

# 10th 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 31<sup>st</sup> July 2013 at 1030 hours.

## Members Present:

Cllr Hilary Cox	Vice-Chair	Norfolk County Council
Shane Bagley		MMO Appointee
Peter Barham		MMO Appointee
Roy Brewster		MMO Appointee
Conor Donnelly		Natural England
Cllr Richard Fairman		Lincolnshire County Council
Paul Garnett		MMO Appointee
Roger Handford		Environment Agency
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		Lincolnshire County Council
Koen Vanstaen		MMO Appointee
Cllr Margaret Wilkinson		Norfolk County Council
Stephen Worrall		MMO Appointee

## Eastern IFCA (EIFCA) Officers Present:

Philip Haslam	Chief Executive Officer (CEO)
Luke Godwin	Marine Environment Officer - Data
Eden Hannam	Head of Marine Conservation
Christine Hurley	Head of Finance
Ron Jessop	Senior Research Officer
Lucy Ritchie	Community Development Officer
Robin Strigner	Research Officer
James Taylor	Engineer / IFCO

## Other Bodies Represented:

Ruth Barber	MMO
Jane Birch	Suffolk County Council
Russel Gadbury	MMO
Dave Linpenny	Cefas
Roger Mason	MMO
Stacey Meyer	MMO
Siri Taylor	Argus Productions
Emma Thorpe	Natural England

## Minute Taker:

Jodi Hammond

**EIFCA13/50 Item 1: Welcome by the CEO**

The CEO welcomed the new elected members and each member introduced themselves and briefly explained their background. Members were advised that Siri Taylor, a film maker with Argus Productions would be filming the meeting as part of a film being made for educational purposes.

**EIFCA13/51 Item 2: Apologies for Absence**

Apologies for absence were received from Dr Bolt (MMO Appointee) and Cllrs Baker (Norfolk County Council) and Goldson (Suffolk County Council).

**EIFCA13/52 Item 3: Declarations of Members Interest**

In addition to the Declarations of Interest already held by the Clerk, Neil Lake advised he was a Brancaster Common Rights Holder.

**EIFCA13/53 Item 4: Election of Authority Chair/Vice Chair**

One nomination had been received for the position of Chair of the Authority, no other nominations were made.

**It was Resolved that Councillor Hilary Cox be appointed as Chair of the Authority.**

**Proposed:** Tony Turner

**Seconded:** Peter Barham

**All Agreed**

One nomination was received for the position of Vice Chair.

**It was Resolved that Councillor Tony Turner be appointed as vice-chair of the Authority.**

**Proposed:** Ceri Morgan

**Seconded:** Rob Spray

**All Agreed**

Having been elected as Chair, Hilary Cox spoke briefly to say she was proud to be Chair and believed the Authority could strive to move forward from strength to strength to the benefit of all involved.

**EIFCA13/54 Item 5: Minutes of the 9<sup>th</sup> EIFCA Meeting, held on 5<sup>th</sup> June 2013**

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

**EIFCA13/55 Item 6: Matters Arising**

13/31 PLANNING & COMMUNICATION SUB-COMMITTEE: Comments made regarding the Environment & Research Strategy and Plan have been acknowledged and once the final amendments have been made, both documents will be published on the website. Members were assured that the required outputs reflected in the Plan were being actively pursued.

13/32 COCKLE MORTALITY: A-typical mortality in cockles was debated and the direction from the Planning and Communications Sub

Committee was that it was not to be accommodated in the current year's workload. The CEO was also directed to identify alternative methods of funding this work. A cost recovery mechanism was preferred and this proposal was offered to the Industry. The overwhelming response from the Industry was that they would not wish to fund any monitoring activity. The matter was closed for the 2013 cockle season and would be reconsidered in plans or 2014-15.

13/34 BAIT DIGGING IN THE STOUR & ORWELL: EIFCA officers were working in partnership with other relevant organisations with the hope of reinvigorating the voluntary code of conduct already in place. If it was not possible to get this back in place the worst case scenario would be for more formal regulations to be put in place.

**EIFCA13/56 Item 7: Health & Safety Risks and Mitigation**

In an attempt to ensure the H&S culture within EIFCA is effective Norfolk County Council have been engaged to assess all aspects of H&S. All policies and procedures have been refreshed and revised. Training has been commissioned and will be complete by mid-September.

Members were alerted to two H&S risks namely, the moorings at Sutton Bridge and Whole Body Vibration as a result of operating FPV John Allen. Both issues were in hand and negotiations were underway with the new agents for the landlord of the moorings to drive them to fund repairs to extend the life of the barge.

**Members agreed to note the report.**

**EIFCA13/57 Item 8: Appointment of Members to the Authority's sub-committees**

Previously allocation to sub-committees had been through a process of volunteers called for in open session. With the additional duties and responsibilities placed upon the Authority by MaCAA 2009 it was proposed that to make the best use of the available expertise, and to achieve the right balance across the membership, it may be more useful to appoint members to the most appropriate sub-committee. The CEO stressed that the proposed sub committee membership as reflected in the paper was not the final solution but should be viewed as a starting point for the debate. In addition, as a means to assure performance an annual review of the effectiveness of sub-committees was proposed. In order to ensure a common baseline of understanding, a training package administered by Norfolk County Council for all members was also submitted for consideration.

The proposed membership of the Marine Protected Area sub-committee was questioned and both Tom Pinborough and Shane Bagley felt they should remain on this sub-committee but had not been included in the list of members. It was noted that in the past this sub-committee had been largely used as the forum to discuss matters relating to Wash Fishery Order business. With four members of the committee from the commercial fishing sector based in the Wash and the recent absence of other members, decision making was being hazarded. Similarly, there was a concern that some members sought to shape the debate to reflect personal interests rather than that which would be of benefit to the Eastern IFCA district. This prompted debate regarding the business

of the WFO and whether the delegated decision making for these matters should be rescinded and future consideration of WFO matters would be to the full authority. It was acknowledged that in order to discuss the opening of the cockle fishery it would necessitate an additional full authority meeting being held in June.

Additional discussion focused on attendance and whether the representative from the MMO, EA and NE could be expected to sit on all the sub-committees, as on occasion the decision making process has been complicated by member's non-attendance due to other commitments. The question as to whether they be able to send a non-voting representative if they were not able to attend was raised. It was felt that for these three members this would be permitted to ensure there was someone available at the meeting to give advice. Equally, any member receiving the papers and unable to attend but wishing to have their thoughts considered could forward them in writing to be considered at the meeting.

**Members Agreed to:**

- **the revised process of appointments.**
- **the proposed composition of the sub-committees with the exception of the MPA sub-Committee to which Shane Bagley and Tom Pinborough would be reinstated.**
- **that the effectiveness of sub-committees would be considered at the meeting in April.**
- **for a trial period of 1 year, decision making powers for matters relating to the Wash Fishery Order to be returned to the full authority and it was noted that an additional full meeting would be held in June, dates for next years' meeting would be considered in October.**
- **the training package should be administered with the first part taking place following the October Statutory meeting.**

**EIFCA13/58 Item 9: Signatories for the Authority's payments over £10,000**

The basic make up for who should be designated to sign for payments over £10,000 had been agreed at the previous meeting however it was still to be decided which elected member would be the designated member to sign when either the Chair or Vice Chair were not available.

**It was Resolved that Cllr Margaret Wilkinson be the designated member to act as signatory.**

**Proposed:** Hilary Cox

**Seconded:** Tony Turner

**All Agreed**

**EIFCA13/59 Item 10: Meeting of the Marine Protected Areas Sub-Committee held 5<sup>th</sup> June 2013**

At the meeting decisions had been made on how the cockle fishery would operate. It was agreed that the fishery would be handworked only, over a four day week dependant on tides, with a TAC of 3720 tonnes and although the 2012 year class would be protected there would be no temporary closure to allow growth of other year classes before they were exploited. It was also agreed the fishery would open at the earliest opportunity following the meeting on 5<sup>th</sup> June.

Despite these decisions having been made based on the results of a consultation process with all WFO Entitlement holders the opening of the fishery had brought about a number of letters expressing concern on a number of issues, which included threat to the sustainability of the 2011 year class which was being targeted, the handwork fishery not being viable as the cockles were too widely dispersed and potential damage to the shrimp fishery as vessels which did not find the cockle fishery viable were targeting shrimp at a time when the stock levels would normally be recovering, and whether EIFCA Officers were qualified to make informed decisions.

Mr Lake expressed his concern at the turnaround from 1992 when the WFO came into force, at that time there were two methods of fishing which were handworking with a rake and dredging, prop washing/blowing out were completely banned and small cockles were protected. He felt that the current method of prop washing was taking as many cockles as dredging but with nothing in place to protect the juveniles.

Mr Garnett acknowledged there were a number of cockles being targeted which were smaller than usual but felt this was due to the cockle growing very slowly and the price being offered for small cockles was 25/30% higher than usual meaning it was less economical to travel further to target larger cockles. Mr Brewster supported this and advised that all three of the local processors were actively encouraging the targeting of smaller cockles as, currently, they were in demand. It was further stated their own vessels were actively targeting the smaller ones.

The CEO assured members that the Authority was taking cogent decisions to deliver the requirements of MACAA 09. A review of the fishery would be conducted with Industry stakeholders at the end of the fishery.

**Members agreed to note the report.**

**EIFCA13/60 Item 11: Eastern IFCA Derogation Process**

This process was essentially to formalise what had previously been an adhoc process. Mr Vanstaen was pleased to note this was in place and suggested this process be shared with other IFCA's.

Mr Garnett felt some of the wording on page 45 was a little confusing although the content seemed to be appropriate, it was agreed this should be written more clearly.

Members Agreed to the implementation of the derogation form and charter in conjunction with the NE sub-charter, and the publishing of guidance notes on derogation requests.

**EIFCA13/61 Item 12: Fisheries Management in European Marine Sites**

The initial information gathering stage had been completed and the responses summarised.

There had been some concern expressed at a legal level regarding the 'flexible' byelaw wording which may mean the end result is slightly more formal than was originally hoped for.

Members were also advised that when the initial consultation had taken place there had been very little information available for eelgrass in the Humber and consequently it had not been included in the initial information gathering phase, the Officers therefore needed the Authority to decide whether to progress with instigating a small protective box for eelgrass and risk criticism that there had been no consultation. Mr Donnelly felt the risk would be greater if it was a totally new feature but as it had been mentioned but the area not pinpointed he felt the risk was reduced. It was also noted that the Authority were charged with protecting this Red Risk feature from activities such as bait digging, towed gear and potting. Whilst there may be objections from Common Rights Holders the CEO felt it was important to follow the guidance set on in MACAA but accommodate ongoing activity wherever possible.

**Members agreed to all the recommendations set out in the paper, and decided to include the eel-grass patches on Haile Sands in the draft closed areas.** A meeting of the Regulatory & Compliance Sub-Committee would take place on 28<sup>th</sup> August to consider the byelaw and any objections or submissions raised during the formal byelaw consultation would be put to the Authority meeting on 30<sup>th</sup> October.

**EIFCA13/62 Item 13: Finance & Personnel Sub-Committee meeting held 25<sup>th</sup> June 2013**

A brief summary of what was discussed was provided for members. Essentially the CEO's appointment was confirmed following his probationary period, and the outcome of his Job Evaluation was discussed and accepted.

Members also approved the Annual Statement of Accounts and completed Audit Commission Annual Return. A brief explanation was given as to savings and transfers to reserves. The CEO requested that members noted these reserves were all committed funds.

**Members Agreed to accept the report.**

**EIFCA13/63 Item 14: Payments made and monies received during the period 1 April 2013 to 19 July 2013**

**Members Resolved to accept the report on payments made amounting to £758,742.12 and monies received amount to £1,078,561.85**

**Proposed:** Stephen Worrall

**Seconded:** John Stipetic

**All Agreed**

**EIFCA13/64 Item 15: Quarterly Management Accounts**

The Head of Finance presented members with accounts for the first quarter of the financial year and included actual figures alongside the projection for the quarter for comparison.

**Members Agreed to note the Management Accounts**

**EIFCA13/65 Item 16: Marine Planning**

MMO representatives Ruth Barber and Russell Gadbury presented members with an update on the Draft East Inshore and offshore Marine Plans which cover the area from Flamborough Head to Felixstowe. Explanation was given on why the plans had been produced, who had contributed to them, and what the plans do and how they do it.

As the plans were out for consultation ways to get involved and respond to the plans were also explained. The CEO advised that if members wished to make a response through him he would be happy to put them forward, equally they could make individual responses.

Members were reminded that once the plans had been approved all decisions made by EIFCA would need to take account of Marine Plans, however prior to being adopted the plans should still be taken into consideration.

Tony Turner questioned whether Tidal Energy was being taken into account as he felt there was a lot of emphasis on windfarms. It was explained that on the North Norfolk and Suffolk coasts areas had been identified for dedicated tidal research that could be considered for renewable source.

Peter Barham felt the plans should be welcomed as they looked to the future. Rather than curtailing opportunities they created opportunities.

The Chair thanked them for a very informative presentation.

**EIFCA13/65 Item 17: Quarterly Progress against Annual Plans**

The CEO was pleased to be able to report that progress was being made with the majority of the major pieces of work. The exceptions being the Byelaw review programme and the risk based enforcement matrix which had been started but put on hold to allow time to work on the EMS Byelaw.

**Members Agreed to note the report.**

**EIFCA13/66 Item 18: Marine Protection Quarterly Reports**

Mr Vanstaen questioned some of the comments made in the reports but was advised these were not written from an academic point of view.

Mr Pinborough requested that where landing data was provided for RSA activities it should be clarified whether this was caught and landed or caught and returned. The CEO agreed to investigate the data and would advise the Authority if this could be implemented.

**EIFCA13/67 Item 19: Marine Environment Quarterly Reports**

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

**EIFCA13/68 Item 20: Update of HR Activity**

This item was included for information only, no matters were raised.

**EIFCA13/69 Item 21: Any Other Business**

**CEFAS Presentation:** Dave Limpenny from Cefas gave a presentation on 'Co-ordination of Defra's recommended MCZ data and evidence delivery programme 2011-2014'. The presentation referred to the MCZ

designation programme. In 2011 Defra asked CEFAS to collect new data to allow the MCZ designation process to move forward. It was felt there was a need to collect data that could be used by all agencies taking on the motto 'collect once, use many times'.

Data has been collected using a variety of acoustic survey techniques and grabbing methods and the process has now reached the stage where partnership with IFCA's need to be developed so that local knowledge can be taken into account.

Mr Spray felt some of the collected data was a bit opaque and that using outside bodies to assist with data collection would be useful.

**Community Engagement Meetings:** The next meetings were scheduled to take place on 6<sup>th</sup> August at Cromer, and 19<sup>th</sup> August at Lowestoft.

**FPV John Allen Naming Ceremony:** Members were asked to let Lucy know whether they would be attending, if they had not already done so.

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