

**SOUTHERN INSHORE FISHERIES & CONSERVATION AUTHORITY
TECHNICAL ADVISORY COMMITTEE – 24th August 2023**

MARKED A

Minutes of the Annual General Meeting (AGM) of the Technical Advisory Committee (TAC) held in the meeting room at the Southern IFCA office in Poole at **14:00 on 24th August 2023**

Present

Dr Antony Jensen	Chairman, MMO Appointee
Mr Richard Stride	Vice Chairman, MMO Appointee
Dr Simon Cripps	MMO Appointee
Mr Colin Francis	MMO Appointee
Ms Louise MacCallum	MMO Appointee
Mr Gary Wordsworth	MMO Appointee
Mr Stuart Kingston-Turner	Environment Agency
Ms Pia Bateman	Chief Executive Officer (CEO)

Deputy Chief Officers (DCOs) Ms Sarah Birchenough and Mr Sam Dell, Office Manager Ms Maria Chaplin, Inshore Fisheries and Conservation Officers (IFCOs) Ms Emily Condie, Mr Dominic Parry, Ms Celie Mullen and Project Officer (PO) Ms Chelsea Perrins were also present.

Ms Elisabeth Bussey-Jones (MMO Appointee), Mr Tedd Legg (MMO Appointee), Jess Taylor (Natural England) attended the meeting virtually.

Mr Tim Smith (Association of IFCAs) and Mr Mike Bennet attended the virtual public gallery.

Chairman's Welcome

Dr A Jensen opened the meeting, reminding Members that the meeting would be recorded for the purposes of minute taking. Dr A Jensen welcomed new Members Ms Elisabeth Bussey-Jones (MMO Appointee) and Mr Stuart Kingston-Turner (Environment Agency), as well as Maria Chaplin at her inaugural meeting as Southern IFCA's new Office Manager.

Election of Chairman for 2023-2024

1. That Dr A Jensen be elected as Chairman for the year 2023-2024. This motion was proposed by Mr R Stride and seconded by Mr G Wordsworth. All Members were in favour.

Election of Vice Chairman for 2023-2024

2. That Mr R Stride be elected as Vice-Chairman for the year 2023-2024. This motion was proposed by Dr A Jensen and seconded by Ms L MacCallum. All Members were in favour.

Apologies

3. Apologies for absence were received from Mr N Hornby (MMO Appointee) and Ms R Rachel Irish (MMO Appointee).

Declarations of interest

4. The following pecuniary interests were declared: Mr G Wordsworth (Agenda Item 4&12: relevant item as captured in these Minutes:6&18), Mr R Stride (Agenda Item 7, relevant item as captured in these Minutes 10), Mr T Legg (Agenda Item 6&8: relevant item as captured in these Minutes 8&12). The following non-pecuniary interests were declared: Mr R Stride (Agenda Item 10 relevant item as captured in these Minutes 16).

Minutes

5. Members considered the Minutes of the meeting held on the 4th May 2023. DCO Birchenough provided an update on Recommendation 189, confirming that officers had discussed options regarding areas which were proposed to be reopened under the BTFG Byelaw 2023 in accordance with Phase 1 Principles at a recent meeting of a Working Group. These discussions concluded that the areas are to remain closed, for subsequent review during Phase 2 of the BTFG Review, in order to consider socio-economic and environmental impacts that a change in management may have in these areas.

The CEO provided an update on Recommendation 192, that in accordance with Standing Orders and the Local Government Act 1972, where a Member is unable to vote on an item due to a pecuniary interest, the Member remains present in the meeting, and therefore where relevant, maintains quorum.

The minutes were confirmed and signed.

Guest Speaker: Cockle Fisheries Management Plan (FMP)

6. Members received a virtual presentation from Mr Tim Smith of the Association of IFCA's, on the development of the Cockle FMP to date. Mr T Smith provided a background to the FMP, which is inclusive of four key cockle fisheries (Southern, Northwestern, Kent & Essex, Eastern), with the aim to provide a blueprint FMP which builds on the existing and successful management models being employed by the four IFCAs. Mr T Smith discussed timelines which culminate in submission to Defra in February 2024. Mr T Smith encouraged any Members with an interest to contact him direct.

