

## 37<sup>th</sup> Eastern IFCA Meeting

*"Eastern IFCA will lead, champion and manage a sustainable marine environment and inshore fisheries, by successfully securing the right balance between social, environmental and economic benefits to ensure healthy seas, sustainable fisheries and a viable industry".*



A meeting of the Eastern IFCA took place at The Boathouse Business Centre, Wisbech on Wednesday 11<sup>th</sup> September 2019 at 1030 hours.

### Members Present:

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

### Eastern IFCA (EIFCA) Officers Present:

Andrew Bakewell	Head of Finance and HR
Jon Butler	Head of Operations
Luke Godwin	Senior IFCO - Regulation
Julian Gregory	Chief Executive Officer (CEO) & Clerk
Samantha Hornbrey	Marine Science Officer
Ron Jessop	Senior Marine Science Officer
Adele Powell	Project Co-ordinator - WNNMP
Judith Stoutt	Senior Marine Science Officer
Stephen Thompson	Marine Science Officer

### Minute Taker:

Jodi Hammond

### EIFCA19/43 Item 1: Welcome

In the absence of the Chair it fell to the Vice-Chair to welcome members to the meeting.

### EIFCA19/44 Item 2: Apologies for Absence

Apologies for Absence were received from Cllr Skinner (LCC), Messrs Spray & Warner (MMO Appointees), Mr Hirst (EA) and Ms Moffat (NE).

### **EIFCA19/45 Item 3: Declarations of Members Interest**

Members were reminded that those with a Declaration of Interest in a particular agenda item, would be able to contribute to discussion but not vote.

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

### **EIFCA19/46 Item 4: Minutes of the 36<sup>th</sup> EIFCA Meeting, held on 15<sup>th</sup> May 2019**

The CEO advised that since the minutes had been circulated it had been felt necessary to make two small amendments. The first being to minute EIFCA19/33 to which a 'note' had been added to provide clarity, this read as follows:

Note

*All Sabellaria reef does need to be protected, but Natural England advice had highlighted "areas to be managed as reef" which Eastern IFCA officers had scrutinised closely and sourced additional evidence. This resulted in agreement with Natural England that some of the original "areas to be managed as reef" did not in fact have sufficient supporting evidence. However, the areas proposed in the MPA Byelaw 2019 included all the reef areas that NE and EIFCA agreed required protection.*

The second change was to minute 19/37 where reference had been made to mussels rather than cockles, consequently the word had been changed.

**Taking these changes into account the members Resolved to accept the minutes as a true reflection of the meeting.**

**Proposed: Cllr Collis**

**Seconded: Mr Worrall**

**All agreed**

### **EIFCA19/47 Item 5: Matters Arising**

EIFCA19/28 REVIEW OF THE CONSTITUTION & STANDING ORDERS: Although agreement had been made to recruit an additional MMO Appointee to the Finance & HR sub-committee the actual appointment had not been made. Following discussion, it was Agreed to appoint Mr Williamson to the sub-committee.

EIFCA19/33 MPA BYELAW 2019: Following Mr Brewster's request for a chart showing all the activity going on in the Wash, Senior MSO Stoutt gave a presentation detailing all the activity within the district.

Members were advised that work on the Wash Restricted Area Byelaw and the Shrimp Permit Byelaw was ongoing.

### **EIFCA19/48 Item 6: Health & Safety Risks**

The Head of Operations advised there had been four incidents during the quarter all of which had been addressed.

All staff would be attending a Health & Safety Workshop in November.

Whole Body Vibration at sea was also being reviewed

**Members Agreed to note the report.**

### **EIFCA19/49 Item 7: Meeting of the Finance & HR Sub-Committee held on 26<sup>th</sup> June 2019**

Members were provided with a paper which outlined outcomes and discussions at the inaugural meeting of this revised sub-committee. There were no questions raised.

**Members Agreed to note the report.**

### **EIFCA19/50 Item 8: Cockle Fishery 2019**

At the previous meeting the CEO had been delegated powers to manage the cockle fishery.

