

11th 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 30th October 2013 at 1030 hours.

Members Present:

Cllr Hilary Cox	Chair	Norfolk County Council
Shane Bagley		MMO Appointee
Stephen Bolt		MMO Appointee
Roy Brewster		MMO Appointee
Conor Donnelly		Natural England
Cllr Richard Fairman		Lincolnshire County Council
Paul Garnett		MMO Appointee
Cllr Tony Goldson		Suffolk County Council
Neil Lake		MMO Appointee
Ceri Morgan		MMO Appointee
Cllr Keith Patience		Suffolk County Council
Tom Pinborough		MMO Appointee
Rob Spray		MMO Appointee
John Stipetic		MMO
Cllr Tony Turner MBE JP	Vice-Chair	Lincolnshire County Council
Cllr Margaret Wilkinson		Norfolk County Council
Stephen Worrall		MMO Appointee

Eastern IFCA (EIFCA) Officers Present:

Philip Haslam	Chief Executive Officer (CEO)
Nichola Freer	Head of HR
Luke Godwin	Marine Environment Officer - Data
Julian Gregory	Head of Marine Protection
Eden Hannam	Head of Marine Conservation
Christine Hurley	Head of Finance
Ron Jessop	Senior Research Officer
Dawn Reeve	Admin/Procurement Officer

Other Bodies Represented:

David Johnson	Nplaw – Norfolk County Council
Stacey Meyer	MMO
Barry Smart	MMO
Emma Thorpe	Natural England

Minute Taker:

Jodi Hammond

EIFCA13/70 Item 1: Welcome by the Chairman

The Chair welcomed members and the meeting began at 1030 hours.

EIFCA13/71 Item 2: Apologies for Absence

Apologies for absence were received from Messrs Barham and Vanstaen (MMO Appointees), Mr Handford (EA Representative) and Cllr Baker (Norfolk County Council).

EIFCA13/72 Item 3: Declarations of Members Interest

No addition Declarations of Interests were noted, only confirmation of those already held by the Clerk.

EIFCA13/73 Item 4: Duties & Responsibilities of Authority members

Mr David Johnson, solicitor and member of a combined corporate law firm who advise Norfolk County Council, attended the meeting to provide a presentation to members. He provided members with a background to the law and governance within in which they, as members of EIFCA, carry out their activities.

Following the presentation the Chair thanked Mr Johnson for attending and added that she hoped members now realised that EIFCA were an authority with many stakeholders and as members they must look at the wider view. Decisions may not always be agreeable to an individual but they must deliver what is best for the Authority.

It was agreed a copy of the presentation would be forwarded to all Authority Members.

EIFCA13/74 Item 5: Minutes of the 10th EIFCA Meeting, held on 31st July 2013

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

EIFCA13/75 Item 6: Matters Arising

13/57 MEMBERS TRAINING: This matter had been dealt with through the presentation given by David Johnson.

EIFCA13/76 Item 7: Health & Safety Risks and Mitigation

The main objective of the CEO at this time was to minimise risk. All policies and procedures had been put in place and all staff had received training at their relevant level.

Residual risks included the moorings at Sutton Bridge, whilst steps had been taken to ensure that safe systems of work were in place, there remained the concern that the moorings were continuing to deteriorate. Members were advised that negotiations were taking place in an attempt to have the moorings renewed but there was an on-going legal debate which was preventing this, investigations were also being made into finding suitable replacement moorings in the event of the current ones becoming too dangerous.

A further risk which needed addressing was 'lone working'. The current situation was that if an officer had to work alone at night they notify the duty officer of the time they went on duty, advise when they expected to be finished and then ring in again to confirm they had safely concluded their activity. This has risks attached to it as sometimes the phone signal is not operating or they may become separated from the

phone and find themselves in a difficult situation. To avoid such scenarios an electronic system using an alarm, buzzer and microphone, which provided an end to end support system, was being investigated. Members were asked to consider this system and decide whether or not they supported the introduction of it.

Members agreed to note the report and approve the introduction of electronic support for lone working operations.