Mr G Wordsworth asked how the differing nature of the cockle fisheries, which includes the Poole Harbour MSC certified fishery, would be considered under the FMP, raising concerns of a 'one model fits all approach'. Mr T Smith recognised the success and variation of existing management regimes, and discussed how the FMP intends to build a blueprint for emerging cockle fisheries to use.

The CEO asked how open Defra are to seeing the outcomes of an FMP which recognises existing management that is working well. Dr A Jensen asked whether the FMP will consider the impact of warming weather on species movements around the coast, in order to future proof the plan. Mr T Smith intends to include this consideration into the development of best practice.

Dr A Jensen thanked Tim Smith and looks forward to how this develops.

PROGRESS REPORTS

7. Chief Executive Officer Updates

The CEO began with an update of the Net Fishing Byelaw (NFB), confirming that the Secretary of State had now signed this Byelaw. The CEO provided Members with a background to this area of work, which had been submitted to the MMO in March 2022. On the 3rd April 2023, the NFB was passed to Defra for consideration and subsequently the Authority has now received confirmation of its ratification.

The CEO thanked Members for their hard work since 2017, with a particular focus on work that Members and Officers had more recently undertaken since 2021, in response to the TAC membership rejecting a recommendation in February 2021 to 'make' the proposed draft byelaw, instead recommending that the Net Fishing Review undergo an internal evaluation to

SOUTHERN INSHORE FISHERIES & CONSERVATION AUTHORITY

TECHNICAL ADVISORY COMMITTEE – 24th August 2023

MARKED A

ensure its robustness in accordance with the IFCA duties. This review led to innovative solutions where, as an Authority, Southern are able to demonstrate how we are seeking to balance the needs of the fishing community with those of conservation, in accordance with our legal duties. The risk based models that were developed to facilitate co-use of space in functionally linked areas, draw together risk components which were identified for functionally linked areas utilised by salmonids and Essential Fish Habitats (EFH) in order to inform, in combination, the site specific management outcomes, as well as capturing the legislative drivers underpinning the management intentions as well as those areas already subject to existing governance.

The CEO recognised that following the ratification of the NFB, that not all stakeholders will be supportive of its introduction and that as an Authority Southern are acutely aware of the impact that its introduction may have on fishers' livelihoods. The CEO discussed that in delivery of the IFCA duties as an Authority, Southern will never be able to satisfy all parties however, the CEO reminded Members of the unique legislative remit of the IFCA, with the NFB encapsulating a balance across social, economic and conservation in accordance with these duties. The CEO discussed the next stages, where the IFCOs will focus on communication, which will include reference to the mutual benefits of the NFB across all sectors that Southern IFCA represent.

Ms L MacCallum asked whether the uniqueness of the NFB was the cause of the delay in the MMO Quality Assurance (QA) process and eventual ratification. The CEO could not expand on the reasons for the delay, however, was aware that there had been significant interest from stakeholders throughout, with direct communications between industry and Defra ongoing during the QA process. The CEO was also aware of previous resource challenges in the MMO legal team. In addition, due to the complexity of the byelaw through its development stages (covering a period of five years), coupled with the district-wide evidence packages which underpin the byelaw, it would be right to assume that thorough scrutiny by the MMO and subsequent Defra will have taken place over a prolonged period of time.

Mr R Stride asked if the ratification could be challenged by industry now that the Byelaw has been signed by the Secretary of State. The CEO responded, that to the best of her knowledge and in accordance with Defra Guidance, the window for public enquiry closes once the Byelaw has been ratified. The CEO reminded Members that stakeholders have a defined period of time to respond to the formal public consultation, where they are able to object to the byelaw. These objections are then considered by the MMO and Defra as part of the wider QA process.

Dr S Cripps reflected on the impact on livelihoods that the Byelaw may bring, discussing the fact that if the NFB hadn't been made, livelihoods would still be impacted via a degradation of the marine environment. Further, Dr S Cripps asked that when officers begin to communicate the news of the byelaw, that, we remind all stakeholders that the point of the byelaw is not to restrict, rather it is part of a wider approach which will enhance industry at the same time as protecting the environment upon which the fisheries depend.

Dr A Jensen discussed the differing approaches to net fishing regulations by other IFCAs, recognising that it may have taken six years at Southern to get to a point of byelaw ratification, but this time was essential in developing solutions which could support and facilitate net fisheries in the district's harbours and estuaries, whilst achieving conservation objectives.

The CEO provided Members with an overview of the current Defra consultations, which form part of the UK Government's proposals for fisheries reform policy, released on the 17th July 2023. The CEO explained the importance of these consultations and provided a user friendly paper to help Members and the wider stakeholder community navigate and be informed so that they can feed into the consultations. The CEO discussed Defra's virtual attendance

following the meeting of the TAC, where more in-depth information on the consultations would be provided.

ITEMS FOR DECISION

8. Bottom Towed Fishing Gear Byelaw 2023

DCO Birchenough provided an overview of Phase 1 of the BTFG Byelaw Review, reminding Members that the Authority had approved the 'making' of the Byelaw on the 8th June 2023. Subsequently a period of formal consultation was held, ending the 28th July 2023.

DCO Birchenough highlighted that the majority of responses were received from the conservation sector (1: letter of support & 6 objections). In addition, two industry responses were received outside of the formal consultation window, DCO Birchenough informed Members that these would be considered under Phase 2. In summary, the objections received considered whole site management versus feature-based management, the extent of the site-specific boundaries, and the evidence based that had been used to develop the draft byelaw.

In consideration of the objections received, DCO Birchenough invited Members to consider whether there was a need to make any subsequent changes to the draft byelaw, prior to consideration by the Executive Sub-Committee, who will be reviewing the letters of objections and draft responses provided by Southern IFCA, prior to consideration by the Authority to submit the Byelaw to the Secretary of State.

Dr A Jensen acknowledged the objections received regarding whole-site management, recognising the widely accepted frustrations associated with feature-based management, and suggested that these objections were taken forward into Phase 2 of the BTFG review, where the Authority will be considering management beyond a feature-based resolution, where socio-economic and environmental matters can be considered in combination.

Dr S Cripps asked for clarification of feature-based management vs. whole site management. In response, Dr A Jensen discussed the rationale underpinning the phased approach, which will allow Southern to achieve the Government deadline of 2024 for management within MPAs (National Site Network Sites), with Phase 2 allowing for a wider review of sensitive habitat management, both within and outside of MPAs, considering what management may be required beyond designated feature-based management, incorporating extensive consultation to incorporate socio-economic as well as conservation evidence.

Ms J Taylor asked whether there would be an opportunity to discuss the area in Studland to Portland where management is not suggested based on the low confidence in the evidence. DCO Birchenough confirmed that she had had in depth discussions with NE in January 2023, where it was agreed that the evidence was not robust enough to support a closure.

Dr S Cripps asked why some protected area boundaries were larger than the location of the designated features. Mr R Stride had asked this question during the MCZ development process and had been informed that the boundaries were drawn to ensure the smallest number of lines. Ms J Taylor defined these areas in question as 'site fabric', namely those areas of the site which don't include the designated feature.

Dr A Jensen proposed the first recommendation which was seconded by Mr R Stride. All Members were in favour, with the exception of Dr S Cripps and Mr S Kingston-Turner who abstained.

Dr A Jensen proposed the second recommendation which was seconded by Mr R Stride. The Members unanimously supported the proposal.

9. Resolved

a) On reviewing the feedback from the formal consultation, it is recommended that no amendments are made to the Byelaw or supporting documentation.

b) That a summary of the TAC discussion is provided to the Executive Sub-Committee in order to inform their subsequent decision to make recommendations to the Authority regarding the submission of the byelaw to the MMO for confirmation by the Secretary of State

10. Black Seabream Management Development

DCO Birchenough provided an overview of the Black Bream Review to date, explaining that this MPA work falls in line with 2024 government deadline for MPA management. This overview included the designation of Black Bream in the following MCZs 1) Purbeck Coast, 2) Poole Rocks 3) Southbourne Rough, as part of the 2019 Tranche 3 MCZ process.

DCO Birchenough guided Members through the summary conclusions from Part A MCZ Assessments, as well as a site-specific evidence package which in combination provided information on the locations of black bream nests and fishing activity locations.

DCO Birchenough discussed the recommendations, namely that the officers draft management principles relevant to the three MCZ's, for consideration and approval by Members at a subsequent working group, with the intention that these outcomes are formally considered alongside the development of draft measures at the November TAC.

