

Southern Inshore Fisheries and Conservation Authority

FULL AUTHORITY – 21 SEPTEMBER 2017

Minutes of the Quarterly Meeting of the Southern Inshore Fisheries and Conservation Authority held in the Cattistock Room, Civic Centre, Poole Council on Thursday 21 September 2017.

Present

Prof J Humphreys (Chairman, MMO Appointee)
Cllr Mrs A McEvoy (Vice Chairman, Hants CC)

| | |
|--------------------|----------------------------------|
| Cllr Mr S Hastings | (Portsmouth City Council) |
| Cllr Mr J Hobart | (Isle of Wight Council) |
| Cllr Mr J Savage | (Southampton City Council) |
| Cllr Mr M White | (Hampshire County Council) |
| Dr S Cripps | (MMO Appointee) |
| Mr N Horsman | (MMO Appointee) |
| Dr A Jensen | (MMO Appointee) |
| Mr S Kershaw | (MMO Appointee) |
| Mr T Legg | (MMO Appointee) |
| Ms L MacCallum | (MMO Appointee) |
| Mr R Stride | (MMO Appointee) |
| Dr R Morgan | (Natural England) |
| Mr A Perry | (Marine Management Organisation) |

The Chief Executive, Deputy Chief Executive Richardson, the Finance and Administration Officer and IFCOs Birchenough, Cooper, Meek and Pengelly attended. Dr T Ferrero (HIWWT) and Mssrs M & R Varndell, Southern Oyster Fisherman's Association (SOFA) attended in the public gallery.

Apologies

76. Apologies for absence were received from: Cllr K Brookes (Dorset), Cllr J Rampton (Poole), Mr P Johnson (MMO), Mr M Ratsey (Accountant), Cllr Ms L Price (Bournemouth) and the Finance and Administration Manager.

Declaration of Interests

77. Members then declared their pecuniary and non-pecuniary interest in the following minutes: Dr Jensen (97), Mr T Legg (97), Mr Stride (89a)

Minutes

78. Members considered the Minutes of the meeting held on 29 June 2017. Dr Cripps asked that his name be removed from the apologies list. The Minutes, having been amended, which had previously been circulated were confirmed and signed.

Public Questions

79. Mr Varndell provided Members with a statement from the Southern Oyster Fisherman's Association (SOFA) which related to the Solent Oyster Fishery that would be discussed later in the meeting.

DEFRA Guidance

80. The Chairman gave Members a brief summary of the guidance notes which he felt was useful to highlight particularly for the newer elected Members of the Authority. HE explained that it was important that there was an awareness of the Secretary of States

Southern Inshore Fisheries and Conservation Authority

FULL AUTHORITY – 21 SEPTEMBER 2017

guidance to IFCAs, this being one of a number of guidance notes on how IFCAs should operate and what they should be achieving.

Presentation – Compliance and Enforcement

81. IFCO Meek and DCO Richardson gave Members a presentation on the recent compliance and intelligence activities of the officers. They presented the quarterly report that outlined the operational planning, current offence reports and recent outcomes. Mr Legg asked if the matrix used to define illegal activities could be applied to legal activities that have an impact on stock i.e. overexploitation. He asked if fixed net patrols were to identify illegal activity or licenced fishermen as well. IFCO Meek explained that the target was the activity not the type of fisherman. Dr Cripps asked how hand-gathering was considered. IFCO Meek explained that each site receives a risk assessment which helps to dictate the approach to use and officers wear cameras that assist in establishing identities. The Chairman thanked the officers for the useful update.

Resolved

82. That the report be received.

Executive Committee

83. Members considered the Minutes of the Executive Committee held on 29 June 2017. The Chairman highlighted the collaborative work with Devon and Severn IFCA on use of the FPV Protector.

Resolved

84. That the Minutes of the Executive Committee held on 29 June 2017 were received and the recommendations contained therein be adopted.

Extraordinary Executive Committee

85. Members considered the Minutes of the Executive Committee held on 23 August 2017.

Resolved

86. That the Minutes of the Executive Committee held on 23 August 2017 were received and the recommendations contained therein be adopted.

Technical Advisory Committee (TAC)

87. Members considered the Minutes of the Technical Advisory Committee held on 31 August 2017.

Resolved

88. That the Minutes of the TAC held on 31 August 2017 be received and the recommendations contained therein be adopted.

Progress Report on Outstanding Matters

89. **a. Review of Netting Management.** IFCO Pengelly updated Members on the progress of the review of netting regulations across the District including legacy byelaws and bass nursery area regulations. The Technical Advisory Committee resolved to continue to gather additional evidence to complement the review process including information on the use of nets in estuaries, engagement in DEFRA's ongoing review of bass nursery areas, gathering of further evidence on use of District waters by juvenile bass populations and mapping of areas where legacy EA byelaws may be merged.