EIFCA13/77 Item 8: Meeting of the Regulatory & Compliance sub-committee held on 18th September 2013

Members were advised of the content of the meeting and noted that the Gentlemen's agreement with regard to the shore launched fishing zone in North Norfolk was being monitored. The draft flexible closed areas byelaw for regulation of activity in European Marine Sites had been approved. This had been done in such a way to allow an innovative flexible approach using Regulatory Notices to introduce agility to the management of protected areas. As this was a new approach it was still being considered by Defra's legal team, however, the byelaw had been advertised and was in the 28 day consultation period which would conclude on 11th November. The next sub-committee meeting to discuss this was scheduled for 28th November.

Members Agreed to note the report

EIFCA13/78 Item 9: Meeting of the Finance & Personnel sub-committee held on 17th October 2013

HR Matters: Members were updated on the decisions made following the announcement that the Head of Finance would be retiring at the end of 2013. It had been decided to replace with 'like for like', following advertisement of this post and the interview process the vacancy had been accepted by Mr Andrew Bakewell who would be starting on 13th November, allowing a 6 week hand over period. The Revised recruitment process and an update to the HR plan to 2015 had also been discussed during the meeting.

Post meeting note: Mr Bakewell's start date has been revised to 20 Nov 13.

FINANCE Matters: The Preliminary budget for 2014/2015, based on figures to date for this financial year was considered by the committee. The proposal was a standstill budget. Following the meeting the Heads of Finance at the three county councils had met with the CEO and Head of Finance and all had intimated that this would be acceptable. The CEO requested that all councillors please thank their county representative for attending this meeting.

Forecasts for 2015-2018 were also considered, the purpose of these being to highlight any unusual expenditure expected during this time. Inevitably some elements remain unknown including such things as employers pension contributions, and changes to NI rates during these years.

Members also noted the audit had been completed with no issues to be considered.

Office accommodation was also considered. Noting the current space was no longer able to provide the required amount of desk and storage space. Having considered options the CEO was asked to prepare a report comparing expanding into neighbouring offices or moving to bespoke premises. Members of the full authority considered the length of the remaining lease and implications of moving early but it was also felt there was merit to purchasing a suitable space which would provide an asset. Councillor Turner felt a move should be made sooner rather than later and suggested public loans or European funding should be looked into.

A mobile office to allow more consultation with stakeholders was considered and it was agreed investigations should be made in to borrowing or hiring a suitable trailer.

New Burden Funding was noted to be a concern for the forecast years. Defra have been advised their funding is to be reduced and as yet there has been no indication of how this will be achieved. Dr Bolt advised that AIFCA had written to Defra and the Minister, unfortunately, there had since been a change of minister which had inevitably slowed the response process. However a meeting was arranged for 8th Jan for the new incumbent to meet with IFCA representatives.

Members Agreed to note the report.

EIFCA13/79 Item 10: Wash Fisheries Individual Quotas discussion paper

The CEO gave a brief resumé of the current process for opening a shellfish fishery. This involves the surveying of the beds to assess the overall stock levels from which a TAC for the fishery is calculated, an opening date is set, the landings are monitored by weekly return forms and once the TAC has been exhausted the fishery is closed. The CEO has been advised that this system leaves some fishermen at a disadvantage if they are ill or their vessel breaks down.

Consequently the question has been raised whether or not the TAC can be divided to allow individual quotas which would give them the option to decide when they fish depending on weather conditions and market forces. It would also mean the beds would be safer with less vessels working at the same time. However, there are also a number of points which could be considered unfavourable such as value being put on a quota, transshipping, tensions and rivalries, to avoid these there would need to be a mechanism in place to link the quota to a vessel and more importantly there would need to be resources available to ensure the fishery could be enforced. The CEO advised that so far such a scheme was only supported by 20 entitlement holders, there remained a further 47 entitlement holders who had to be asked their opinion.

Mr Lake agreed the idea should be put out for consultation, he acknowledged there would be winners and losers but he hoped the final decision would be based on fairness and that those opposed to the scheme should be asked to explain why.

The CEO advised that there was a need to balance the needs of all concerned but also added that this may be an issue which would be better dealt with as part an overall review of the Wash Fishery Order.

Mr Stipetic advised that a similar scheme had been carried out by the MMO, initially the allocation had been to a vessel this had then

transferred to a licence and a lot of confusion had followed, he would be happy to provide advice if required.

Mr Garnett felt that if individual quotas were going to be issued it should be done by January to prevent de-stabilising the fisheries as in the past individual quotas have been based on track record which makes fishers more active than they have been in the past.

