

**DEVON & SEVERN
INSHORE FISHERIES AND CONSERVATION AUTHORITY**

**Minutes of the Finance & General Purposes Committee
held on 15 September 2016 at The Bristol Port Company, Bristol**

Present: Elaine Hayes (Chair)
Cllr Jim Knight (Devon)
Cllr Stuart Hughes (Devon)
Cllr Terry Napper (Somerset)
John Butterwith
David Rowe
Mike Williams
Simon Pollentine
Simon Toms (EA)
Andrew Knights (NE)

Also Present: Tim Robbins (Chief Officer)
Karlien Bond (Finance DCC)
Angela Stirland (Finance DCC)
Hazel Mitchell (D&S IFCA)
Mat Mander (D&S IFCA)
Phil Higginbottom

1. Apologies for Absence

No apologies required

2. Minutes of meeting held on 16 June 2016

That the minutes be approved and agreed true and accurate.

Resolved

3. Matters Arising

3. Meetings between the Chief Officer and DCC over taking on an apprentice have taken place. The situation is currently pending the release of the November Autumn statement for clarity on future European funding for Apprenticeships.
3. A paper on cost of external HR Services will be put to the Budget meeting.
3. The Communications Officer post is still on hold. Communications work by a local company Cloudberry Digital to introduce an online payment system to purchase permits is near completion. They will also be looking to revamp our

website. Once a communications strategy is in place a review of filling the Communications post will be made.

9. An update on the Patrol Vessel and its funding implications will be addressed at agenda item 7.
9. David Rowe and Mike Williams volunteered to help as part of a small working group with creating a specification for the boat replacement.

4. **Matters brought forward by the Chair**

There were no matters brought forward by the Chair.

5. **Budget Monitoring Report**

The Budget monitoring at month 4 indicates that the budget will show a projected underspend at year end of £16,000. This is predominantly due to savings in employee wages due to vacant posts. The slight overspend in other areas of the budget will be covered by the current underspend.

The current projected General Reserve Fund balance as at 31 March 2017 is £552,141.

6. **Staff Enforcement Officer Costings**

Following the approval in the June 2016 quarterly meeting that 3 new Enforcement Officers should be recruited, new costings on how these posts would be funded was made. Figures now provided show an increase of 13.6% on the annual levy payable to Funding Authorities would be required which under current financial restrictions would not be considered untenable.

Given the need for the D&S IFCA to fulfil its statutory duties and not face legal challenge resulting in large financial fines there remains a requirement for 2 new officers. An alternative proposal and to reduce costs incurred resulted in the option to recruit 1 new Enforcement Officer to be based at the Brixham office from 1 April 2017 and to maintain the £20,000 secondment budget to allow the Chief Officer to seek seconded help with evidence gathering and illegal activity. A provision to review an additional officer to be recruited in October 2017 should be made in the budget setting for 2017/18.

An additional vehicle would be required essentially to cover the north of the region and after discussion the recommendation to purchase a 'second hand vehicle' would be changed to 'an additional' vehicle with the decision of prices to be decided by the Chief Officer.

Concern over the reduction in recruiting 3 to 1 new officer was expressed and whether the IFCA would still be able to fulfil its statutory duties. Despite understanding the pressure of funding Authority budgets the Chair voiced her opinion and concerns that if we are not able to put enough manpower out to fulfil are statutory duties we are subject to the third parties monitoring this and therefore increasing the possibility of a legal challenge. Stressing the importance and financial implications of any action

against on the funding Authorities was strongly emphasised. Due to the reduction the Chair recommended putting in place efficient and effective Stress and Absence monitoring ensuring officers are coping with the pressure and amount of workload required. Results should be fed back to the main Authority regularly.

Though a request was suggested to ask DEFRA for extra funding there was a warning given that taking this approach could raise questions as to why the river Severn Authorities have withheld paying over full new burdens funding since the start of the IFCA. If full levy was paid over it was possible to recruit 2 new officers but this would increase the levy to those funding Authorities not in receipt of New Burdens Funding due to the IFCA Funding Formula.

The following recommendations were put to the Committee for recommendation for approval by the main Authority:

- i. The funding Authorities recognise that there is a risk that the IFCA may face legal challenge in the future as a result of a failure to carry out the statutory duties given to the IFCA. The local Authorities would be responsible for the payment of any fines levied against the D&S IFCA as directed under the Localism Act 2012.

Proposed: David Rowe Seconded: Mike Williams

All in favour, none against.

Cllr Knight would be seeking through the legal finance department advice to enquire whether Devon County Council has measures or insurance in place to cover this eventuality.

- ii. One additional enforcement officer is employed starting from April 2017

Proposed: Cllr Jim Knight Seconded: Cllr Terry Napper

All in favour, none against

An amendment of this recommendation was subsequently requested to read:

One additional enforcement officer is employed starting from 1 April 2017 but that a provision is made in the 2017/18 budget setting to review recruitment of a further officer within 6 months from this date subject to full Authority approval.

Proposed: Mike Williams Seconded: Cllr Jim Knight

All in favour, none against

- iii. Any underspend from the secondment budget in 2016/17 is utilised on initial training of the new officer

Proposed: Cllr Jim Knight Seconded: John Butterwith

All in favour, none against

- iv. An additional vehicle is purchased for the new officer from underspend in the current secondment budget or from the D&S IFCA Reserves.

Proposed: Cllr Stuart Hughes Seconded: Cllr Jim Knight

All in favour, none against

- v. Recognising that only one full time officer is employed a Secondment Budget of £20,000 is maintained to allow part time or local authority officers to be employed by the D&S IFCA as required by the Chief Officer.

Proposed: Cllr Jim Knight Seconded: John Butterwith

All in favour, none against.

7. **Patrol Vessel**

An EMFF meeting this week has resulted in a 5 week window to express an interest to bid against a pot of money available to all the IFCA's in respect of a new vessel. The Chief Officer suggested the Devon & Severn IFCA put in an expression of interest for a covered rib which is the most cost efficient size of vessel (in the region of £200,000) and likely to get support from the other IFCAs. With the EMFF contribution being 90%, if successful any balance owed would be paid through the General Reserve Account.

The decision of whether EMFF funding was awarded is expected shortly after the 5 week deadline. If no funding has been awarded there are sufficient funds within the General Reserve Account to purchase this vessel.

Thanks to Neil Townsend for producing the detailed Patrol Vessel Discussion Report were requested with a recommendation that the report be revisited on a regular basis.

The proposed recommendation for approval by the main Authority is:

- i. That the D&S IFCA applies to EMFF for the purchase of a new purpose built patrol vessel

Proposed: Mike Williams Seconded: Cllr Jim Knight

All in favour, none against

The recommendation that the D&S IFCA seeks to purchase a good quality second hand survey vessel to replace the current vessel utilising the funds realised from the sale of the previous patrol vessel and the current survey vessel has been deferred and will be reviewed once the outcome of the EMFF has been decided.

8. **Draft Audit Report**

Devon County Council Audit Partnership carried out an internal audit of the accounts for 2015/16 and their opinion was that they were of a high standard. They made only minor recommendations aimed at further enhancing already sound procedures which would be implemented.

They were also asked to review the current Financial Regulations and Standing Orders and they were generally considered adequate. A number of recommendations in order to improve controls further would be incorporated.

Despite there being no legal obligations to produce an annual financial statement it has been decided to continue with this practice.

9. **Health & Safety**

There were no issues or near misses to report. HR at DCC have been approached to provide advice and guidance with the policies in place for pregnant woman in the workplace and at sea.

10. **Any Other Business**

There was no any other business raised.

11. **Date of next meeting**

Friday 9 December 2016 at Exeter Race Course, Exeter