Southern Inshore Fisheries and Conservation Authority

FULL AUTHORITY – 21 SEPTEMBER 2017

He asked Members to create a working group to review netting management within the scope outlined in the report and to make recommendations to the Authority. The recommendation included that the Membership of the working group comprise of Members of the TAC and Executive Committee. Members were concerned that the information given by the Environment Agency, that this paper had been developed from did not provide sufficient evidence to back up the claims. Mr Stride was concerned that the Authority could not impose measures to restrict netting without evidence to support the mortality statement made by the EA. IFCO Pengelly explained that these matters would be discussed in the working group. Mr Horsman felt the EA were correct in raising the point of compliance with the Water Framework Directive and the legal requirements of the Authority. He asked what was the position with the legacy byelaws that had to be reviewed following the formation of the IFCAs. The Chief Officer explained that the plan to review these was in place and this was annually assessed and updated. The Chairman asked Members to agree the recommendations under general consent.

Resolved

90. To establish a Working Group to review the netting management.

Budget Control Statement

91. The Chief Officer explained to Members the figures in the Budget Control Statement. The Authority was ahead of budget by £32,600 primarily due to savings on salaries from resignations by two members of staff. He added that a new member of staff would be starting in October and he expected the budget to stabilise in that regard. He continued that deviations in the budget were dealt with through the report and associated notes for variances in excess of £1000. He asked Members consider section 3.2 of the report highlighting payments over £5K relating to legal fees for a court case which went to appeal, the appeal subsequently was dropped after barristers had been instructed and the defence prepared. All other prosecutions were as predicted in the budget. Also the office computer system and equipment, following resolution to replace and upgrade, had been completed.

Cllr McEvoy expressed concern that the Appeals and Scrutiny Sub Committee had not been quorate for recent meetings. She felt it was important to monitor the money that was spent and elected Members should consider how the levy provided by their local authority was used; however meetings had been constituted and Members were not attending. Councillors present said they would endeavour to attend.

Resolved

92. That the Budget Control Statement to date 31 August 2017, as set out in Annex "A" to these minutes, be approved.

Annual Audit

93. The Chief Officer briefed Members on the report which followed the standard format for the conclusion of the annual accounts and they had been subject to external limited assurance engagement audit. He added that corrections had been made following the last meeting and the Auditors were advised of the change which they were happy to accept. Cllr McEvoy proposed and Mr Stride seconded the proposal and all Members present voted in agreement.

Southern Inshore Fisheries and Conservation Authority

FULL AUTHORITY – 21 SEPTEMBER 2017

Resolved

94. That the Annual Return, as set out in Annex 'B' to these Minutes, be received, approved and adopted.

Dredge Permit Byelaw – Public Consultation

95. The Chief Officer informed Members that there have been competing priorities for resources, a number of pieces of work have been conducted to enhance fishing opportunities in the Solent and simultaneously protect the marine environment resulting in significant progress in this regard. Officers have brought together these workstreams to meet the Authority objectives.

IFCO Pengelly explained that at the last TAC meeting Members resolved to develop a new dredge permit byelaw similar to that in Poole to enhance sustainability and economic viability of the district's bivalve shellfish fisheries. He asked Members to receive the draft version of the byelaw and a draft consultation document and asked for any comments. The next step would be the consultation with stakeholders.

Mr Legg was concerned that because of health grounds parts of the Solent could be closed at short notice, therefore there could be a risk of displacement and/or economic hardship. IFCO Pengelly asked Members to look at section 3.7; the temporary closure byelaw would facilitate closure of a fishery based on stock levels, one item to come out of management of Poole Harbour was whether there should be an ability to introduce temporary closures due to water quality leading to lower value of catches and allowing the stock be protected until the value of the stock increased through better water quality. He added that question 9 invited consultees to comment on how this may be applied through the proposed new byelaw. Displacement was a serious consideration that had been considered through the development of previous byelaws. The proposed byelaw would provide the opportunity to be flexible in management measures in line with the development of temporary closures to keep a check on effects of displacement. He wanted to gather more information from consultees as to how this might be applied. He hoped the byelaw would increase the economic return of the fishery. Mr Kershaw explained that the water quality concerns were outside the remit of the IFCA and the Chairman agreed these would be dealt with by other agencies. Members discussed the ability of the Authority to close a fishery on economic or water quality grounds. Members asked for more questions to be added that included comments on limited entry into the fishery.