The CEO advised that in the results of the consultation were put to the January meeting it would not be in a position to make a decision on quotas but would provide the evidence as to whether or not the scheme was potentially viable.

Members agreed to note the report and instructed the CEO to conduct a consultation with all Entitlement holders to ascertain whether there was interest in investigating the proposal further. The result to be put the full authority meeting in January 2014.

EIFCA13/80 Item 11: Propagation of productive fishing grounds

EIFCA have a responsibility to develop and promote sustainable fisheries. With this in mind the CEO believed the mussel fisheries were in need of help with particular regard to the Gat Sand. Members were asked to consider working with the industry in pursuit of co-management of the fishery. He felt the Gat Sand needed rejuvenating but being a conservation area in would need to be done in conjunction with NE. He suggested the sand could be divided to provide a comparison area, then the sand could be cleaned off, examined for chemical imbalance then either seed could be bought in, consolidated from local areas or the area left for nature to take its course.

Mr Garnett was concerned that the CEO seemed to be looking at the Gat Sand as the extent of the mussel fishery when there are a lot more wild beds which could be rejuvenated instead of or as well as the Gat. Mr Donnelly agreed that historically the stock levels on the older beds were not increasing whilst the overall stock levels had shown an increase since 2009 so he believed there was some value in looking into other beds.

The CEO acknowledged there were other beds but the process had to start somewhere, if propagation worked it could be applied to other beds.

The HoMC advised that the work should be viewed as a pilot scheme which if it proves successful could be applied to other areas. The work would be a large resource commitment and the final decision on whether or not it could be done would be made by the R&C sub-committee when deciding on their work plan for 2014/2015.

Mr Donnelly advised that since the 2000's there was a much reduced mussel stock and establishing new beds is very rare. Rejuvenating existing beds is very important to protect the integrity of the bed, as once it is gone it is unlikely to come back. Work has been done in other areas which could help design the way of progressing this project. He also expressed concern around consolidation of stocks as it may affect the integrity of other beds.

Mr Lake felt option 1 was not viable as seed cannot be brought in from other areas, which raised the question of what size dredge should be used. The CEO advised the first step would be to come up with the most cost effective method of propagation so no detail could yet be decided on how and to take it forward.

Members Agreed to

- **Approve the proposed project for EIFCA/Natural England and the Industry to work jointly to re-generate the Gat Sand as a first step in re-establishing the viability of the Wash mussel fishery.**
- **Approve the proposal to investigate division of the Sand to promote both its status as a conservation resource and to enable its rejuvenation as a productive mussel bed.**
- **Direct the CEO to take forward planning to deliver this project taking on board all comments made, through the 2014-15 Research and Environment plan.**

EIFCA13/81 Item 12: Marine Conservation Zones - Update

The HoMC advised members that through tranche 1 of the process the Stour & Orwell had been identified as an MCZ, as a result EIFCA are in discussions with the MMO and NE to come up with the manner in which the site will be managed.

Mr Donnelly advised the MCZ process was different to the EMS process in that no timescale is specified and there is no set prescription around the standard of regulation to be used.

Members agreed to note the report

EIFCA13/82 Item 13: Annual Report 2012/2013

Members were provided with a draft of the report which the Chair of the Planning & Communication sub-committee had approved. Mr Worrall found the case studies very useful and felt they enhanced the report.

The CEO advised that work was already beginning on the 2013/2014 Annual Report, and as he is mandated to report back any complements or criticisms he requested that if any members had comments they would like included could they report them to him.

Members Agreed to accept the report.

EIFCA13/83 Item 14: Wash Fishery Order – Lay consents

Since 2008 there has been concern over whether the lays were having an impact on the cockle and mussel stocks in the Wash. Consequently a hold was put on issuing new lays until a food study was completed. Following this NE had recently advised the current lays were not having an impact on food levels.

Additionally the current lease agreement needs to be updated, the waiting list needs to be addressed, and the application process needs to be streamlined. Inevitably there is a significant amount of work in this review process, at the same time ensuring the full potential of the shellfish resources is achieved.

