

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

**Minutes of the Authority Meeting
held on 16 March at Brixham Laboratory, Brixham**

Present: Elaine Hayes (Chair)
Cllrs. Chris Clarence (Devon), Jim Knight (Devon), Stuart Hughes (Devon), Vic Ellery (Torbay), Nick Kelly (Plymouth), Peter Bryant (North Somerset), Robert Griffin (South Gloucestershire), Stan Waddington (Gloucestershire), Natasha Barker-Bradshaw, John Butterwith, Michael Cominetti, David Morgan, David Rowe, Mike Williams, Dave Murphy, Simon Pollentine, Stephen Gledhill, James Marsden, John May, Simon Toms (EA), Andrew Knights (NE) Colin May (MMO) deputising for Rachel Irish

Also Present:

Tim Robbins, Chief Officer	Angela Stirland (DCC Finance)
Sarah Clark (D&S IFCA)	Kaja Curry
Mat Mander (D&S IFCA)	Martin Hutchings
Hazel Mitchell (D&S IFCA)	Phil Higginbottom
Laura Bullock (D&S IFCA)	Dr Stephen Bolt (AIFCA)
Neil Townsend (D&S IFCA)	

Apologies: Cllrs: Eileen Wragg (Devon), Terry Napper (Somerset), Jim Portus, Dave Cuthbert, Richard White, Kathy Derrick, Simon Excell

1. Declarations of Interest

There were no declarations of interest at the start of the meeting though James Marsden declared an interest on one of the topics during the AIFCA debate.

2. Apologies for Absence

Apologies were noted

3. Minutes of the last meeting held on 9 December 2016

That the minutes be approved as a true and accurate record

Proposed: Cllr Jim Knight Seconded: Cllr Vic Ellery

Resolved

4. Business Arising

- a. Summary notes on Bass by Mr J May had been circulated
- b. Timetable from MMO of EMFF percentage on purchase of new RIB incorporated in agenda item 11.
- c. Review of Standing Orders and Financial Regulations to be discussed at agenda item 8.

- d. Bass update paper Nov 16 was circulated and copy included within these papers at agenda item 12.
- e. Dates of Permit and Byelaw Sub Committee meeting dates had been circulated.

5. **Matters brought forward by Chair**

There were no matters brought forward by the Chair.

6. **Consideration of Netting Permit Byelaw and permit conditions following public Consultation with presentation by Mr D Rowe**

Following four recommendations at the Quarterly Meeting on 9 December 2016 a decision to defer the remaining recommendations to allow members to gain/achieve a better understanding and clarification of the reasoning behind the proposals put forward to the Authority was made. Though the remainder of the recommendations have not been changed additional, reference material was issued and presented to members and made available on the D&SIFCA website.

Mr David Rowe (Chair of the Byelaw and Permitting Sub Committee) made a presentation reiterating that the remaining recommendations were those of the Byelaw and Permitting Sub Committee and did not represent decisions taken by Officers. He provided a brief explanation of what each proposal actually meant in practice, all information having been detailed in the reference documents provided.

Natasha Barker Bradshaw expressed her concerns over how the commercial value of fisheries and the potential impact (of introducing the Byelaw) had been compared to social impacts and the value of recreational activity.

Though not a mandatory consideration for the IFCA consideration of Health & Safety from a moral/human concern standpoint was questioned. The potential loss of traditional fishing activities with a loss of heritage was a concern though a measure that is difficult to quantify.

After the presentation and the opportunity to respond to any relating questions the following recommendations were put to the Authority separately for approval:

Recommendation 5 - That the prohibition of netting within the estuaries (as set out in the proposals) stands.

Proposed: Cllr Nick Kelly Seconded: Mike Williams

All in favour, none against

Abstentions: Cllr Chris Clarence, David Morgan

Recommendation 6 - That the boundary for the Taw Torridge estuary remains the same as the proposals.

Proposed: Mike Williams Seconded: Stephen Gledhill

All in favour, none against

Abstention: Natasha Barker-Bradshaw

Recommendation 7 - That the maximum length of a seine net used for sand eels in estuaries remains the same as in the proposals.

