

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

**Minutes of the Authority Meeting  
held on 24 September 2015 at Exeter Racecourse, Exeter**

**Present:** John Butterwith (Chair)  
**Cllrs.** Eileen Wragg (Devon), Jim Knight (Devon), Christine Channon (Devon) deputising for Cllr Chris Clarence, Rufus Gilbert (Devon) deputising for Cllr Stuart Hughes, Jonathan Hawkins (Devon), Robert Griffin (South Gloucestershire), Terry Napper (Somerset), Nick Bye (Torbay), Nick Kelly (Plymouth), Stan Waddington (Gloucestershire)  
Natasha Barker-Bradshaw, Michael Cominetti, David Morgan, David Rowe, Mike Williams, Richard White, Simon Pollentine, Dave Cuthbert, Stephen Gledhill, James Marsden, John May, Rachel Irish (MMO), Simon Toms (EA), Andrew Knights (NE)

**Also Present:** Tim Robbins, Chief Officer  
Sarah Clark (D&S IFCA) Phillip Higginbottom  
Mat Mander (D&S IFCA) Kevin Mowat  
Hazel Mitchell (D&S IFCA) Martin Hutchings  
Daniel Cresswell (D&S IFCA) Simon Excell  
Gavin Mayhew (D&S IFCA) Joanna Smith (NE)  
Laura Bullock (D&S IFCA) Jeremy Pyne (NE)  
Karlien Bond (DCC Finance)  
Angela Stirland (DCC Finance)

**Apologies:** Cllrs: Stuart Hughes (Devon), Chris Clarence (Devon), Daniella Radice (Bristol), Elaine Hayes

The Chair welcomed Cllr Rufus Gilbert, deputising for Cllr Stuart Hughes, Cllr Christine Channon, deputising for Cllr Chris Clarence, Joanna Smith and Jeremy Pyne, both from Natural England.

**1. Declarations of Interest**

There were no declarations of Interest

**2. Apologies for Absence**

Apologies were noted

**3. Minutes of the meeting held on 18 June 2015**

- Correction to name in present list – ‘Christin’ should read ‘Christine’
- Paragraph 14, line 6 – ‘strategy to board boasts’ should read ‘strategy to board boats’

That the minutes be approved

Proposed: Cllr Jim Knight

Seconded: Cllr Robert Griffin

Resolved

4. **Matters Arising**

There were no matters arising but it was brought to the attention of the Chair in the Finance and General Purposes Committee meeting that as an Authority the agenda item description of 'Matters Arising' was illegal and that future agendas should read 'Business Arising'. Item points should then be listed under the agenda heading. Future agendas would reflect this.

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

There were no matters brought forward by the Chair

6. **Quarterly Report**

- Concerns over the reliability of Proteus were raised. Discussions were ongoing with the Environment Agency with the existing way she is being utilised by the IFCA. A review of the future enforcement commitments in relation to vessels is being undertaken and will be put to the Authority for comment when drafted.
- Despite reporting recent successful prosecutions a comment on the high costs to prosecute offenders especially when legal fees did not cover costs recovered/awarded was raised. Setting higher fines as a deterrent is still determined by the offenders 'ability to pay' which is ultimately decided by the courts. Members encouraged the continuation of negotiating with MMO/DEFRA to push for the repayment of Fixed Administrative Penalties (FAPS) in instalments even though the repayment of FAPs is set in law as 28 days.
- Within the MPA Management section a request to put the Severn Fisheries Occurring Report on the website was made. As this document is 'live' and information subject to change it was considered not appropriate to put it on the website but existing information could be sent out to any individuals requesting it.

7. **Byelaw review of the 150mm female edible crab process**

Following complaints from fishermen from East Devon and Plymouth to the IFCA that they had not been aware of the consultation on the Potting Permit Byelaw and in particular to the increase in minimum size for female brown crab from 140mm to 150mm, the IFCA decided on a 10 week consultation period with the commercial Potting Permit holders on the increase in MLS. Scientific data from Dr Ewan Bell (CEFAS) Adam Rees (Plymouth University) was provided and IFCA officers undertook evidence gathering from boardings/landings.

The additional consultation document was sent to 143 Commercial Potting Permit Holders, 11 permit holders were supportive of the increase, 3 were opposed (1 of which arrived late).

Reviewing all information gathered it was proposed that at this point in time there is no justification for change and the review supports the size increase in female edible crab incorporated in the byelaw introduced on 17 March 2015 and for the 150mm carapace in length to remain.

Proposed: David Rowe

Seconded: Cllr Robert Griffin

All in favour, none against

The Chief Officer confirmed that discussions were currently being held with Southern IFCA for them to consider bringing their sizing up to harmonise with ours and Cornwall IFCA.

A request for the background papers to be put on the website to show the level taken and how the decision was reached was recommended.

**ACTION  
T ROBBINS**

All fishermen will be notified of the decision of the Authority.

**ACTION  
M MANDER**

## 8. **iVMS Update**

To resolve that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for agenda item 8 on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the act. It is proposed therefore that this item be move to the end of the meeting.

Proposed: Cllr Rufus Gilbert

Seconded: Cllr Jim Knight

All in favour, none against

## 9. **Presentation by Enforcement Officer Daniel Cresswell**

Dan Cresswell provided a presentation on the work undertaken by the Enforcement Team highlighting the benefits of improved technology on monitoring vessels.

## 10. **Marine Protected Areas – Review of Progress**

With the assessment to be completed and management decisions in place for the Marine Protected Areas to be finalised by the end of 2016 it was reported that 69% of Habitat Regulation Assessments had so far been completed by the Environment Team. They are now being assisted by Stephanie Davies, the post funded by DEFRA for 12 months to help with this work.

Information from Natural England and from officers gathering data create fishing activity reports for each site.

Cllr Napper requested a verbal update from Libby Ross at the next quarterly meeting on meetings/situation with Hinckley Point with any additional information provided by Natural England. A request to also include the fishing activities which are and are not occurring in the Severn Estuary was made.

## 11. **High Level Objectives – Review Progress**

With the original High Level Objectives (HLO) drawn up during the consultation process for the new IFCA drawing to a close in March 2016 work by the Chief Officers' Group and the DEFRA Sponsorship Team to review and revamp them for the following 5 years resulted in a draft document put to the Authority for comment.

The recommendation that the draft document be presented to all IFCA Authorities for the HLO to be adopted with the final revised document put to the AIFCA for them to put to the Minister proposing that the IFCA adopt these new HLO was proposed. If any substantive amendments were made before presenting the revised HLO to the Minister the Chief Officer would notify all Authority members.

Proposed: Cllr Rufus Gilbert                      Seconded: Mike Williams

All in favour, none against

James Marsden recommended in Success Criteria 3, section Indicators, that a more positive and proactive engagement with fishermen should be incorporated. The Chief Officer agreed to put this point to the other IFCAs.

**ACTION  
T ROBBINS**

## 12. **Bass Update**

- The monthly catch limits were agreed for Commercial activities
- A 3 bass bag limit for recreational sea anglers
- The minimum conservation reference size (MCRS) increased to 42cm.

Officers have been out informing both the commercial and recreational sides of the changes in legislation and a waterproof 42cm Bass sticker for the public, funded by DEFRA is currently being produced for distribution.

Other than the MCRS current measures agreed will be put to the Council of Ministers in December for them to agree upon for a further 12 months.

The D&S IFCA are in talks with Plymouth University to take on a PhD student in January 2016 to undertake research on the use and effectiveness of Bass Nursery Areas within our district.

## 13. **DEFRA Letter – Issues for Consideration**

Ways to deliver closer working with the MMO to produce savings have been discussed following a request from DEFRA. Joint working is already taking place in the South West in many of the areas discussed for this work. The main area which could be expected to increase the burden and cost on local Funding Authorities is the possible requirement to undertake additional inspections around landing obligations (discards ban) which are due to come into force in January 2016. The Chief Officers' Group are meeting with the MMO to discuss the cost of this additional work.

The recommendation to note the response made to DEFRA and that members were happy for the Chief Officer, working with the Chief Officers' Group, to undertake talks with the MMO about closer joint working was proposed.

Proposed: Cllr Jim Knight                      Seconded: Mike Williams

All in Favour, Cllr Terry Napper abstained.

The second recommendation that the Chief Officer inform the Authority of any additional costs to the D&S IFCA was not proposed as members were not prepared to

agree to any additional costs at this time, believing funding should be provided elsewhere.

**14. General Reserve Account Policy**

A request from Cllr Waddington to look at our General Reserve Account and bring a policy document to the Authority. The paper drafted concentrated on:

- What the reserves were
- How they were being managed
- How the reserves were going to be used going forward and what they would be used for

There was some ambiguity over some of the figures produced within the paper compared to the Outturn Report, but an explanation was later provided by K Bond.

An explanation of why there was no maximum set at recommendation 1.3 when there was a minimum of 25% introduced required a more detailed understanding.

Clarification was requested, the points addressed and be put to the next Authority meeting for further discussion.

**ACTION  
K BOND**

**15. Report on the F & GP Committee meeting and minutes of the previous meeting of 18 June 2015**

The minutes of the previous meeting were noted and no issues raised.

**16. Any Other Business**

- David Morgan requested the opinion of the D&S IFCA over his concerns with the importation of live North American lobster to the UK. The Chief Officer confirmed they were aware of this event and Sarah Clark who is also Chair of the Crustacean Committee for the Shellfish of Great Britain informed David that this issue was a potential item to be discussed at their next meeting.
- A request for the Information Paper B – Tidal Lagoon development in the Severn Estuary be put on the website was made.

**ACTION  
T ROBBINS**

**17. Date of next meeting**

**Friday 11 December 2015 – Exeter Race Course, Exeter**