Members considered the current lay process and whether other areas could be made available with industry members expressing concern at the suggestion of putting a further hold on allocating new lay ground. Mr Garnett also felt consideration should be given to species other than mussels and oysters. The CEO assured members he did not intend to put another complete hold on allocating new lays, some of those on the

waiting list were already 80% of the way through the process, these would be completed then the process could be reviewed and applied to further requests. Mr Spray questioned whether areas outside the Wash had been considered for cultivation.

Luke Godwin advised that the current process involves assessing a proposed site, asking the Authority to approve a proposed site, this is then sent to NE for a Habitats Regulation Assessment. He felt it would be more effective to carry out the HR assessment in advance of the survey work as at times the work is done for NE to advise the site is not appropriate.

Mr Lake questioned if there was a maximum amount of the Wash which could be used for lays, to which the HoMC advised there were physical restraints which would have to be taken into consideration.

Ultimately it was felt the process needed better communication between the industry and EIFCA.

Members agreed to :

- **Receive Natural England's formal response with regards the WFO mussel lay review of consents.**
- **Note the three options for progressing this work.**
- **Agree to option 2 of the WFO mussel lay project options presented below which entails the following:**
 - **Immediately renew existing expired WFO shellfish lay leases using current lease agreement.**
 - **Update the WFO shellfish lay lease agreement.**
 - **Process partially completed applications on the waiting list using updated lease agreement.**
 - **Preserve the moratorium on new lay applications until a new apportionment and approval model has been approved.**
 - **Seek approval for new model of WFO mussel cultivation management.**
 - **Lift moratorium on new lay applications**
- **Agree to Option 3 of the 'WFO lay application process' to approve the process set out in Appendix 1.**
- **Direct the CEO to report on progress of the agreed option as per the timeframe presented with the options below.**

EIFCA13/84 Item 15: Research & Environment Plan – Progress and planning for 2014/2015

Members were updated on progress made through the 2013/2014 Research & Environment Plan and advised that consideration needed to be given to work projects for the 2014/2015 year, in order to receive requests for projects from stakeholders the HoMC was requesting consent to circulate the 'Bright Ideas' form.

Members agreed to:

- **note the progress and delays in delivering the 2013/14 Marine Environment and Research Plan.**
- **the circulation of 'Bright ideas' forms**

- **invite Officers to report back (for information) to the Authority at the end of January with the results of the bright ideas forms and possible synergistic working.**
- **confirm that final decisions on the plan will be made by the Planning and Communications Sub-Committee in-line with their delegation in February 2014.**

EIFCA13/85 Item 16: Eastern IFCA Data Strategy

Luke Godwin advised members that with the amount of data, information and evidence being collected and disseminated the need for a more efficient approach had been highlighted. The need for decisions to be based on sound science/data, making the need even more important. To address this a Data Strategy had been devised which members were asked to consider.

Mr Pinborough questioned whether there would be a standardisation across all IFCAs as to how data is recorded as currently there are big differences. He also felt there was some concern about how information is collected by IFCAs and the MMO as the figures provided by each organisation are, on occasion, very different which can create difficulties when feeding the information into stock management schemes.

Members Agreed to:

- **Receive Eastern IFCA's proposed Data Strategy.**
- **Approve Eastern IFCA's data vision.**
- **Approve the Data Strategy for implementation into Eastern IFCA's work.**
- **Direct the CEO to source external expertise to undertake a system restructure.**

EIFCA13/86 Item 17: North Norfolk FLAG and Inshore VMS

North Norfolk FLAG is a community group working with marine interests.

They are currently looking into how to support fishers with new technology. FLAG have indicated they would partner EIFCA in a small pilot plan for IVMS on the Norfolk Norfolk Coast. This would cover between 5-20 vessels with a contribution for EIFCA of approx. £8,000.

The CEO advised that EIFCA have money put aside to support the fishing industry with the introduction of IVMS, he also advised that there would potentially be pay monthly schemes to assist those who would find it difficult to purchase outright.

Members discussed the timing of the project but were advised that Defra had agreed to part fund the project providing the intent was in place by the end of the year, the money did not have to be spent until the spec for the units had been agreed. Concern as to whether the type of unit would benefit EIFCA was expressed but the CEO advised that the design would meet inshore needs.

Dr Bolt advised that further information about IVMS was available on the MMO website.

Mr Lake questioned whether those vessels over 15m which already have a box fitted would be expected to have a further box fitted. The CEO felt this may not be necessary however the cost implication of ping the satellite based boxes on the larger vessels may be a restraint.

