

38th 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 11th December 2019 at 1030 hours.

Members Present:

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| Cllr D Skinner | (Chair) | Lincolnshire County Council |
| Cllr T FitzPatrick | (Vice Chair) | Norfolk County Council |
| Shane Bagley | | MMO Appointee |
| Stephen Bolt | | 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 |
| Paul Garnett | | MMO Appointee |
| Cllr T Goldson | | Suffolk County Council |
| Charlie Moffatt | | NE Representative |
| Keith Shaul | | MMO Appointee |
| Rob Spray | | MMO Appointee |
| Paul Tyack | | MMO Representative |
| Cllr M Vigo Di Gallidoro | | Suffolk County Council |
| Stephen Williamson | | MMO Appointee |

Eastern IFCA (EIFCA) Officers Present:

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|-----------------|---------------------------------------|
| Andrew Bakewell | Head of Finance and HR |
| Jon Butler | Head of Operations |
| Luke Godwin | Senior IFCO (Regulation) |
| Julian Gregory | Chief Executive Officer (CEO) & Clerk |
| Ron Jessop | Senior Marine Science Officer |
| Judith Stoutt | Senior Marine Science Officer |
| Greg Brown | IFCO / Project Officer |

Other Bodies Represented:

| | |
|-------------|----------------------|
| Jason Berry | East Suffolk Council |
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Minute Taker:

Jodi Hammond

EIFCA19/58 Item 1: Welcome

Cllr Skinner welcomed members to the meeting.

EIFCA19/59 Item 2: Apologies for Absence

Apologies for Absence were received from Messrs Brewster and Worrall (MMO Appointees).

EIFCA19/60 Item 3: Declarations of Members Interest

There were no additional Declarations of Interest to those already recorded by members.

EIFCA19/61 Item 4: Minutes of the 37th EIFCA Meeting, held on 11th September 2019

EIFCA19/53 COCKLE FISHERY MANAGEMENT PLAN: Mr Williamson advised that a comment he made with regard to the purchase of Mr Lake's cockles had been repeated to Mr Lake, but slightly out of context. Mr Williamson requested it be noted that the comment was not meant in any malicious manner.

Members Agreed that the minutes were a true record of the meeting.

Proposed: Cllr Goldson

Seconded: Cllr Chenery

All Agreed

EIFCA19/62 Item 5: Matters Arising

EIFCA19/50 COCKLE FISHERY 2019: The CEO advised members that a month after the opening of Friskney Sand, mussel surveys had indicated a 50% decline in mussel stocks which could have an impact on the Total Allowable Catch for the 2020 cockle fishery so the decision had been made to close the cockle fishery in order to protect the stocks for the following season.

EIFCA19/52 ANNUAL REPORT 2018-2019: Following the meeting a few minor amendments had been made prior to the report being published.

EIFCA19/53 WFO COCKLE FISHERY MANAGEMENT PLAN: Members were advised the Cockle Fishery Management Plan had been put into effect.

EIFCA19/54 SHRIMP FISHERY MANAGEMENT: The shrimp permit scheme was scheduled to be put out for consultation prior to Christmas

EIFCA19/63 Item 6: Health & Safety Risks

Members were advised the whole staff team had taken part in H&S training which covered general safety precautions. There had also been two days of training relating to work onboard vessels and it was anticipated this would be repeated on a bi-annual basis.

Since the previous report three incidents had been reported, no injuries had occurred, and adjustments had been made where necessary.

Members Agreed to note the report.

EIFCA19/64 Item 7: Risk Register Review

The CEO advised members that although the Risk Register was published in the Business Plan there was no formal review mechanism in place. The Internal Auditors had noted this and as a consequence it was agreed to monitor, review and update the Risk Register at the Authority's quarterly meetings.

It had also been noted that New Burden Funding had not been highlighted as a risk, this had now been added. It was noted that if New Burden Funding was not renewed in some form this would represent a 25% shortfall in funding.

Members Agreed to note the report.

EIFCA19/65 Item 8: Renaissance of East Anglian Fisheries (REAF)

Members were advised that REAF was a community led long-term strategy for fisheries in the region. The objective of the strategy was to rejuvenate the fisheries in East Anglia.

Jason Berry from East Suffolk Council gave members a presentation on how REAF had been established, the various bodies involved and the aims of the strategy.

There were a number of questions following the presentation and some concerns expressed around the difficulties involved in implementing the strategy and in particular the challenges of getting young people into the industry. There was also positive comment, but this was tinged with concern that the Government had historically showed little support for the UK fishing fleet, which resulted in limited investment.

The CEO emphasised that REAF was an example of a body trying to do something positive for the industry and therefore he was supportive of the direction in which they were hoping to move and

felt this was an opportunity to influence the development of the future a fisheries management regime.