The opening of the cockle fishery followed a well-established process, which started with the annual cockle survey. The key stages of the process had been worked through the result being the management measures which had been put in place for the duration of the season. Members were also made aware that subsequent to the original decision to have separate TACs for the WRA fishery and the WFO fishery the two had been combined to allow smoother management.

Once the fishery was underway it became apparent small cockles were being landed, and with the realisation there was a market for these, vessels had been deliberately targeting smaller stocks, particularly on Gat Sand.

Industry members had been consulted regarding the future of the fishery, with the options of either opening or closing specific areas or closing the whole fishery.

Friskney Sand which had been closed as a whole at the start of the fishery was of particular interest with responses split 50/50 regarding opening specific areas of the bed.

The CEO felt that having taken all the received responses into account there was no benefit to closing the whole fishery but the opening of parts of Friskney required further information, so Officers would carry out a survey of the bed during the following week.

Members discussed in detail the pros and cons of landing small cockle and potential impacts this could have on the fishery. SMSO Jessop felt there was some merit in landing the smaller cockle as

there was evidence of increasing spawning however, not all of these would survive so he believed it may be possible to facilitate a fishery of small cockles but there would be a need to be cautious of safeguards.

Mr Brewster referred to the 4,000t quota for the year and commented that probably little more than 1,000t had been landed but there were very few large cockles left, he was also concerned about the amount of ridging out likely to take place as a result of the small cockles growing, and the possibility of losing the ridged out cockles during the winter. As they currently had a good meat yield he felt it would be wrong to lose them.

Members considered the potential for loss of cockles, the impact taking smaller cockles may have on future fisheries and accepted the CEO's advice that once a further survey of Friskney Sand had been carried out a decision would be made regarding the opening of parts of the bed.

**It was Agreed to note the content of the report.**

#### **EIFCA19/51 Item 9: Fish, Mollusc and Crustacea Minimum Size Emergency Byelaw 2019**

The CEO advised members that due to changes in EU Regulations some legislation was no longer applicable to Recreational Sea Anglers. As there was a significant take by RSA members of some of the main quota species the level was similar to some commercial fisheries. Whilst there should be further legislation introduced to address RSA landings the IFCAs took the view that in the meantime an emergency byelaw was needed to plug the gap. Northumberland IFCA, North Eastern IFCA, Kent & Essex IFCA and EIFCA had worked together to form an emergency byelaw which would cover the four districts. The CEO in conjunction with the Chair and Vice-Chair had made the Emergency Byelaw and submitted it to Defra. The Emergency Byelaw applied to species landed in the Eastern IFCA district during the last 10 years.

Work was ongoing with the four IFCAs to create a permanent byelaw to replace the Emergency Byelaw.

Members were advised the NFFO and Angling Trust had been consulted and had not raised any objections about the content of the byelaw.

The emergency byelaw was advertised via the website, Facebook, as well as officers going out and informing anglers. The Angling Trust had also informed all their members.

Members were advised the penalty for infringement could be a Fixed Admin Penalty of £500, each case would be decided on its merits.

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

**EIFCA19/52 Item 10: Annual Report 2018-2019**

The CEO reminded members that EIFCA were mandated to produce and publish an Annual Report which must be sent to the Secretary of State, via Defra.

Members were provided with a draft copy and advised of some minor amendments which were required.

**Members Resolved to Approve the Annual Report 2018-19, subject to the identified changes being made and to Direct the CEO to publish the report and distribute to Defra.**

**Proposed: Cllr Goldson**

**Seconded: Cllr Chenery of Horsbrugh**

**All Agreed**

*Dr Bolt left the meeting*

**EIFCA19/53 Item 11: WFO Cockle Fishery Management Plan**

SMSO Jessop advised members the paper reflected two main workstreams, one of which was consideration of the fisheries management policies already in place, it was felt there should be separate Management Plans for cockles and mussels, as a result the WFO Cockle Fishery Management Plan had been written up and members were provided with a copy of the proposed Plan.

In addition to this, investigation had also taken place into the risk association with a dredged cockle fishery, part of this investigation was consultation with relevant stakeholders to inform a final proposal for the Authority.

The consultation into the dredge fishery had been preceded by an Authority decision to only allow dredge fishing for cockles as a contingency measure, and a desk study into the effects of dredging.

Members discussed the outcome of the consultation in particular the use of a dredge fishery as a contingency. There was some thought that the timescale to get an HRA in place would mean such a fishery was not responsive enough to be effective, suggesting it would be best to no longer state that a dredge fishery could be a contingency fishery. The CEO did, however, believe there may be some merit to carrying out an economic assessment of the cockle fishery, which could be used to make informed decisions.

Mr Davies enquired whether it was possible for a small number of vessels to carry out a study of how dredge technology has moved on and provide an assessment of the effect new technology may have on the sands. It was felt for such a study to be affective it would need to be a full-scale fishery in order for the full effects to be

known, which would be a major piece of work. Cllr Coupland acknowledged it would be a large piece of work but felt the Authority should be making an effort for the industry not standing in their way. The CEO suggested the first step should be completing an economic assessment after which some form of trial could be added to the Business Plan.

Members spent time discussing the logistics of a dredging trial and potential beds which could be used, as it was felt a dredge fishery should not take place on the same beds as a handwork fishery.

Having discussed the dredge fishery there was a call to amend the wording of the final recommendation to take into account a dredging trial.

**Members Resolved to Revise the recommendation to “Agree that an economic assessment of the WFO 1992 cockle fishery should be undertaken to inform future management decision, including consideration of a study on dredge fishing methodology and its impacts, to be factored into the Authority’s business planning process.”**

**Proposed: Mr Worrall**

**Seconded: Mr Davies**

**6 votes in favour, 0 against**

SMSO Jessop went on to explain the rationale for amending the management policy in place for the cockle and mussel fisheries. The current suite of measures had been agreed by the Authority, Natural England and the Industry and had proved invaluable in enabling the opening of fisheries. However, the current policies did not take account of the A-typical mortality in cockles which had been present since 2008. With this in mind it was suggested that a 25 year HRA for the cockle fishery as well as monitoring and control plans should form the management of the cockle fishery.

The proposal had raised two concerns, one regarding buffer zones around mussel beds closed to handwork fisheries and the second referred to protecting Autumn spatfall by requesting all catches would need to be riddled or caught using rake and hand nets.

**Members Resolved to:**

- **Note the content of the papers and results of the consultation**
- **Note that contingency dredge fisheries were not considered to be a realistically viable option for managing exceptional circumstances that may occur in the cockle fishery.**
- **Agree that the WFO 1992 cockle fishery would be hand-worked only and that the option of using hydraulic suction dredges as a contingency in exceptional circumstances was removed.**

- **Agree to implement (subject to approval by Natural England) the new Cockle Fisheries Management Plan at Appendix 2 as a replacement for the cockle fishery section of the 2008 Eastern Sea Fisheries Joint Committee Fisheries Management Policies**
- **Agree that an economic assessment of the WFO 1992 cockle fishery should be undertaken to inform future management decision, including consideration of a study on dredge fishing methodology and its impacts, to be factored into the Authority's business planning process.**

**Proposed: Cllr Goldson**

**Seconded: Cllr Collis**

**All those able to vote Agreed**

*Dr Bolt returned to the meeting*

### **EIFCA19/54 Item 12: Shrimp Fishery Management**

Senior IFCO Godwin gave a presentation on the proposed shrimp fishery management.

The CEO advised that although Ms Moffat had tendered her apologies for the meeting, she had provided feedback to this paper and advised that she would have liked a revision to the recommendations to state that decisions were subject to agreement with NE. The CEO felt this was not necessary as the consultation already stated it was subject to NE approval. Members were also advised that NE would want to meet with officers to discuss the recommendations.

Members considered the presentation and the prepared paper. There was concern with regard to the proposed number of trips per fortnight, how a trip would be measured e.g. tides or landings, how effect on the fishery would be measured, as well as at what point the restrictions would take place.

The CEO reminded members the proposals still needed to go to consultation but also assured them the object was not to stop fishers doing what they already do, the proposed measures would be permit conditions which would allow the ability to change them if irresponsible behaviours became evident, but the objective was to avoid complications if possible. Management measures would be monitored by data assessment from shrimp return forms. There should be no damage to the fishery as there would be the ability to close the fishery. All the proposed measures could be easily monitored once iVMS was in place.

#### **Members Resolved to:**

- **Note the summary of feedback from fishery representatives at Appendix 1**
- **Agree to adopt in principle the 'shrimp permit scheme: effort limitation policy' at Appendix 2**

- **Agree in principle to implement the permit conditions for Category One shrimp permits at Appendix 3**
- **Direct officers to undertake consultation as per Schedule One of the Shrimp Permit Byelaw 2018 in relation to the Category one Permit Conditions;**
- **Agree to delegate authority to the Chief Executive Officer (CEO) to implement the permit conditions having taken into account the results of the consultation and the impact assessment relating to the permit conditions;**
- **Agree to delegate authority to the CEO to make amendments which did not substantially affect the intention of the permit conditions following the formal consultation and further scrutiny of the wording by legal advisors;**
- **Agree to delegate authority to the CEO to set a Total Allowable Effort for the fishery, to amend the permitted number of trips per fortnight and to close a fishery (under paragraph 14 of the Shrimp Permit Byelaw 2018) as required to ensure no adverse effects on site integrity of the Wash and North Norfolk Coast Special Area of Conservation.**

**Proposed: Cllr Chenery of Horsbrugh**

**Seconded: Cllr Worrall**

**All those able to vote Agreed.**

The CEO recorded his thanks to the whole of the team who had been involved in this work.

*At this point the meeting was stopped for a 20 minute break*

*Cllr Coupland and Mr Worrall both left the meeting*

#### **EIFCA19/55 Item 13: Quarterly Progress against Business Plan priorities**

The CEO advised members a conscious decision had been made to slow down the process of developing crab & lobster measures to ensure sufficient time was available to reach a consensus of sensible measures which all stakeholders could agree on. It was Agreed that discussion around these measures could be held at a Fisheries & Conservation Management Working Group.

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

#### **EIFCA19/56 Item 14 – CEO Update**

The CEO gave a verbal update on matters of interest.

Members were advised that following the amendment to seafish enforcement regulations an SI would be in place by the end of October to reinstate any lost powers to IFCOs.



The IVMS project was ongoing, the intention being that it would be implemented by 2021. All IFCA's would be required to bring in a byelaw to address enforcement and any other predicted issues.

New Burden Funding was due to expire in April 2020, as the spending review had still not been completed Defra had formally applied for funding to be rolled over to 2021.

There had been no update on the Defra review of IFCA's, it was anticipated this would form part of the next AIFCA quarterly meeting

Vessel Replacement remained an ongoing project. Jet propulsion had been tested and found to be capable of carrying out survey work which gave Officers a wider scope of new and refurbished vessels to consider.

A Memorandum of Understanding with the MMO and EIFCA was almost complete for the use of EIFCA vessels to help provide capability to get to sea for MMO Officers. This would work on a cost recovery basis should the MMO require specific use of EIFCA vessels.

The inaugural meeting of the Fisheries & Conservation Management Working Group had taken place in July, it had proved a useful means of discussion and was scheduled to meet on a quarterly basis

**NORTH NORFOLK SEAWEED FARM:** MSO Hornbrey provided a detailed presentation relating to a licence application for a seaweed farm off the North Norfolk Coast.

Members expressed concern at the size of the proposed site and the effect it could have on current fisheries operating in the area, as well as the impact it would have on the site as an MPA.

Mr Garnett felt an objection should be made to the application, which Mr Davies agreed with, there was a general consensus amongst members which led to a proposal to amend the recommendation

**Members Resolved to reword the recommendation to read, Note the content of the paper and direct the CEO to object to the application with the MMO**

**Proposed: Mr Garnett**

**Seconded: Mr Davies**

**All Agreed**

**The revised recommendation was then put to the vote and Members Resolved to adopt and Agree to the Revision**

**Proposed: Cllr Collis**

**Seconded: Cllr Vigo Di Gallidoro**

Association of IFCA minutes were circulated to keep members up to date.

**EIFCA19/57 Item 15 – Head of Operations Update**

The Head of Operations briefly went through the Marine Protection and Marine Science Quarterly reports.

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

There being no other business the meeting closed at 1443hours.