion on their recommendations and would need to be confident of the evidence underpinning those recommendations.

It was also noted that whilst Defra had removed reference areas from the initial phase this was likely to be reviewed.

**Members Resolved to direct Authority officers to:**

- **Publish on the Authority's website a statement of broad support for the designation of Marine Conservation Zones, also acknowledging the need for development of appropriate management measures that are sensitive to local needs of sea users;**
- **Provide detailed comments on Defra's MCZ consultation, in relation to the feature and fishing activity evidence underpinning the designation, as well as policy and operational implications for the Authority; and**
- **Engage with affected stakeholders, where necessary to improve evidence on site features and fishing activity, and in any case to provide transparency and encourage stakeholder engagement in the development of any necessary management measures.**

**Proposed:** Cllr Tony Turner

**Seconded:** Stephen Worrall

**EIFCA13/15 Item 16: Meeting of the Marine Protected Area Sub-Committee held on 6<sup>th</sup> December 2012**

The meeting had been held to discuss the outcome of the mussel fishery research. 19 beds had been surveyed, the outcome of which was that there was insufficient adult stock to support an adult fishery.

However, there was potential for a seed fishery, consequently the industry were consulted for their views on opening dates etc.

The review of lay consents had been completed and was forward to NE for consideration, they had requested some further information which had been provided and their response was awaited.

Concerns were raised with regard to fishing practices during the cockle fishery. These would be put to the Regulation & Compliance sub-committee for their consideration whilst reviewing the byelaws.

**Members agreed to note the paper**

**EIFCA13/16 Item 17: Dates and locations of planned Community Engagement meetings**

Members were asked to note the dates and pass the information on to interested parties. The meetings would be attended by representatives from MMO, Cefas, NE and other organisations and would provide an opportunity for stakeholders to speak directly to them.

**Members agreed to note the paper**

**EIFCA13/17 Item 18: Association of Inshore Fisheries & Conservation Authorities**

Dr Stephen Bolt (CEO of AIFCA) updated members on the Association's activities during the last quarter. He advised that the Association had been promoting the work of IFCAs by engaging at a national level with all influential bodies. Questions had also been raised as to future funding and what steps had been put in place once New Burden Funding ended in 2014.

The Association was ensuring IFCAs were represented with initiatives going forward to ensure there was a two way flow of information and that IFCAs were taken on board and recognised as the lead regulator. Letters had been sent to the Minister, articles published in high profile publications and the Association website was being improved to provide a 'shop front' for IFCAs.

**EIFCA13/18 Item 19: Date of Next Statutory Meeting**

Members were advised that the date of the Statutory Meeting in April clashed with the purdah period leading up to local Council elections which would constrain the ability of the Authority to take executive decisions at the April meeting. With this in mind, and taking into account the timeframe for Councils to advise of any revisions to membership of the Authority the CEO suggested the first suitable date would be 5<sup>th</sup> June. All business from the April meeting, such as election of Chair, Vice-Chair would be postponed until this meeting.

There was some concern whether this would slow down the byelaw making process associated with managing fisheries within EMS. It was explained that this presented an opportunity more than a threat to allow sufficient time to draft the byelaws and then a relatively short period for them to be aired twice at successive Authority meeting in June and July.

The Chair advised that he would not be standing for re-election and his term of office would finish at the end of March.

**Members Resolved to agree to the exceptional movement of the 2013 quarterly meeting from 24 April, to 5 June 2013.**

**Proposed:** Cllr Tony Turner

**Seconded:** John Stipetic

**EIFCA13/19 Item 20: Corporate Communication**

Following the Authority's request, at the meeting held in July 2012, a Benchmarking survey had been carried out to establish how well the EIFCA and its work were known.

The Mackman Group were engaged to carry out the survey which was completed through a series of interviews carried out face to face or by emails, phone and post. A total of 528 interviews took place of which 298 were directed to schools within the district, only 1 of which responded. Of the remaining interviews there was a 95% response rate.

The results showed that 57% of the region knew and understood the work of EIFCA with the Recreational Sea Anglers being the most aware while Conservation/Survey bodies were the least aware.

Across the counties Norfolk were best informed, with Suffolk close behind whilst only 37% of residents in Lincolnshire were aware of EIFCA.

Methods of communication were also considered and whilst the majority of those who responded preferred electronic newsletters, the commercial fishing industry much preferred a paper copy, so the CEO felt it best to continue with both options.

The outcome of the survey would shape the Community Engagement Plan for 2013, and it was felt foremost on the plan should be to promote EIFCA in local schools, starting with those along the coast. There were also plans in place to have an EIFCA visible footprint at county shows and other relevant local events. In order to promote a professional image the CEO felt it was necessary to ensure there was suitable display infrastructure available, he therefore requested the member's approval to investigate options for display equipment for discussion at the next Planning & Communication sub-committee.

Referring to displays at the county shows Cllr Tony Turner very much hoped EIFCA would be able to attend the 2013 show, and suggested that LCC might be able to accommodate them in the area allocated to them.

Cllr Hilary Cox agreed with approaching schools as they would be the next generation who need to understand the role of EIFCA.

**Members Resolved to:**

- **agree to the recommendations of the awareness survey and direct that they be reflected in the corporate communications plan for 2013**
- **Agree to delegate final signature of the corporate communications plan to the Chair of the Planning and Communications Sub-Committee.**
- **Agree that officers deliver options for the procurement of display infrastructure to the next meeting of the Planning and Communications Sub-Committee.**

**Proposed:** Rob Spray  
**Seconded:** Roger Handford

**EIFCA13/20 Item 21: Marine Protection Quarterly Reports**

These items were included for information only, no matters were raised.

**EIFCA13/21 Item 22: Marine Environment Quarterly Reports**

These items were included for information only, no matters were raised.

*The meeting paused at 1300 hrs for lunch and reconvened at 1330 hrs.*

**EIFCA13/22 Item 13: Marine Planning for the East of England** – Presentation by Russell Gadbury (Defra)

Russel Gadbury gave a presentation advising on how far marine plans have progressed from their initial stage.

There were 11 Marine Planning Areas, which would equate to 10 Marine Plans. These were being produced on behalf of the Secretary of State. Offshore areas extended out to 200 miles from the coastline, whilst Inshore areas extended to the 12 mile limit.

The Eastern area took into account offshore wind energy, conservation, aggregate extraction, tourism and port fishing.

In order to ensure all parties were kept up to date a variety of workshops, drop in sessions and one to one meetings had taken place, encompassing both national and international bodies. To back up the meetings newsletters both electronic and paper had been circulated, up to date information was posted on the website, and a Marine Planning portal was accessible by all. A 3D model had also been constructed to give a visual guide to the complexity of the plans.

All plans needed to be produced by 2021. Draft plans were with Government for comment, after which they would be revised to take account of comments made, it was anticipated they would be circulated for consultation shortly after Easter 2013. This would be a 12 week consultation period, followed by further revision, depending on the feedback received. The intention was that the plans would be adopted by the end of 2013.

The advice to the Authority was to become familiar with the Marine Policy Statement (MPS) and look at current decision making processes to ensure they were in line with the MPS. It was hoped that rather than adding additional burden to EIFCA some of the decision making could be done on the back of decisions already being made.

Members raised questions re contact with MEPs, why recreational boat users could not input information and whether the plans were intended to limit the level of activity in certain areas.

It was explained that the plans were there to identify where resources / assets exist then it was for relevant bodies to provide evidence which showed what efforts had been made to avoid or minimise displacement.

**EIFCA13/23: Item 23: Any Other Business**

Spring Reception: The CEO reminded members that if there were any stakeholders they wished to invite to the Spring Reception the closing date for advising the office was Friday 1<sup>st</sup> February.

Bright Ideas Form: The form was available on the website, if anyone had ideas they would like EIFCA to consider in their work plan the forms needed to be completed and returned by end of February 2013.

Crab & Lobster Fishery: Kevin Jones (Jonas Seafoods) seated in the public area, advised that he fully endorsed the crab & lobster assessment and would like to be consulted. He also hoped that when giving permission for dredging and windfarm sites the MMO, Defra and EIFCA could consider the pressure being placed on the local crab and lobster fisheries.

EMS / MCZs: Steven Williamson (Lynn Shellfish) seated in the public area, expressed his opinion that the commercial fishing sector felt it was a very prejudiced point of view being put forward by the EU, and he believed it was only the tip of the iceberg. He questioned what would happen if Britain was to leave the EU, would the laws be removed, and if the UK fishing fleet had already been decimated would our fish quota be given to other countries. He requested the Authority conscientiously support their local fishing industry.

There being no other business the meeting closed at 1405 hours.