Proposed: Cllr Jim Knight Seconded: Cllr Peter Bryant

All in favour, none against

Abstentions: Cllr Chris Clarence, David Morgan, Natasha Barker-Bradshaw

Recommendation 8 - That the restrictions for recreational netting be implemented as per the proposals.

Proposed: Mike Williams Seconded: James Marsden

All in favour, none against, no abstentions

Recommendation 9 - That an un-powered vessel should be able to qualify for a category one permit.

Proposed: Cllr Vic Ellery Seconded: Cllr Jim Knight

All in favour, none against, no abstentions

Assurance that the MMO would implement this requirement was requested and would be monitored.

Recommendation 10 - That the 30kg provision for crab claws is to remain as a permit condition.

Proposed: John Butterwith Seconded: Cllr Vic Ellery

All in favour, none against, no abstentions

Clarification that this weight limit pertained to one calendar day was confirmed.

Recommendation 11 - To add protection of spiny lobster (*Palinurus elephas*) to the permit conditions.

Proposed: James Marsden Seconded: Andrew Knights

All in favour, none against, no abstentions

Recommendation 12 - That management measures receiving no objections are to remain as per the consultation.

Proposed: Cllr Vic Ellery Seconded: Cllr Jim Knight

All in favour, none against, no abstentions

Final Recommendation - That the Authority submits the Netting Permit Byelaw (with permit conditions) to the MMO requesting confirmation by the Secretary of State.

Proposed: Mike Williams Seconded: Stephen Gledhill

All in favour, none against

Abstention: David Morgan

7. Presentation by Dr Stephen Bolt, Association of IFCAs

Dr Bolt provided an update on the organisation, work and achievements of the AIFCA.

James Marsden asked if there was a breakdown of common funding criteria for the 10 IFCAs within the AIFCA reports/website. Due to the different make up of each IFCAs, assessment measures across them all which resulted in the amount of work which has to be undertaken brought a suggestion that the AIFCA should on behalf of the 10 IFCAs put to DEFRA a common Metric in order to get what funding is actually needed to do the job. Also to present on behalf of all the IFCAs and negotiate a change in the way the £3 million new burdens funding is distributed accordingly.

More information on the Admin fee of £5,000 which each funding Authority can retain through from new burdens funding was requested from the Chief Officer.

Association of IFCAs

The membership of the AIFCA was discussed and the Chair offered up the 3 options that had been put to the F&GP Committee earlier.

1. Remain a full member, with an agreed timetable to address concerns of the D&SIFCA
2. Remain but on a reduced rate with the option of the Chief Officer re-joining as a Director
3. Pull out of membership

Option 3 was discounted as not cost or time effective as a representative would have to be appointed to represent the D&SIFCA. Deeper discussions were made on remaining as a member which resulted in the following recommendations for approval:

- a. Initially that payment of the full year cost would be split into 2 payments.
- b. Production of a metric that clearly identifies the work of the IFCAs and the AIFCA and how those are reciprocal in terms of benefit would be brought to the June members
- c. Agreement would be sought with the other 9 IFCAs to the metric model with the aim of reviewing that process in September to see whether they wish to work in this way or not.
- d. Based on the progress of the development of a metric and outcome of discussions a review would take place at the September quarterly meeting as to the way forward

- e. Decision on whether payment of the second instalment would be subject to the 6 month review.

Proposed: James Marsden Seconded: Mike Williams

All in favour, none against

A development of a metric, which will be incorporated in the Annual Plan will be put in place, and measured after 6 months. This recommendation will be put to the other 9 IFCA's to engage in, highlighting the needs/requirements for each, but no guarantee could be assumed that they would participate.

As the AIFCA does not currently have a Director on the board from the D&SIFCA this will be reviewed in September

8. **Annual Plan**

The 3 main areas of work that will be concentrated on this year are:

1. MPA Management
2. Management of Bass stock
3. Management of Wrasse stock

The development of the AIFCA Metric will be inserted as an Annex and recirculated to all members.