Resolved

96. That the report be noted.

Solent Oyster Fishery – Temporary Closure Byelaw

97. IFCO Cooper informed Members that the report was to consider the application of the Temporary Closure Byelaw for the 2017-18 oyster season in the Solent. The Technical Advisory Committee had recommended that the oyster beds in the Solent, Southampton Water and Harbours were so severely depleted as to require closure based on stock assessment. Consideration had been given to the socio-economic impacts of applying this byelaw and other regulations such as Bottom Towed Fishing Gear byelaw 2016, made but not yet approved by the Secretary of State. He continued that the recommendation was that within the Solent, where significant areas exist which would provide brood stock

Southern Inshore Fisheries and Conservation Authority

FULL AUTHORITY – 21 SEPTEMBER 2017

and protection, these areas should be prohibited by use of the Temporary Closure of Shellfish Beds byelaw. The closure byelaw should not be applied to the harbours of Portsmouth and Langstone as these would be managed by the Bottom Towed Fishing Gear Byelaw 2016. He continued that the regeneration project also had the potential to buy back oysters which could be relayed. He asked members to consider the Impact Assessment also provided that looked at the available options. He added that it was difficult to determine full extent of the financial impact as the closure byelaw had been applied in different ways in different years.

The Chairman reminded Members that the statement from SOFA was relevant to this item and he provided clarity for new Members on the history of the native oyster fishery. The report had been discussed at the previous TAC and he felt that it had been improved with a better understanding of the socio-economic impact. Members discussed their concerns regarding the depleted fishery. Ms MacCallum asked for an amendment to the recommendation to include Langstone and Portsmouth Harbours in the closure. This was not seconded. Mr Stride proposed and Mr Kershaw seconded the recommendations in the report. Of the Members that did not express an interest seven Members voted with the recommendations, three voted against and one Member abstained.

Resolved

98. a. That the Solent oyster beds are so severely depleted that they require closure.
- b. That oyster beds on the Solent are closed through the application of the Temporary Closure of Shellfish Beds byelaw.
- c. That Portsmouth and Langstone Harbours remain open for the season.
- d. That officers notify relevant stakeholders of the application of the byelaw.
- e. That the Authority support the buy back scheme.

Annual Report

99. The Chief Executive asked Members to agree the Annual Report. Members asked for a few amendments to wording. Mr Horsman asked if more could be made of the implications of implementing and enforcing legislation made by other agencies that is carried out by IFCA's. The Chairman thanked officers involved in compiling the report and to those that had contributed to the work reflected in the paper. The Chief Officer added that a large amount of work had been completed to implement the management measures in Poole Harbour, involving a campaign of changing management and enforcement issues. He thanked the enforcement officers for their involvement that had been greatly appreciated. The Chairman said he would make the changes asked for in the report and Members agreed the Annual Report under general consent.

Resolved

100. That Annual Report be approved.

Meeting Dates 2018

101. The Chairman asked Members to consider a report setting out suggested dates of meetings for 2018.

Southern Inshore Fisheries and Conservation Authority

FULL AUTHORITY – 21 SEPTEMBER 2017

Resolved

102. That the dates of meetings for 2018 be adopted.

Poole Clam and Cockle Fishery – Marine Stewardship Council

103. IFCO Birchenough updated Members on the progress of the Poole Harbour Clam and Cockle MSC and RFS Demonstration Project. She had received the MSC Client draft report from ME Certification Ltd who had been contracted to assess the fishery against the MSC Standard. A site visit was conducted by ME Certification Ltd in March 2017 and the draft report had been produced for review by the Authority and Poole & District Fishermen's Association. Assessment of the fishery used under three principles of the MSC standard. IFCO Birchenough explained how the assessment was undertaken and the scoring system that was used. The score awarded would determine whether the fishery was likely to pass the certification and whether any conditions would be imposed on the fishery. The Chairman thanked IFCO Birchenough for her contribution to getting the scheme to this stage.

Resolved

104. That the report be received.

South Coast Fishermen's Council (FMC)

105. Members considered the Minutes of the South Coast Fishermen's Council meeting held on 14 June and 9 August 2017. Mr Stride asked for an amendment to reference to cuttlefish traps should read wrasse traps.

Resolved

106. That the Minutes of the 324th meetings held on 14 June and of the 325th meeting held on 9 August of the South Coast Fishermen's Council be received.

Recreational Sea Angling - Minutes

107. IFCO Cooper presented the Minutes for Members. These were tabled for information.

Resolved

108. That the Minutes of the recreational sea angling meeting be received.

Association of IFCA's

108. The Chief Officer presented an update from the AIFCA.

Resolved

109. That the update be received.

SIFCA Quarterly Report

110. Members considered the latest report which covered proceedings from May to July 2017. The Chairman felt it was a very useful Authority document that showed Members the amount and variety of duties carried out by officers.

Resolved

111. That the report be received.

Date of Next Meeting –14 December 2017

112. The next meetings of the Full Authority would be held on 14 December 2017 in the Colliton Club, Dorchester.

Southern Inshore Fisheries and Conservation Authority

FULL AUTHORITY – 21 SEPTEMBER 2017

Christmas Lunch

113. Members discussed whether they would like to have a pre-meeting lunch (at Members expense) prior to the next Joint meeting. It was agreed that this should be arranged.

114. There being no further business the meeting closed at 16:55.

Chairman:

Date: