

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

**Minutes of the Authority Meeting  
held on 17 March 2016 at Brixham Laboratory, Brixham**

**Present:** Elaine Hayes (Chair)  
Cllrs. Eileen Wragg (Devon), Jim Knight (Devon), Stuart Hughes (Devon), Jonathan Hawkins (Devon), Terry Napper (Somerset), Robert Griffin (South Gloucestershire), Nick Kelly (Plymouth), Nick Bye (Torbay), Stan Waddington (Gloucestershire), Natasha Barker-Bradshaw, John Butterwith, Michael Cominetti, David Rowe, Mike Williams, Simon Pollentine, Dave Cuthbert, Stephen Gledhill, James Marsden, John May, David Murphy, Jim Portus  
Rachel Irish (MMO), Andrew Knights (NE)

**Also Present:** Tim Robbins, Chief Officer  
Sarah Clark (D&S IFCA)  
Mat Mander (D&S IFCA)  
Hazel Mitchell (D&S IFCA)  
Angela Stirland (DCC Finance)

Martin Hutchings  
Phillip Higginbottom  
Joanna Smith (NE)  
Dr Eunice Pinn (JNCC)  
Dan Edwards (JNCC)

**Apologies:** Cllr Chris Clarence, Cllr Peter Bryant, Cllr Danielle Radice, Simon Toms, Richard White, David Morgan, Karlien Bond, John Flannigan, Simon Excell

**1. Declarations of Interest**

There were no declarations of Interest

**2. Apologies for Absence**

Apologies were noted

**3. Minutes of the meeting held on 11 December 2015**

That the minutes be approved

Resolved

**4. Business Arising**

- a. The Chair had provided Cllr Knight with the information he required over who was responsible for the payment of MMO expenses.
- b. Cllr Waddington accepted the explanation he received over the setting of 25% risk management figure in the General Reserve Fund policy document.
- c. Links to updates on the latest Bass news on the website had been actioned.
- d. Bass figures of landings had been produced and was included as an information paper

- e. Sarah Gall had been approached and invited to make a presentation of her PhD thesis at the June 2016 meeting.

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

The Chair reported on an AIFCA meeting she had attended in London on behalf of the D&SIFCA. DEFRA were still undertaking a Marine Review though the terms of reference had not yet been agreed or received. The review is looking at the regulating bodies within the scope of 'marine' which includes IFCA's to look at its functions and how to operate these more efficiently.

An interim leader for the review John Tuckett, Chief Executive of the MMO, was appointed but concerns were lodged with DEFRA and subsequently acknowledged by them that a conflict of interest may occur due to his position as the MMO are within the scope of this review. DEFRA are now in the process of finding a new review leader.

The Chair hopes there will be more information to be given at the June meeting.

## 6. **Presentation by JNCC**

Dr Eunice Pinn and Mr Dan Edwards of JNCC gave a presentation on 'Harbour Porpoise Conservation Area Consultation' and invited any member to complete the consultation questionnaire with the link that was provided in the papers.

## 7. **Marine Licencing Recovery**

With the Fisheries Minister now giving IFCA's, or a third party requesting the IFCA's, the ability to call in planning licensing applications inside the marine environment a process on how to do this with options provided was discussed. The prime objective will be looking for consensus across all 10 IFCA's to establish a protocol for managing this process. Informed by the MMO that there could be between 20-30 determinations a year to be addressed.

The following 3 options on who should make the decision on whether to call in or not proposed were:

- a. Power be delegated solely to the Chief Officer
- b. Chair, Vice Chairs and Chief Officer discuss to reach a decision
- c. A meeting of the full Authority be convened to make a decision.

2 options were voted on:

- i. That the Chief Officer initially review then seek input from the Chair and Vice Chairs if he considers their input required. **Vote outcome** – 7 members in favour
- ii. That a standing committee be formed to help support the Chief Officer, communication primarily electronically based due to time scale but if meetings to be convened decisions reached by members who were able to attend. **Vote outcome** - majority voted yes

## 8. Voting for General Members

Recommendation that an amendment to the D&SIFCA Standing Orders that requires all members of the Authority to abide by the Localism Act 2011 in matters of Pecuniary Interest. With General Members having specialist knowledge they would be allowed to talk about agenda items but if they have declared an interest they would not be allowed to vote on the matter.

Proposed: Cllr Jim Knight

Seconded: Mike Williams

All in Favour

Jim Portus against

Resolved

## 9. Byelaw Update

Focus has been on the netting byelaw particularly on the review of the management measures. Two phases of pre consultation have been completed in an attempt to get sufficient evidence to support the management measures that the Sub Committee will bring forward to the full Authority to consider before making a full Netting Permit Byelaw. The aim is to bring the recommendations to the June meeting before going out to full consultation with the ultimate objective making of a Netting Permit Byelaw by the end of 2016.

A series of open events are to be planned around the region to try and encourage and provide an opportunity for interested parties to discuss concerns or offer opinions as it has proven difficult to gather evidence or gauge feelings through electronic media.

Legal advice has been sought on identifying some ambiguity in terms of the extent of the IFCA's duties with respect to the management of salmon and sea trout under the act. D&S IFCA and Cornwall IFCA have reached an impasse with DEFRA over this issue. It has been recommended to seek Council opinion to try and reach an independent authoritative decision on this matter as DEFRA do not consider there to be any ambiguity. An expert in this field has been identified but it would cost between £3,500 - £6,000. It is probable that the cost could be split with Cornwall IFCA. Approval to proceed and seek this legal advice was made

Proposed: David Rowe

Seconded: Cllr Jim Knight

All in Favour

The Byelaw and Permitting Sub Committee were advised that if they wished to make any changes to their Terms of Reference they would have to be put to the main Authority for consideration and approval.

Two older issues raised relating to scallop fishery, specifically to reduce the effort from maximum 12 dredges, 6 aside, to maximum 8 dredges, 4 aside and also to prohibit twin rigs/multi rigs went out to consultation but resulted in a poor response. A meeting reference the latter issue was recommended to take place with interested parties to try and rejuvenate the gentleman's agreement previously introduced.

## 10. Bass Update

The latest information that the Chief Officer is aware of that he could share with the Authority were:

- Current closure for all netting activity and recreational anglers on catch/release
- From 1 July 2016 = 1 per day per recreational angler, Trawlers/Seiners = 1 ton per month and Netters/Fixed/Hook Line = 1.3 ton per month.
- DEFRA is undertaking a review of Bass Nursery Areas with possible changes in some areas though no formal proposals have been put forward for discussion

## 11. Quarterly Report

Chief Officer confirmed in report that New Burdens Funding had been assured until 2020.

Advised that the Chief Officers' Group were aiming to be part of the process and input into the DEFRA Marine Review by putting together a position statement from the IFCAs. The statement would list what the IFCAs do, why they do it and that they would be able to do some additional work but any large requirements would need additional funding.

Requested that within the investigations table cases be identified on if they relate to commercial or recreational.

Notified that Proteus, charter from the EA is unlikely to be available again. The 3 month temporary hire of charter boat Atlas will come to an end on 31 March 2016 and has not been renewed due to being unfeasible. A paper will be brought to the Authority in June with options on the way forward.

iVMS update – a new bid for EU funding for iVMS units will be put forward but no units will be purchased until any unit has passed type approval.

## 12. Draft Annual Plan

Chief Officer reported that due to the amount of work required, available personnel and budget restrictions there are only 2 high interest areas in the draft Annual Plan for 2016-2017. These are:

- a. MPA Management
- b. Sustainable Management of Bass stocks

It was to be noted in the Appendices that the success criterion has been reduced from the original 7 to 5.

Proposed that the Draft Annual Plan be approved

Proposed: Mike Williams

Seconded: Stephen Gledhill

All in Favour

13. **Report on the F & GP Committee meeting and minutes of the previous meeting of 11 December 2015**
- a. A paper with future requirements for a replacement vessel will be put to the Authority at the June meeting
  - b. Notification that the Rib had been in an accident with a car was given. The vehicle, rib and trailer were being surveyed for impact damage.

14. **Any Other Business**

There was no other business raised.

14. **Date of next meeting**

**Thursday 16 June 2016 – Exeter Race Course, Exeter**

**ACTION POINTS**

<b>AGENDA ITEM</b>	<b>ACTION</b>	<b>RESPONSIBLE</b>
5	Update on DEFRA Marine Review	Elaine Hayes
9	Revised Terms of Reference for the Permit and Byelaw Sub Committee	Mat Mander
10	Listing of cases to be identified as either Commercial or Recreational	Mat Mander
10	New Boat Procurement and way forward	Tim Robbins