Page 4, Section 2, Areas of Importance – A suggestion to add a table of who the key partners are that we work with against each action point was made, naming the lead project leader and to add some of the few larger areas of work undertaken

James Marsden suggested a table/annex be added to incorporate details of what we would do or would be capable of doing within the 3 main areas if we had full funding. If the current 10% withheld by funding Authorities was paid in full what in addition

A recommendation that these additional entries be added to the Annual plan was made:

Proposed: Cllr Vic Ellery Seconded: Cllr Robert Griffin

All in favour, none against.

9. **Financial Regulations and Standing Orders Review**

All amendments, and updates have been incorporated in the Financial Regulations and Standing Order blue book as per agreement at the quarterly meeting in December 2016.

A caveat to Standing Orders, item 8, paragraph (i) to be inserted to read:

“At the Chairs discretion, members of the public may be invited to address the Authority provided 48 hours’ notice is given. A total of 30 minutes’ public time, with a maximum of 5 minutes per person, with no repetition of points raised will be allowed”.

Approval of the Financial Regulations and Standing Orders with the caveat to be added was recommended:

Proposed: Cllr Vic Ellery Seconded: Mike Williams

All in favour, none against

Publication of Draft Minutes

Resulting from requests from members of the public to view copies of the draft main Authority meeting minutes before they have been approved by the full Authority and then placed on the website highlighted a possible change in current policy within the Standing Orders.

Aware that no other Committee in the other IFCAs or within DCC publish draft minutes. Until finally approved by the main Authority as being a true and accurate record to avoid any information being misinterpreted.

Agreement that the D&SIFCA continues with its current policy on the publication of minutes of the Authority Minutes was recommended:

Proposed: James Marsden Seconded: Simon Toms

All in favour, none against

Review appointments of Byelaw & Permitting Sub Committee

The terms of reference state that to remain quorate the Sub Committee require one elected member to vote. This is providing difficulties as there is currently only one elected member on the Committee, if he is unable to attend meetings are not quorate, therefore recommendations and not decisions can only be made to the main Authority.

The recommendation that the Authority appoints three Local Authority members to the Byelaw & Permitting Sub Committee was proposed:

Proposed: Mike Williams Seconded: James Marsden

All in favour, none against

Cllr Vic Ellery volunteered his services and Cllr Nick Kelly offered to attend if possible around his other commitments. As local council elections were being held by some councils in May the recruiting of elected members would be brought to the AGM in June when membership of the Sub Committee is reviewed.

10. Quarterly Report

Main points raised by the Chief Officer:

- Recruitment of the new Enforcement Officer, Kelly Hobson, will start on 3 April 2017.
- The Environment team have successfully hit the 2016 deadline for submitting HRAs
- The Enforcement team have had been very successful on recent prosecutions

A proposal to include an Annual Enforcement report was suggested.

11. **Wrasse Delegated Powers**

Officers informed members that a Wrasse fishery is developing in the South West and within the D&SIFCA district. There is currently no stock assessment data available or demand known, concerns have been expressed over removing large numbers of Wrasse and the impact on the habitats and fish numbers. A consultation document has been sent out to all Potting Permit holders on measures being considered. Responses will affect what management measures will be considered.

The use of permits conditions through the permitting byelaw is considered the most appropriate course of action but in order to protect the Wrasse fishery for this season the permits need to be changed by mid-May.

The following recommendation was put to the Authority:

That the Authority give delegated powers to the Byelaw and Permitting Sub Committee so that the Sub Committee can confirm permit conditions that will be applied to live wrasse pot fishery prior to the main breeding season for wrasse

Proposed: Michael Cominetti Seconded: Cllr Vic Ellery

All in favour, none against

12. **Patrol Vessel Update**

The European Maritime and Fisheries Fund (EMFF) allocated €500,000 to the 10 IFCAs for the purchase of patrol vessels. Some IFCAs withdrew from the process allowing a greater percentage to the remaining. The D&SIFCA has been allocated €68,300 (£56,900) towards the cost of a replacement vessel. The initial request to the Authority was for a 11m Cabin Rigid Inflatable Boat at the cost of £300,000. Along with the £167,240 from the sale of Drumbeat this still left a deficit of £75,860, which if agreed could be funded from the General Reserve Account.

EMFF was kept deliberately low by the EU to encourage the exploration of alternative methods of enforcing the coastal waters rather than relying on large patrol vessels.

The initial response to the potential usage of Unmanned Aerial Vehicles (UAV) (Drones) to carry out surveillance in a much more cost effective way was encouraged. The EMFF Control Fund budget would allow for a trial of UAV to assess their suitability to deliver future work required by the IFCAs. Due to the specialist nature of the devices the Chief Officer suggested contracting a commercial company to undertake the surveillance work on behalf of the IFCA if trials are successful.

With the additional implementation of iVMS, success rate of prosecutions using the current 6.5m RIB and with the requirement to explore different methods of enforcing the coastal waters the decision to change from purchasing a new 11m RIB using EMFF money to a smaller rib was discussed.

The following recommendations were proposed:

1. That the EMFF money allotted to the D&SIFCA is used to purchase a replacement, potentially a 7m RIB, for the current 6.5m RIB. The cost is likely to be circa £70,000 depending on the exact specification required. A paper to be prepared with quotes and specifications for the RIB will be put to the full Authority at the June 2017 meeting for final decision.
2. That the Chief Officer seeks partners to work on a bid for EMFF project costs to undertake a trial to evaluate the use of UAV for monitoring and control purposes within IFCA districts.

Proposed: James Marsden Seconded: Cllr Peter Bryant

All in favour, none against

James Marsden asked the Chair/Chief Officer if he could share the paper with the Environment Audit Committee.

13. **Bass Update**

The Chief Officer wanted to highlight the success of an EMFF project bid by Plymouth University in collaboration with D&S IFCA for £241,685 to complete the Immature Bass Acoustic Stock Surveillance (I-BASS) project. The bid was led by the D&SIFCA/Plymouth University co-funded PhD student Tom Stamp.

The only change to report was that consideration on catch records being linked to the licenses and not the boat was being looked at.

The Chief Officer agreed to discuss with the other South West IFCA's the concerns raised about protecting Bass during the breeding season. He would report back at the next meeting.

14. **iVMS Update**

The fitting of iVMS units to vessels was suspended in Dec 15 due to concerns that the units had not, at that time, passed national type approval, so fitting ceased until this had been attained. Type approval has now been achieved by 3 manufacturers and the D&SIFCA are now in a position to restart the fitting of the units on all mobile fishing gear vessels in the district.

Working with Common Seas a bid for EMFF money is being prepared to purchase and fit the units to be submitted in March with units fitted and in operation by early Autumn. The total cost of the project is £188,830, 90% funded by EMFF and 10% funded by DEFRA.

As a fall back if the black box failed fishermen would be advised to use their AIS system for a short term only as a means to identify their location.

The following recommendation was put to the Authority:

That the Authority support the EMFF application being made on behalf of the D&SIFCA by Common Seas and fully support the use of iVMS as part of the control measures being used by the D&SIFCA through its Mobile Fishing Permit Byelaw.

Proposed: James Marsden Seconded: Cllr Stan Waddington

All in favour, none against

15. Report on F&GP Committee meeting and minutes of the previous meeting of 9 December 2016

- Agreed in principle pending the decision of the Authority on the iVMS recommendation that single tender action request for sole supplier Tech Marine to fit the units be made.
- Common Seas who were project manager of the initial iVMS installation manager the new phase.
- Warning that as of January 2017 STCW qualifications were now only valid for 5 years, officers would have to undergo training during this financial year but this would be monitored.

16. Any Other Business

- The Chair expressed her appreciation for members of the Byelaw and Permitting Sub Committee, the Chair Dave Rowe and IFCA officers for their work on the proposed Netting Permit Byelaw.
- The Chair thanked Cllr Jim Knight, Cllr Chris Clarence and Cllr Stan Waddington for their invaluable contribution to the Authority as they will be affected by the Council elections in May.

17. Date of next meeting

Thursday 15 June 2017 – Exeter Race Course, Exeter

AGENDA ITEM	ACTION	RESPONSIBLE
7	Development of AIFCA Metrix	Chief Officer
7a	Information on the Admin Fee to funding Authorities	Chief Officer
8	AIFCA Metrix to be incorporated into the Annual Plan and recirculated to members	Chief Officer