Members Agreed to:

- **Note the work of the local North Norfolk FLAG**
- **Agree to support of the North Norfolk FLAG inshore Vessel Monitoring Systems (iVMS)**
- **Agree that the Chief Executive Officer can provide financial support to this project from the ear-marked reserve set aside for this purpose.**

EIFCA13/87 Item 18: Payments made and monies received during the period 20th July 2013 to 18th October 2013

Councillor Turner questioned what had incurred the legal fees, he was advised it was for advice received whilst developing the EMS byelaw. Members were also advised there would be further expense as the discussions between EIFCA and Defra legal team are on-going.

Members Resolved to accept the report on payments made amounting to £353,567.00 and monies received amount to £68,055.36

Proposed: Cllr Tony Turner

Seconded: Stephen Worrall

All Agreed

EIFCA13/88 Item 19: Quarterly Management Accounts

The Head of Finance presented members with accounts for the second quarter of the financial year and included actual figures alongside the projection for the quarter for comparison. Areas where savings or additional income had been incurred were highlighted and explained. It was noted that the expenditure was closer to the budget than it had been, at this stage, in the last three years.

Members Agreed to note the Management Accounts

EIFCA13/89 Item 20: Calendar of Meetings 2014

It was noted there was an additional full statutory meeting during 2014 to deal specifically with management of the cockle and mussel fisheries.

Members Agreed to approve the calendar of meetings for 2014.

EIFCA13/90 Item 21: CFP Reform update

John Stipetic provided an update on negotiations and implementation of the CFP Reform.

There was still a lot of work to be done to ensure a smooth changeover and Defra and the MMO would work with the industry to discover the best way to implement change.

EIFCA13/91 Item 22: Quarterly Progress against Annual Plans

This report was included for information only.

EIFCA13/92 Item 23: Marine Protection Quarterly Reports

Cllr Fairman referred to the report for Donna Nook to the Wash and questioned whether he had been right in his understanding that pumping sand on to the beach at Skegness was unsubstantial with regard to flood defences. Whilst this was not on the agenda as an item for discussion it was noted that there was a belief that this sand would be washed away unless a groyne system was in place and potentially could impact on the fisheries within the district. As the EA representative was not present Dr Bolt felt he should be asked to prepare a report as a future information item.

EIFCA13/93 Item 24: Marine Environment Quarterly Reports:

This report was included for information only.

EIFCA13/94 Item 25: Update of HR Activity

This report was included for information only.

EIFCA13/95 Item 26: Any Other Business

BONAMIA TESTING IN THE WASH: The CEO had received a request to test the mussels in the Wash for Bonamia, a disease affecting oysters but carried by mussels. As discussed earlier the mussel fishery in the Wash is not at its best level, the most viable seed is currently in the Thames where they have Bonamia, this prevents it being brought into our district. However, if we test for Bonamia and find it present it would be possible to bring this seed in, but it would also mean seed could not be taken out. Cefas had been contacted and they had assured the CEO that during other testing they would have detected Bonamia, however it has not been routinely tested for.

The CEO believed that long term stewardship should be the prime consideration and Cefas should be the arbitrator of what is tested for.

Mr Lake advised that in the past thousands of tonnes of seed had been brought into the Wash which cannot be done now, consequently the mussel growers had asked for this test. He believed that by adding to the stock on the Wash it would mean an increase in spat for the public beds. The CEO emphasised that it is illegal to import infected/potentially infected stock, he also expressed concern about damaging the long term cultivation of oysters in the Wash. Mr Donnelly also felt it should be remembered that the disease causing mortality in the cockles was potentially linked with stock brought in and these risks must be taken into consideration. Mr Garnett was also concerned about the oyster drill affecting stocks in the Thames at the present time, this primarily feeds on oysters but also targets mussels.

It was felt that it would be inconsiderate to put the current stocks at risk.

Members Agreed to note the contents of the paper, and that the Authority must consider the long term stewardship of the Wash fishery. It was also Agreed that Cefas would be the arbiter of testing regimes for Bonamia.

VESSEL PROCUREMENT UPDATE: This report was provided for information purposes.

COMMUNITY ENGAGEMENT MEETING DATES: Members agreed to note the report.

There being no other business the meeting closed at 1335 hours.