

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

**Minutes of the Authority Meeting  
held on 15 June 2017 at Exeter Race Course, Exeter**

**Present:** Elaine Hayes (Chair)  
**Cllrs.** Rufus Gilbert (Devon), Cllr Stuart Hughes (Devon),  
Paul Crabb (Devon), Richard Scott (Devon) Nick Kelly (Plymouth),  
Robert Griffin (South Gloucestershire), Vic Ellery (Torbay)  
John Butterwith, Michael Cominetti, John May, David Rowe,  
Richard White, Mike Williams, Simon Pollentine, Dave Cuthbert,  
Stephen Gledhill, David Murphy, James Marsden  
Simon Toms (EA), Andrew Knights (NE), Carley Brown (MMO)

**Also Present:** Tim Robbins, Chief Officer                      Peter Lappin (DCC Finance)  
Sarah Clark (D&S IFCA)                      Martin Hutchings  
Mat Mander (D&S IFCA)                      Simon Excell  
Hazel Mitchell (D&S IFCA)                      Steve Dury  
Angela Stirland (DCC Finance)

**Apologies:** Cllrs: Jonathan Hawkins (Devon), Linda Hellyer (Devon) Peter Bryant  
(North Somerset), Terry Napper (Somerset)  
Rachel Irish, Jim Portus, Natasha Barker-Bradshaw, David Morgan

**1. Declarations of Interest**

There were no declarations of Interest

**2. Apologies for Absence**

Apologies were noted

**3. Minutes of the meeting held on 16 March 2017**

Page 8, paragraph 12, final sentence 'Environment Audit Commission' should read 'Environment Audit Committee'.

That the minutes be approved

Resolved

**4. Matters Arising**

7. Metrics developed with discussions with AIFCA planned for the near future. Now that the Chief Officer has been reinstated as a Director on the AIFCA he will push this forward.
- 7a. The information on the admin fee to funding Authorities requested by Simon Excell was forwarded.
8. The AIFCA metric has been incorporated within the Annual Plan and recirculated to all members.

## **5. Election of Chair**

The Chief Officer took over as Chair of the meeting for agenda item 5.

Elaine Hayes was happy to continue the appointment as Chair for a further 12 months. The Chief Officer received no other expressions of interest to stand for the role.

Proposal that Elaine Hayes continue as Chair of the Devon & Severn IFCA for a further 12 months was made.

Proposed: Cllr Vic Ellery                      Seconded: Cllr Stuart Hughes

All in favour, none against

## **6. Election of Vice Chairs**

Mike Williams and John Butterwith, current Vice Chairs were both happy to continue their appointments for a further 12 months. James Marsden also expressed his wish to the Chief Officer, to be considered for the position. All 3 provided and presented a short personal brief to the Authority members to aid in helping them make a decision.

A paper vote ballot was taken, the result compiled by the Chief Officer, and the following 2 candidates were chosen to stand as Vice Chairs for the next 12 months.

James Marsden  
Mike Williams

The Chair expressed her thanks and paid tribute to John Butterwith for his support and contribution as Vice Chair to the Authority.

## **7. Matters brought forward by the Chair**

The Chair informed members that she had attended a 2 day workshop with MMO, IFCA Chief Officers and Chairs in London. Day 1 consisted of discussions on how to achieve a closer/flexible working relationship and if possible how to be more cost effective between organisations within the DEFRA family, particularly the MMO. A number of scenarios were looked at and a draft model would be taken away by a group of Chairs/Chief Officers to look at on how to work more closely together and better current resources moving forward. Subsequent feedback from some of the IFCA's who had not attended disagreed with its content and with any need to change. The steering group would continue to look at what options were discussed, hopefully reaching more understanding and clarity which will be fed back to the Authority in September 2017. Day 2 concentrated on other organisations' perception of the IFCA. Most were very positive though felt the IFCA's did not communicate/promote themselves more effectively, failed in some cases to engage with the local communities effectively or accept credit when due. There will be a write up by the AIFCA of the outcomes covered which will be shared with the Authority.

## **8. Statement of Accounts**

The overall budget overspend during 2016/17 was £28,075, mainly due to the European Fisheries Fund (EMF) money received for the iVMS grant not being as much as expected during the year by £31,754. Measures to recover the grant with the help of

Common Seas was still in progress and any money received would be deposited back into the General Reserve Account.

The balance of the General Reserve Account as at 31 March 2017 was £508,066 with total reserves of £693,490 which includes capital receipts of £170,077 from the sale of Drumbeat but minus £41,195 due to the EMF iVMS grant and the purchase of a new vehicle.

Line 8 of Appendix A shows a large reduction from the previous financial year due to a system change where the D&S IFCA pay their own invoices from their own account as opposed to being paid by DCC.

Simon Excell considered that the reason on page 1, bullet point 3, did not truly reflect the description with figures provided of the type of supplies and services that resulted in the overspend as broken down in deeper description on page 2.

A recommendation to note the outturn for 2016/17, approve the transfer from the General Reserve of £28,075, approve the transfer Revenue contribution to Capital and acknowledge the accounting statement Appendix A was proposed.

Proposed: Mike Williams

Seconded: Cllr Vic Ellery

All in favour, none against

9. **Appointment of the Finance and General Purposes Committee and review Terms of Reference**

Current members of the Finance & General Purposes Committee: Cllr Stuart Hughes, Cllr Terry Napper, Elaine Hayes, David Rowe, John Butterwith, Simon Toms, Andrew Knights, Simon Pollentine and Mike Williams have agreed to continue as part of the Committee. Following local Council elections in May 2017 Cllr Jim Knight is no longer appointed to the Authority and Cllr Rufus Gilbert would be taking over his position as an elected member.

No changes to the current agreed Terms of Reference for the F&GP Committee were made.

A recommendation for an en bloc proposal to re-appoint all current members for the next 12 months was proposed.

Proposed: Mike Williams

Seconded: James Marsden

All in favour, none against

10. **Appointment of the Byelaw and Permitting Sub Committee and review Terms of Reference**

The following current members of the Byelaw & Permitting Sub Committee: David Rowe, Mike Williams, Simon Toms, David Morgan, Stephen Gledhill, Rachel Irish, John May, Dave Cuthbert, James Marsden, Richard White and Jim Portus have agreed to continue as part of the Sub Committee for the next 12 months. Elaine Hayes and John Butterwith are ex officio members. Following local elections in May 2017 Cllr Chris Clarence is no longer appointed to the Authority.

Cllr Vic Ellery and Cllr Nick Kelly have volunteered their services when available but due to taking on new increased working commitments they could not guarantee their regular attendance at all the Permitting and Byelaw meetings.

A recommendation for an en bloc proposal to re-appoint all current members and the two new elected members for the next 12 months was proposed.

Proposed: Mike Williams

Seconded: Andrew Knights

All in favour, none against

**10a. Draft Revised Terms of Reference**

Terms of Reference currently require 1 elected member to be quorate when items were voted on. With the pressure of work on elected members on the Committee this could slow down the process if decisions needed approval and they were unable to attend. The request to change the structure of the quorate for decision making at meetings to 8 or more members to be present was put forward.

Recommendation to approve the new Terms of Reference that better reflect the agreed composition of the Sub Committee and to formally set out the minimum number of members to make the meetings quorate was made:

Proposed: David Rowe

Seconded: John May

All in favour, none against

**11. Review of Standing Orders and Financial Regulations**

The Standing Orders and Financial Regulation have now been updated and new copies produced incorporating all changes from the review. Members at the meeting were issued with a new edition and members who had not attended the meeting would be sent one through the post.

**12. Byelaw and Permitting**

**Potting Permit Byelaw Report incorporating management of the live Wrasse Fishery**

Live Wrasse are used as cleaner fish in Scottish salmon farms to control sea lice populations. To meet demand wild wrasse are being sourced from Southwest England. A fishery is expected to start in Torbay this year and as there is little information on the impact of fisheries on wrasse the D&S IFCA have discussed management to ensure that the species is not exploited. There are 5 known species of wrasse in our district with the spawning season ranging between Apr to Sep. In our district 3 boats operate in this fishery out of Plymouth with 1 boat operating on the Cornish side. All supplying live wrasse to 1 Company in Scotland.

As the wrasse fishery can be managed through the Potting Permit Byelaw via the flexible permit conditions the Byelaw and Permitting Sub-Committee considered recommendations following a 6 week consultation period. Responses were largely supportive of all the measures proposed but with particular emphasis on pot limitation and the length of the closed season. Management measures could be incorporated,

reviewed and amended if agreed within the permit byelaw at no extra cost to the permit holders.

The following recommendations by the Byelaw and Permitting Sub-Committee to the main Authority for approval were:

- i. **To implement a fully documented fishery with a review date of Nov 2017 by the Byelaw and Permitting Sub-Committee to accumulate and analyse data and evidence received.**

The ability to ascertain from the fishermen how much is being caught and where they are supplying it to will help provide vital information, increase knowledge and give the data to monitor/change the measures introduced to gauge any potential unsustainability if required.

As a new fishery starting late 2016 in the D&S IFCA district, 2015 in Southern and 2016 in Cornwall data is being compiled, assessed and shared.

- ii. **To implement an initial 120 pot limit per permit holder which would be monitored and subject to review if the catch effort increases.**

Initially the limit was set at 60 but this was considered too low to make it a viable fishery. Currently boats are operating between 120 – 200 pots with strings of 15 – 20 pots.

The agreement to raise the limit to 120 was on the proviso that the catch rate per day from the boats and the number of boats participating in the fishing effort if increased then the pot limit would be brought straight back to the Byelaw and Permitting Sub-Committee to be addressed.

- iii. **To require the marking of wrasse gear with 'WRA' and Vessel's PLN.**

- iv. **To establish a closed season from 1 April to 30 June for the live wrasse pot fishery.**

Initially proposed for the period April to July the consultation received considered it too long and therefore has been reduced to 3 months.

- v. **To introduce minimum and maximum conservation reference sizes for 5 species of wrasse.**

As removing a certain size could influence the population structure especially if certain types are not given the chance to reach sexual maturity the slot sizes for the species Ballan and Cuckoo of 150mm to 230mm and slot size for Corkwing, Rock Cook and Goldsinney of 120mm to 230mm was proposed.

Proposed: David Rowe                      Seconded: Mike Williams

All in favour, 1 against, 1 abstention

## **Mobile Fishing Permit Byelaw 3 year review**

As well as a 3 year review of the permit conditions for the Mobile Fishing Permit Byelaw additional work has been done through the Habitat Regulation Assessments, and the Marine Conservation Zone assessments for Lundy SAC and Torbay MCZ. In light of the findings from that work and a formal request from Natural England the following proposals were taken to the Byelaw and Permitting Sub-Committee and put to the Authority for recommendation en bloc.

**1. Torbay MCZ – Management of demersal towed gear in the access areas of the Torbay MCZ**

- a. To separate scallop dredging and trawling activities
- b. To prohibit scallop dredging within the Torbay MCZ
- c. To allow seasonal trawling for cuttlefish from the end of March to the end of June in Torbay MCZ subject to an impact study and gear trial detailed within a Monitoring and Control Plan

**2. Lundy Island – Demersal trawling in access area of Lundy SAC**

To develop a Monitoring and Control Plan for this activity, which will gather information on the fishing industry involved in the squid fishery, monitor activity levels and assess gear impact on the subtidal coarse sediment sub-feature of the Lundy SAC.

**3. Lundy Island – Scallop dredging in access area of Lundy SAC**

To prohibit scallop dredging on the subtidal coarse sediment sub-feature of the Lundy SAC

**4. Protection of spiny lobsters in MCZ areas from demersal fishing**

To prohibit the removal of spiny lobster from demersal towed gear in Lundy MCZ, Skerries Bank & Surrounds MCZ and Bideford to Foreland Point MCZ.

Proposed: David Rowe                      Seconded: John Butterwith

All in favour, none against

Richard White expressed his wish to be involved in the discussions on the impact study of Torbay MCZ.

## **Identify next permitting byelaw for development**

The next activity based permit byelaw for development by the B&P Sub Committee identified 2 areas to look at:

1. Hand Gathering
2. Hook and Line

From the officers' point of view the priority recommendation was to focus on option 1, hand gathering as this is a key activity within the D&S IFCA district, particularly in the

Estuaries but also helps meet the national obligations under managing activities within Marine Protected areas.

Proposed: James Marsden      Seconded: David Rowe

All in favour, none against

**13. Presentation by Alistair Byford-Bates from Wessex Archaeology.**

Alistair provided the following 2 presentations to the Authority:

1. Fishing Industry – protocol for Archaeological Discoveries
2. The Marine Antiquities Scheme (a voluntary based scheme based on the portable Antiquities Scheme).

The Authority noted the aims of the work of the 2 schemes and are happy to support the work in the future and to help publicise the schemes through the IFCA website.

**14. D&S IFCA Bass Work**

A progress update paper by Tom Stamp, PhD, detailing the 3 main areas of his studies was provided to the Authority. As Tom is currently busy doing research it is hoped that he will be able to attend the December quarterly meeting to explain in more detail the work he has undertaken over the summer period.

The setting up of a National IFCA Group to look at Bass management measures to be harmonised across the IFCAs has only undergone initial discussions due to the demands of Brexit. It is hoped the delay will restart soon.

**15. Quarterly Report with proposed changes**

The current format of the quarterly report can be difficult to communicate its content to other outlets publicising the work of the IFCA due to the volume of information it contains. Consideration to move the quarterly report to a newsletter, a 2-3 page summary of the work with imbedded links on the D&S IFCA website was discussed.

To format it in a user friendly way, to reach a wider audience and in less detail for the average lay person to understand who and what the IFCA actually did was emphasised. The importance to push filling the vacant Communications post to ensure the importance of getting the D&S IFCA message across was made and would be readdressed.

Proposed: Cllr Vic Ellery      Seconded: Cllr Nick Kelly

All in favour, none against

**16. BREXIT Update**

Besides the brief paper update provided to members the Chief Officer advised no concise information was available for the D&S IFCA to make plans for any future change.

**17. Report on the F & GP Committee meeting and minutes of the previous meeting of 16 March 2017**

Matters discussed and agreed at the previous morning meeting:

- a. Approved to incorporate data protection policies.
- b. It was agreed for recommendation by the Authority that Mary Davis, County Treasurer for Devon County Council continue as Treasurer to the D&S IFCA for the next 12 months.
- c. It was agreed that the Chief Officer could take a month sabbatical in Autumn 2017 with an additional 5 days paid holiday to his annual leave entitlement.
- d. It was agreed that the Chair of the B&P Committee be awarded an annual allowance of £400.00 in line with the Vice Chairs of the main Authority due to the additional work and acknowledgement undertaken for the Authority.

**18. Any Other Business**

Michael Cominetti asked whether a licence fee for Sea Anglers would be considered when addressing the Hook and Line byelaw.

A potential change to the boundary line between Devon & Severn and Cornwall IFCAs had had informal talks but the Authority requested that the Chief Officer take an official line in writing.

The Chair made known that the Chief Officer was happy to meet with any new members to provide a welcome brief of the IFCA.

**19. Date of next meeting**

**Thursday 14 September 2017 – Ferne Animal Sanctuary, Chard**

<b>AGENDA ITEM</b>	<b>ACTION</b>	<b>RESPONSIBLE</b>
18	Formal letter to CIFCA concerning the boundary line on the Tamar	Chief Officer