Mr R Stride raised his concerns regarding the use of sightings data as robust evidence. Members discussed the abundance of black seabream across the District, and asked why the Conservation Objective was set to recover, questioning its accuracy and asking for clarification of what we are required to protect and to what degree.

Ms J Taylor discussed 'recover targets' as a general management approach, which would have been based on exposure to certain activities and their impacts. She discussed that NE have now provided updated and focussed advice which is supplementary to the Conservation Objectives.

Mr R Stride questioned that if the Conservation Objective of recovery is set because the species is subject to a pressure which might be producing an impact, then by definition we are locked into removing that pressure. If it is not in need of recovery it's already doing ok, it should be maintained, highlighting that we are never going to succeed because we can't recover it if it's already recovered.

Members were in agreement that as part of this review we must fully understand the 'Recover' Conservation Objective, given the importance of this fishery, in particular for sea anglers.

Ms L MacCallum discussed the Fisheries Industry Science Partnership Project (FISP) for tagging Bream and asked whether this data could be introduced into the review.

The recommendations were taken on mutual consent, with all in favour.

11. Resolved

a) That in accordance with the best available evidence, officers develop a set of draft Management Principles relevant to the three Dorset MCZs, for consideration at a subsequent TAC Working Group.

- b) That the outcomes of this Working Group will inform the development of draft management measures prior to consideration at the November TAC.

ITEMS FOR INFORMATION

12. Fisheries Management Plans

DCO Birchenough provided an update on the FMPs and reminded Members that a Workshop was being held on the 7th September which would facilitate Members input into the consultation response to Defra.

13. Resolved

That Members note the update

14. Southern IFCA Survey Reports

IFCO Mr D. Parry began by providing an overview of the Southern IFCA Whelk Survey 2023.

Members discussed the challenges of annual data comparisons and the methodologies regarding pot design. IFCO Parry described how the survey was designed to be undertaken at the same time each year, and that it had been considered that there would be differences in pot design, however each set of pots has been adapted to fish in certain conditions and areas of the District and are therefore optimised for capture. Mr R Stride suggested a need to undertake the survey more frequently to achieve a more accurate picture, however acknowledged resource challenges with this approach.

DCO Birchenough recognised the caveats of all survey work, explaining why it was important to try and maintain survey variables where possible, such as timing etc. Whilst recognising this isn't a perfect science, in following a set methodology, repeated each year, mitigation against possible bias could be demonstrated. Additionally, consideration of variables is taken into account when undertaking comparisons in data.

IFCO Ms E. Condie provided an overview of the Southern IFCA Juvenile Fish Surveys 2017 to 2023.

Members asked about data comparisons with previous years across sites and changing methodologies and welcomed the approach to citizen science, where other partners are taking an active role in this survey. In addition, Members asked for the data analysis to be clearer visually for ease of understanding, with a summary considered for all future survey reports where Members and the wider community alike can assess the information in a more user friendly format.

Members thanked both IFCOs for their reports

15. Resolved

That Members note the update

16. Marine Licensing Update

IFCO Ms E. Condie provided a quarterly update on Southern IFCA's input into the marine licensing process since May 2023.

17. Resolved

That Members note the update

SOUTHERN INSHORE FISHERIES & CONSERVATION AUTHORITY
TECHNICAL ADVISORY COMMITTEE – 24th August 2023

MARKED A

18. Poole Harbour Several Order – Requests to Amend Business Plans

In accordance with Schedule 12A of The Local Government Act 1972, members of the public were excluded during the consideration of this item.

IFCO Ms I Griffiths provided an overview of the matters under consideration. Following discussion amongst the Membership, the recommendations were taken on mutual consent, with all in favour. Mr G Wordsworth was unable to vote due to a pecuniary interest in the matter.

19. Resolved

a) That Members approve the proposed changes to Business Plan 2020-2025 for Lease Bed 3.

b) That Members approve the proposed changes to Business Plan 2020-2025 for Lease Bed 4.

20. Date of Next Meeting

That the next meeting of the TAC will be on the 2nd November 2023 at Southern IFCA, Unit 3 Holes Bay Park, Sterte Avenue West, Poole Dorset BH15 2AA.

There being no further business the meeting closed at 16:37.

Chairman:

Date: