

# Southern Inshore Fisheries and Conservation Authority

Full Authority Meeting – 21<sup>st</sup> September 2023

A meeting of the Full Authority was held at 2pm on 21<sup>st</sup> September 2023 at the Lighthouse, 21 Kingland Road, Poole, Dorset, BH15 1UG.

Marked A

## Present

Cllr Mark Roberts	Dorset Council (Chairman)
Cllr Paul Fuller	Isle of Wight Council (Vice Chairman)
Dr Antony Jensen	MMO Appointee
Mr Richard Stride	MMO Appointee
Mr Neil Hornby	MMO Appointee
Cllr Rob Hughes	Dorset County Council
Cllr Matthew Winnington	Portsmouth City Council
Mr Stuart Kingston-Turner	Environment Agency
Dr Richard Morgan	Natural England
Ms Louise MacCallum	MMO Appointee
Mr Gary Wordsworth	MMO Appointee
Mr Colin Francis	MMO Appointee
Ms Rachel Irish	MMO Appointee
Dr Simon Cripps	MMO Appointee
Ms Elisabeth Bussey-Jones	MMO Appointee
Ms Pia Bateman	Chief Executive Officer (CEO)
Mr Sam Dell	Deputy Chief Officer (DCO)
Dr Sarah Birchenough	Deputy Chief Officer (DCO)
Mr Adam Parry	Senior IFCO
Mrs Gemma Roberts	Accountant
Ms Maria Chaplin	Office Manager

The Chairman opened the meeting by welcoming Ms Elisabeth Bussey-Jones to the meeting in her role as an MMO Appointee and Mr Stuart Kingston-Turner from the Environment Agency. The Chairman welcomed the return of Dr Richard Morgan from Natural England.

The Chairman welcomed those attending the meeting from the public gallery, Mr Mike Bennet (NE), Mr Ryan Tyres and Mr Steve Boyd (Warsash fishers) and Mr Charlie Brock (Director of Brighton & Newhaven Fish Sales).

## Apologies

331. Apologies for absence were received from Cllr. Crispin Goodall (BCP Council), Cllr. John Savage (Southampton City Council) and Cllr. Pete Miles (BCP Council).

## Declarations of Interest

332. The following non-pecuniary interests were declared: Mr R Stride (16).

## Minutes

333. Members considered the Minutes of the meet held on the 8<sup>th</sup> June 2023. DCO Dell provided an update on Recommendation 318 regarding the Kingfisher Project, regarding the projects ability to update Kingfisher charts based on up to date IFCA regulations. DCO Dell confirmed that he was waiting for a response from Kingfisher and will update Members when a response had been received.

DCO Birchenough provided an update on Recommendation 319, in that additional information had been added to the supporting documentation accompanying the BTFG Byelaw 2023 to provide clarity that the original environmental assessments carried out in 2016 by Southern IFCA were reviewed in 2020 as part of the review and concluded that no additional relevant updates were required.

With reference to Recommendation 325, DCO Birchenough confirmed that the December meeting of the Authority and annual Christmas meal will be held at the RNLI College in Poole, with the meal following the meeting.

**Resolved**

**334.** Cllr. P Fuller proposed that the minutes be confirmed and signed, seconded by Mr R Stride. All Members were in favour.

**Chairman's Announcements**

**335.** The Chairman reported that he had enjoyed a tour of the CEFAS research vessel & facility in Weymouth, which he found fascinating and an extremely good networking opportunity. The Chairman discussed his involvement on interview panels in recent weeks, as well as Member's Appraisals over the summer period.

The Chairman thanked everyone involved in the boat trip that took place earlier in the day, expressing his thanks to DCO Birchenough, DCO Dell and Mr G. Wordsworth for their expert talks.

**Sub Committees**

**336.** Members received the minutes of the Executive Sub-Committee held on the 6<sup>th</sup> June 2023 and the Technical Advisory Sub-Committee held on the 4<sup>th</sup> May 2023.

**Resolved**

**337.** That Members received and agreed the minutes of the Sub-Committees.

**PROGRESS REPORTS**

**Budget Control Statement (April 2023-June 2023)**

**338.** The Accountant provided a summary of the year to date, correct to 30<sup>th</sup> June 2023, in that there is a decrease in income over expenditure of 118k. The Accountant explained that this deficit relates to the anticipated receipt of DEFRA project grants of 150k, as well as the anticipated sale of FPV Stella Barbara at 50k and three vehicles. The Accountant explained that all of the expenditure under the Major Budget Headers were positive.

**Resolved**

**339.** That the report be received.

**Statement of Accounts for Year Ended 31st March 2023. Annual Return from PKF Francis**

**340.** The Accountant introduced the item, explaining that Members had previously received these papers in draft form at the June 2023 meeting, where Members approved that they be sent those to PKF Francis for an independent assurance review. As a result of this work, the Accountant explained a change in the treatment of the Defra grants (400k), which have been moved from the balance sheet and put through the revenue account as income. In addition the Accountant explained how improvement had been made to the internal filing systems in recent months.

Cllr. P Fuller proposed the three recommendations, all of which were seconded by Cllr R Hughes. All Members were in favour.

**Resolved**

**341.** That Members note the outcomes of the external audit for the financial year ended 31st March 2023.

**342.** That Members formally accept the Annual Return, and subject to approval of a recommendation by the ESC on the 19th September 2023, the document is signed at the meeting by the Chairman, the CEO and the Accountant on behalf of the Authority.

**343.** That Members formally accept the final Statement of Accounts, and subject to approval of a recommendation by the ESC on the 19th September 2023, the document is signed at the meeting by the CEO on behalf of the Authority.

### **Chief Executive Officer Updates**

**344.** The CEO discussed the recent ratification of the Net Fishing Byelaw and provided an overview of the Net Fishing Review process to date as well as the significant impact that its ratification will have on a number of fishers in the District.

The CEO discussed the recent General Member Appraisals, in addition to providing an update of a number of recent recruitment campaigns, which have included the successful recruitment of Maria Chaplin as the Office Manager, Clare Jeans as a part-time Accounts Administrator and Celie Mullen and John Lakin who have recently been successful in securing an IFCO role.

The CEO thanked Members for their attendance a recent Southern IFCA Workshop to discuss FMPs, with outcomes currently being compiled by officers for submission to Defra in due course as part of the consultation on frontrunner FMPs.

#### **Resolved**

**345.** That the report be received.

### **Marine Asset Procurement**

**346.** DCO Dell reported that the build of FPV Vigilant was progressing well, despite an estimated 8-week delay on the build, due to a drawing review of cabin positioning. The delay was at the request of DCO Dell on advice from the MECAL Surveyor. The DCO reported that the next factory visit was scheduled for the 3rd of October.

#### **Resolved**

**347.** That the report be received.

### **Net Fishing Byelaw**

**348.** DCO Birchenough reported that officers had been developing communication tools for industry to assist the roll-out of the Net Fishing Byelaw, discussing the content and dissemination of these infographics. DCO Dell explained that he was the designated Fishing Liaison Officer for the byelaw and was focussing on community engagement in areas which will be subject to permits. This included a meeting with the fishing community in Warsash, along with the CEO and Fisherman's Mission. DCO Dell emphasised the focus on continuing to work closely with the fishing community to ensure that net fishing can continue for relevant fishers within the permit areas for those that meet the eligibility criteria.

#### **Resolved**

**349.** That the report be received.

#### **Recommended**

**350.** That the NFB Infographics be circulated to Members

## **ITEMS FOR DECISION**

### **Bottom Towed Fishing Gear Byelaw 2023**

**351.** DCO Birchenough provided Members with an overview of the BTFG review to date and the development of the BTFG Byelaw 2023, with the Byelaw having been 'made' at the Authority meeting on 8<sup>th</sup> June 2023 prior to a period of formal consultation which ended on 28<sup>th</sup> July 2023. DCO Birchenough reported that seven responses had been received, six of which were letters of objection and that in accordance with due process these had been considered by both the TAC in August and subsequently by the ESC, who had approved the draft Southern IFCA responses to the seven responders, in addition to resolving that no amendments were required to be made to the draft byelaw or supporting documentation

and that a recommendation be made to the Authority to submit the BTFG Byelaw 2023 to the MMO for consideration prior to confirmation by the Secretary of State.

Dr A Jensen discussed the two staged approach to the BTFG review. Dr S Cripps discussed his concerns with feature based management and that there was no place for BTFG activity within protected areas. Ms L MacCallum requested that Phase 2 of the BTFG review commence as soon as possible. Dr A Jensen supported this position and reassured Members that as TAC Chair he was already in discussions with officers regarding the second phase. Mr N Hornby asked whether industry were concerned about the proposed 2023 closures, with DCO Birchenough responding that representation had only been received from two industry stakeholders during the period of public consultation and that these objections related specifically to Southbourne Rough MCZ.

Cllr . P Fuller proposed the recommendation which was seconded by Dr A Jensen. All Members were in favour with the exception of Dr S Cripps who abstained.

### **Resolved**

**352.** That the Authority submits the Bottom Towed Fishing Gear Byelaw 2023 to the Marine Management Organisation for confirmation by the Secretary of State.

### **Solent Dredge Permit Byelaw: Scallop Fishery**

**353.** DCO Birchenough provided an overview of the Solent scallop fishery, which emerged in 2013. As the fishery expanded, fishers raised concerns regarding the stock sustainability, which culminated in Southern IFCA introducing a Code of Conduct (CoC) in March 2021 which included seasonal closures between April and October (inclusive) and a limit to two dredges per vessel, as well as a commitment by the Authority to undertake scallop surveys pre and post the fishing season. Subsequently, due to non-compliance with the CoC the TAC developed permit conditions under the Solent Dredge Permit Byelaw (SDPB) which were agreed at the TAC meeting in February 2022 and introduced through a variation to the SDPB Category A Permit for 2022-2023. Under these permit conditions a seasonal closure of April to September (inclusive) was introduced along with the above mentioned gear restrictions.

The DCO explained that management is currently in place under the 2022 to 2023 permit period, with the fishery due to open on the 1<sup>st</sup> October 2023, and that 32 vessels are permitted. The DCO discussed that that a pre-season survey had been undertaken between the 4-6<sup>th</sup> September and that outcomes of this suggested a decline in CPUE in this fishery. The DCO also referred to a letter received from industry on 11th September 2023 which raised concerns regarding the health of the scallop fishery and requested a reduction in fishing hours and days.

DCO provided Members with a comprehensive overview of the best available evidence for the fishery via PowerPoint, which included an initial analysis of CPUE data from the Autumn 2023 survey compared to previous surveys, catch data submitted by permit holders from both the 2021-22 season and the 2022-23 season, as well as MMO landings data for comparison purposes from between 2015 to 2020.

DCO Birchenough outlined that data from the Southern IFCA Scallop Survey had been analysed for the Solent as a whole (the area covered by the survey) as well as by Bivalve Management Area (as defined under the SDPB) and by individual survey sites. At a Solent level, the data showed that whilst in 2022 there had been a significant increase in total CPUE and CPUE under Minimum Conservation Reference Size (MCRS) during the closed season, this had not been seen in 2023 and that CPUE levels were lower in autumn 2022 than autumn 2023. It was noted that for CPUE over MCRS a significant increase during the closed period was seen for both years. For BMA level comparisons, the survey takes place in BMA 2 (no significant results) and BMA 3 where the pattern of results was the same as that seen at the Solent level. DCO Birchenough explained the results at a site level outlining that in 2022 1 out of 17, 5 out of 17 and 1 out of 17 sites had showed a decline in CPUE during the fishery closed period (spring to autumn) for Total CPUE, CPUE under MCRS and CPUE over MCRS respectively compared to 8 out of 18, 14 out of 18 and 5 out of 18 sites in the 2023 surveys. In addition, 13 out of 19, 15 out of 19 and 9 out of 19 sites showed a decline in CPUE in autumn 2023 compared to autumn 2022 for Total CPUE, CPUE under MCRS and CPUE over MCRS respectively. DCO Birchenough outlined through visual maps where these declines were noted to be statistically significant.

DCO Birchenough also reviewed the catch data from permit holders, providing an overview of weight of scallops caught and the number of boats fishing for scallops for each of the months of the season for

2021-2022 and 2022-2023 (to date) and how this effort was split between BMAs with a clear focus of effort in BMA 3 in both years, and data from the MMO to provide context prior to the introduction of specific scallop fishery management in the Solent, recognising that there were caveats to this data and the two data sources were not directly comparable.

DCO Birchenough concluded by reviewing the current flexible permit conditions for the scallop fishery under a Category A Permit and the options available to the Authority to manage effort in the fishery in accordance with the SDPB. A final slide was provided on points for Members to consider when discussing management options which reflected the duties of Southern IFCA under the Marine and Coastal Access Act 2009.

In accordance with Standing Orders, the Chairman invited Mr Steve Boyd, a fisherman from Warsash, Hampshire to address the Members. Mr Boyd explained to Members the concerns of the Warsash fishers who see firsthand the depletion of the scallop stocks and asked that the Members consider intervention via a shortening of fishing hours from 0800 to 1400 and removing fishing at weekends.

Mr Charlie Brock was invited to address the Members who described why the proposal to close the fishery for the 2023-2024 season would not be appropriate. Mr Brock agreed a need to consider additional management, suggesting that the fishing week be reduced to five or six days with the weekend off and a reduction in fishing hours 08:00 till 16:00. Mr Brock discussed the consideration of a delayed start to the season to commence 1<sup>st</sup> November. He also discussed the potential to consider the use of more efficient fishing gear and suggested a mid-season survey so that Southern IFCA could gather more data.

The CEO read a statement on behalf of Mr Daryle Matthews, a Portsmouth fisherman, which in summary asked for Members to consider a reduction in fishing days to 6 and a change in fishing hours from 0800-1600.

The Chairman thanked the public gallery for their representations and opened up discussions to the Membership. Mr G Wordsworth raised possible comparisons of the stock decline with those seen in Poole Harbour for other shellfish species due to a lack of rainfall the previous summer. Dr S Cripps recognised the inability to fully quantify a reduction in effort due to the data sets available. Mr N Hornby asked what management options were available to the IFCA to achieve a reduction in effort. Cllr P Fuller discussed the financial implications of shortening a season and Christmas markets. Ms L MacCallum asked whether a track record was required for this fishery and whether the fishery was within an MPA. In addition Ms L MacCallum recognised that two years' worth of data wasn't robust, but it is considered to be the best available evidence. Mr R Stride was encouraged with the representations from industry and agreed that there was no justification for a full closure due to data uncertainty. Ms E Bussey-Jones discussed the possible future access into the fishery if sustainability improved following management intervention.

The CEO discussed with Members the options available to reduce effort in the fishery, as permitted under flexible permit management and the resource implications of these. In addition she discussed the track record requirements for entry into this fishery in year one and access for new entrants. In addition she discussed the Access Policy, which has the ability to be reviewed in accordance with the provisions of the byelaw, enabling the Authority to consider access requirements and limitations on permit numbers. DCO Birchenough described the legal process surrounding industry consultation and confirmed parts of the fishery were within an MPA, with BTFG closures used as a general management tool in areas where the fishery operates.

The CEO discussed the need for Members to make a decision today on proposed management interventions that could be taken to consultation immediately, with a final decision on any proposed changes to be made by the Authority at an Extraordinary meeting on the evening of Tuesday 26<sup>th</sup> September 2023.

The following recommendations were considered for the current 2022-2023 permit season:

**354. Resolved**

**(1) That permit condition (3) and (7) from the 2022-2023 Category A Permits (as issued under the SDPB) are revoked and replaced with a provision that ensures that scallops are not fished for or removed from the Solent fishery from 1<sup>st</sup> October to 31<sup>st</sup> October 2023 and that subsequently:**

**a) a period of consultation with 2022-2023 32 permits holders be held between the 22<sup>nd</sup> September until 26<sup>th</sup> September in accordance with requirements under the SDPB.**

**b) That the Chairman and Vice Chairman of the Authority and the Chairman and Vice Chairman of the Technical Advisory Committee are delegated by proxy to consider the outcomes of the above-mentioned consultation and determine management measures on behalf of the Authority, with subsequent outcomes to be disseminated to fishers by 28<sup>th</sup> September 2023.**

Cllr M Winnington proposed Recommendation (1) and (1a) and Dr S Cripps seconded. All Members were in favour.

As Recommendation (1b) remained under debate, the Chairman introduced the following amendment which was seconded by Dr S Cripps. All Members were in favour.

**b) That an Extraordinary meeting of the Authority be held at 1800 on the 26<sup>th</sup> September 2023 at the Southern IFCA office in order to consider the responses to the consultation and determine management measures, with subsequent outcomes to be disseminated to fishers by 28<sup>th</sup> September 2023.**

The following recommendations were considered for the forthcoming 2023-2024 permit season:

**(2) That fishing for scallops is not permitted under the 2023-2024 SDPB Category A Permit, and subsequently:**

**a) That a period of consultation with 34 applicants who have applied to fish under the 2023-2023 SDPB Category A Permit be held between the 22<sup>nd</sup> September until 26<sup>th</sup> September.**

b) That the Chairman and Vice Chairman of the Authority and the Chairman and Vice Chairman of the Technical Advisory Committee are delegated by proxy to consider the outcomes of the above-mentioned consultation and determine management measures on behalf of the Authority, with subsequent outcomes to be disseminated to fishers by 28<sup>th</sup> September 2023.

The following amendment was made to Recommendation (2), proposed by Cllr M Winnington and seconded by Cllr P Fuller. All Members were in favour with the exception of Ms L MacCallum.

**(2) That fishing for scallops is not permitted under the 2023-2024 SDPB Category A Permit for the period 1<sup>st</sup> April 2024 to 31<sup>st</sup> October 2024, and that fishing is to be permitted for five days a week, between 0800-1400 daily during the season.**

As Recommendation (2b) remained under debate, the Chairman introduced the following amendment which was seconded by Dr S Cripps. All Members were in favour.

**b) That an Extraordinary meeting of the Authority be held at 1800 on the 26<sup>th</sup> September 2023 at the Southern IFCA office in order to consider the responses to the consultation and determine management measures, with subsequent outcomes to be disseminated to fishers by 28<sup>th</sup> September 2023.**

### **Annual Report 2022-2023**

**354.** The CEO described the requirement for Southern IFCA to submit an Annual Report to Defra in accordance with the provisions under the Marine and Coastal Access Act 2009. The CEO provided a brief overview of the report and thanked staff, Members and the wider community for their contributions.

Cllr P Fuller proposed the recommendations and Mr R Stride seconded. All Members were in favour.

### **Resolved**

**355.** That Members consider and provide comment on the draft Annual Report and that Members approve its submission to the Secretary of State.

### **ITEMS FOR INFORMATION ONLY**

#### **Joint Working with The Marine Management Organisation**

**356.** Senior IFCO Mr A Parry discussed recent joint work undertaken with the MMO on the offshore patrol vessel Viking Sentinel, which had been arranged through NIMEG in order to bring together expertise in the field of regulation and enforcement, to allow for sharing of best practice which in turn promotes professionalism and consistency with the aim of aligning compliance approached across regulators.

#### **Resolved**

**357.** That Members noted the report.

#### **Compliance and Enforcement Report**

**357.** DCO Dell provided an overview of work undertaken by the Compliance and Enforcement Team for the period April to June 2023.

#### **Resolved**

**358.** That Members noted the report.

#### **Research and Policy Team: Behind the scenes**

**359.** DCO Birchenough provided a quarterly overview from the officers in the Research and Policy Team for the period April to June 2023.

#### **Resolved**

**360.** That Members noted the report.

#### **The Sector Group Meetings**

**361.** DCO Birchenough introduced the minutes from the Recreational Angling Sector Group and the South Coast Fishermen's Council.

#### **Resolved**

**362.** That Members noted the report.

#### **Date of Next Meeting**

**363.** The next Authority Meeting will be held on the 7<sup>th</sup> December at 2pm at RNLI in Poole, a Christmas meal will follow the meeting.

#### **AOB**

**364.** Dr S Cripps requested a presentation on the new Poole Harbour Aquatic Management Plan at a subsequent meeting.

#### **Recommended**

**362.** That DCO Birchenough explore possible arrangement for a guest speaker on the above named item at a subsequent meeting of the Authority.

The meeting concluded at 17:10.