Members Resolved to:

- **Note** the content of the report and the presentation
- **Agree** that Eastern IFCA would engage with work to support progression of the REAF strategy.

Proposed: Cllr Chenery

Seconded: Cllr Goldson

All Agreed

EIFCA19/66 Item 9: Finance & HR Sub-committee meeting held on 5th November 2019

The Head of Finance & HR provided members with a resume of the matter discussed at the sub-committee meeting. Since the meeting EMFF grant funding had been received to cover the costs incurred by Operation Blake.

Members Agreed to note the content of the report.

EIFCA19/67 Item 10: Budget and Levies 2020-21 and Budget Forecast to 2025

Members were advised that in 2017 the County Councils had agreed to a 2% annual uplift on the levy, with any surplus in the levy being put into capital replacement reserves, this principle had been re-confirmed at a meeting of the Finance Directors in October.

The Forecast to 2025 was issued with a note of caution as there was no certainty with regard to New Burden Funding or the level of salary increases that may be awarded.

Members Resolved to:

- **Approve** the Budget 2020/21
- **Approve** the Levies for 2020/21
- **Approve** the Forecast for the following 4 years to 2024/25

Proposed: Cllr Goldson

Seconded: Cllr Chenery

All Agreed

EIFCA19/68 Item 11: Meeting Dates 2020-21

Members were provided with a schedule of meetings for 2020-21 which took into account the revised sub-committee arrangements.

Members Resolved to:

- **Approve** the calendar of meetings

Proposed: Cllr Chenery
Seconded: Cllr Collis
All Agreed

EIFCA19/69 Item 12: Minimum Size Byelaw 2019

Members were advised this byelaw was to replace the Emergency Byelaw which was in place to provide the protective effect of minimum size rules on fish stocks which had been in place prior to changes in European legislation.

Some amendments to the Emergency byelaw were proposed, such as ensuring fish caught legally elsewhere where not deemed illegal on landing.

The next step for this byelaw would be to go out to consultation, as this process could be time consuming it was recommended that if the Byelaw did not look like being in place before the expiration date of the Emergency Byelaw then a 6 month extension of it should be applied for.

The CEO advised this byelaw was being proposed by 4 IFCAs so the formal consultation costs would be shared amongst them.

Members considered the proposed byelaw, the potential to amend some of the MLS and whether EU legislation would remain in force should the UK leave the EU, and why the MLS for species varied in other areas.

Members Resolved to:

- **Note** the results of the informal consultation and the associated Impact Assessment;
- **Agree** to make the Minimum Sizes Byelaw 2019;
- **Direct** officers to undertake a formal consultation on the Minimum Sizes Byelaw 2019;
- **Agree** to delegate authority to the CEO to make changes to the byelaw which do not substantially alter the intended effects of the byelaw, taking into account responses from the formal consultation and the formal QA process;
- **Direct** the CEO to submit a final version of the Wash Restricted Areas Byelaw to the Marine Management Organisation for formal QA after completing a formal consultation;
- **Agree** to delegate authority to the CEO to extend the Fish, Mollusc and Crustacea Minimum Size Emergency Byelaw 2019 by six months if the replacement byelaw is unlikely to be implemented prior to the expiry of the emergency byelaw (12th August 2020)

Proposed: Dr Bolt
Seconded: Mr Spray
All Agreed

EIFCA19/70 Item 13: Closed Area Byelaw 2019

Members were provided with an update on the progress of this byelaw. Work began in 2012 which resulted in the Protected Areas Byelaw in 2014. This had been revamped in 2016 following recommendation from Defra. In 2018 additional substantial new closures were put in place.

Further review had found additional need for closures in the Cromer Shoal Marine Conservation Zone with possible need for further closure for spatial restricts in the future.

Members expressed concern at the level of closures over the previous 4 years and how many more would be put in place during the following 4 years. It was questioned whether there had been any surveys of the windfarm areas for presence of Sabellaria, whether it was still there. It was believed there had been no review over the previous 10 years. It was felt there may be some data in monitoring reports, Mr Tyack agreed to report back on what level of feedback the MMO had received. Ms Moffatt also agreed to report back on what areas NE were looking into.

Members Resolved to:

- **Note** the rationale and justification for the circalittoral rock closed area in The Wash & North Norfolk Coast SAC;
- **Note** the Impact Assessment associated with the proposed circalittoral rock closure;
- **Agree** to include the closed area in the Wash & North Norfolk Coast SAC in the Closed Areas Byelaw 2020 when it is made; and
- **Note** the progress made with towards management of red risk fishing/feature interactions in the Inner Dowsing, Race Bank and North Ridge SAC.

Proposed: Mr Spray
Seconded: Cllr Chenery
All Agreed

EIFCA19/71 Item 14: Wash Restricted Area Byelaw 2019

Members were reminded that the Wash Emergency Byelaw 2018 was scheduled to expire on 26 January 2020, consequently it had been agreed that the Wash Restricted Area Byelaw 2019 would be

made along with associated eligibility criteria and permit conditions, and the associated Formal Operation Procedure. Following consultation minor amendments had been made.

Wording of the Eligibility Criteria had been amended to provide clarity to the intention that a WRA permit would replicate the person and vessel named on a WFO licence, and a person could only hold as many WRA permits as they had WFO licences.

The Formal Operating Procedure had been amended following advice from the MMO to include a 'definition' of risk.

Members were advised some fishers had expressed concern about the WRA Byelaw, it was also noted that following the review of the Wash Fishery Order the Wash Restricted Area would be subsumed into the whole site. This Byelaw was a temporary measure.

Members Resolved to:

- **Note** the amendments made to the Formal Operating Procedure and eligibility criteria for the Wash Restricted Area Byelaw 2019;
- **Agree** to delegate authority to the CEO to make further amendments to the Formal Operating Procedure, eligibility criteria and permit conditions as may be required, and which do not substantially alter the intended effects of the byelaw

Proposed: Cllr Goldson

Seconded: Mr Davies

All Agreed

EIFCA19/72 Item 15: Wash Mussel Fisheries

Although the annual mussel surveys had not been completed Members were advised that a decline in stocks had been identified so it was felt advisable to inform members of the findings so far. It was anticipated that the final outcome of the surveys would be stock levels well below the conservation objective target, it seemed unlikely there would be a harvestable mussel fishery in 2020 particularly once bird food requirements were taken into account.

The decline of mussel stocks was thought to be attributable to mussels dying once they reach 2-3 years old which was before they had reached a fishable size. Recruitment was also sporadic on intertidal beds with the most likely areas to recruit being existing beds with shell and byssus threads present. Mytillicola was also a factor possibly affecting the falling mussel stocks.

Members were advised of trials which had been put in place during the previous years to attempt to boost the stock recruitment. It was

felt this could be a matter for discussion at the Working Group meeting in January.

Members were advised that despite the findings of the majority of the Wash mussel stocks, those on the Welland Wall were thought to be in a stable condition and did not fall into the constraints of the Conservation Objective targets, it was therefore recommended that this remain open to fishing, with the proviso that the CEO be delegated authority to manage the fishery as required following the results of the mussel survey.

Members discussed the decline of the mussel fishery, potential affect on the cockle fishery and potential ways to recover the mussel fishery.

Members Resolved to:

- **Note** the initial findings of the Mussel survey 2019;
- **Agree** to maintain the Welland Wall mussel fishery as open to relaying and harvestable fisheries;
- **Agree** to issue the licence conditions and adopt the enforcement policy as at Appendices 1 and 2 in relation to the Welland Wall Mussel fishery;
- **Agree** to delegate authority to the CEO to introduce, vary and revoke management measures (including the licence conditions, operating times and Total Allowable Catch) and to open and close part or all of the mussel fishery within the Wash or the Welland Wall fishery as may be considered appropriate or required, including for the protection of the Wash and North Norfolk Coast Special Area of Conservation and Special Protection Area or for fisheries management purposes including the sustainability of the mussel stocks

Proposed: Cllr Chenery

Seconded: Cllr Collis

All Agreed

EIFCA19/73 Item 16: Quarterly Progress against Business Plan priorities

Members Agreed to note the content of the report.

EIFCA19/74 Item 17 – CEO Update

The CEO gave a verbal update on matters of interest.

IVMS remained an ongoing project, latest suggestions were that it may operate on a mobile phone.

There had been no updates regarding the Review of IFCAs which had been carried out.

Several MMO appointees were approaching the 10 years maximum membership time. Defra only permit extension beyond 10 years in exceptional circumstances and each member is considered individually, so a blanket extension was not possible.

AIFCA minutes were included for members information.

Members Agreed to note the information provided and the AIFCA minutes.

EIFCA19/75 Item 18 – Head of Operations Update

Members were advised these reports would in future be circulated earlier to allow members sufficient time to read and consider before the meeting.

Pertinent incidents which had taken place during the previous three months were highlighted to members including prosecutions for landing undersized bass and fishing inside 6nm for whelks.

It was also noted that the industry should soon know if they had been awarded MSC accreditation for the Brown Shrimp Fishery.

Members Agreed to note the content of the report.

There being no other business the meeting closed at 1325 hours.