

Southern Inshore Fisheries and Conservation Authority

FULL AUTHORITY – 13 DECEMBER 2018

Minutes of the Quarterly Meeting of the Southern Inshore Fisheries and Conservation Authority held in the Dorset Room, Colliton Club, Dorchester on Thursday 13 December 2018.

Present

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

Cllr M Roberts	(Dorset County Council)
Cllr D Turner	(Dorset County Council)
Cllr M White	(Hampshire County Council)
Cllr M Winnington	(Portsmouth City Council)

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)
Mr G Wordsworth	(MMO Appointee)
Dr V Nye	(Marine Management Organisation)
Dr K Sims	(Environment Agency)
Ms S Burton	(Natural England)

The Chief Officer, Deputy Chief Officers Bateman and Richardson, Mr M Ratsey (Accountant), the Finance and Administration Officer and IFCOs Birchenough, Dell, Pengelly and Smith attended. Dr T Ferrero (HIWWT) and Messrs T and J Bardell attended in the public gallery.

The Chairman welcomed Councillor Darryl Turner, representing Dorset County Council, to the Authority

Apologies

109. Apologies for absence were received from: Dr S Cripps, Dr R Morgan, Cllr R Tindle (Poole), Mr P Johnson (MMO), Cllr Mr J Savage (Southampton), Cllr Ms L Price (Bournemouth)

Declaration of Interests

110. Members then declared their pecuniary and non-pecuniary interest in the following minutes: Mr T Legg (116b, 119), Mr Stride (116a, 116b, 119), Mr Wordsworth (116b, 126, 128, 146), Dr Jensen (119), Mr Kershaw (136), Dr Sims (116b) Mr Horsman (116b) Ms Burton (128)

Minutes

111. Members considered the Minutes of the meeting held on 27 September 2018. Mr Kershaw highlighted a typo which was amended and the Minutes were signed as a true record of the meeting.

Executive Committee

112. Members considered the Minutes of the Executive Committee held on 27 September 2018.

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Resolved

113. That the Minutes of the Executive Committee held on 27 September 2018, having been amended, were received and the recommendations contained therein be adopted.

Technical Advisory Committee (TAC)

114. Members considered the Minutes of the Technical Advisory Committee held on 22 November 2018.

Resolved

115. That the Minutes of the TAC held on 22 November 2018 be received and the recommendations contained therein be adopted.

Progress Report on Outstanding Matters

116. **a. Potting Summary of Responses.** IFCO Smith updated Members on the responses from the recent call for information to stakeholders from that sector. There had been 40 replies that covered the subjects of crab, lobster, whelk, cuttlefish and recreational activities. She asked Members to provide comment on the summary and for approval to share the summary with industry and to agree a working group to develop further measures for this fishery. Members agreed under General Consent.

b. Netting Review Update. IFCO Pengelly gave Members a progress report on the pre-consultation that finished on 7 December. He explained that stakeholders had attended a range of meetings and drop in sessions arranged. He thanked Members for their attendance at the events. There had been 241 responses and there would be summarized and discussed at the next Technical meeting when the next steps would be planned. Dr Jensen thanked IFCO Pengelly and the team for the amount of effort that went into arranging the meetings and providing the information.

c. Purchase of New Property. The Chief Officer updated Members on the purchase of the new premises. Planning permission was being sought for rear windows in the building and the existing office would be put on the market when building work had commenced on the new unit. The Chairman offered Members view of the property if they wanted to see it and he thanked the Chief Officer for all the work involved in getting to this stage.

d. DEFRA 4 year review. The Chairman told Members that the positive report had been published. Members had received a link to the document and it would be tabled at the next meeting.

e. IFCA/MMO Marine Operations Trial. IFCO Dell reported on the recent partnership trials for respond to infringements at sea. Three IFCA's had been involved and Southern had completed their assignments working with the MMO 6-12 miles off Lyme Bay using the Authority patrol vessel. He confirmed that operationally officers were ready should they be required. The Chairman thanked the MMO for organising the trials. Dr Nye agreed the joint training exercise had gone well.

f. Membership of the AIFCA. The Chairman briefed Members on the procedural review currently being undertaken by an independent consultant. He asked Members to support his decision to change how the subscription to the Association is paid. The next subscription is due in April 2019 and he suggested that half the payment be made then with the second half paid following if the recommendations made by the consultants are

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not implemented and improvement to the administration is evident. Members agreed that with this course of action.

Public Participation

117. The Chairman then asked Mr Tony Bardell to make his statement to Members as agreed in his request under Standing Order 49, schedule 2.

118. Mr Bardell addressed Members firstly by thanking them for the opportunity to speak. He continued that the majority of commercial vessels in the Solent objected to the dredge permit byelaw. Fishers already had a licence from the MMO and there was no advantage to getting another permit. Mr Bardell told Members that the Solent included a public oyster fishery that had declined in recent years and it would be irrelevant to permit this fishery. He had handed a petition to the Chairman signed by 88 stakeholders from Dorset and Hampshire that support his opinion. Mr Bardell was concerned that new entrants into the fishery would not meet criteria to apply for a permit.

The Chairman thanked Mr Bardell for his statement and he read out the title of the petition; 'we the undersigned are objecting to the proposed Solent Dredge Permit. A=For all bivalves, B= Oysters only. All registered fishing vessels are already licenced and require no more than this.

Byelaw - Solent Dredge Permit Byelaw

119. The Chairman explained that Members were about to undertake the legal process of making a Byelaw and he therefore requested Members to declare any interests.

120. The Chairman asked Members to confirm that they had received notice of the intention to make the byelaw 14 days prior to the meeting and Members confirmed that this was the case. The Chief Officer confirmed that there was a quorum of Members with no pecuniary interests and therefore the subject could proceed.

The Chief Officer reminded Members that the permit byelaw was designed to enable activity in the Solent as the enhanced flexibility will allow fast response to changes in the fishery, gear technology and conservation objectives. The flexible approach will require continued communication with the users to maintain the best levels for economic growth for the fishermen and management obligations faced by the Authority. DCO Bateman thanked Mr Bardell for his comments. She then worked through the details of the byelaw for Members to consider.

Mr Legg left the room before Members voted on the item.

Dr Jensen proposed and Mr Kershaw seconded the proposal to make the byelaw and nine Members voted with them and three Members abstained.

Cllr McEvoy proposed and Mr Horsman seconded the proposal to revoke the Solent Dredge byelaw and ten Members voted with them and three Members abstained.

Mr Kershaw proposed and Dr Sims seconded the proposal to revoke and remake the Scallop Fishery byelaw and ten Members voted with them and three Members abstained.

Dr Jensen proposed and Cllr McEvoy seconded the proposal that the Executive Committee consider any objections to the byelaw following formal consultation. Twelve Members voted with them and one Member abstained.

The Chairman thanked DCO Bateman for the hard work involved in getting to this stage and the Chief Officer asked officers to meet with Mr Bardell to explain the next stage of the byelaw making process.

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Resolved

121. a. That the proposed Solent Dredge Permit Byelaw be made and formal consultation commence.
b. That the Solent Dredge Byelaw be revoked.
c. That the Scallop Fishing Byelaw be revoked and remade.
d. That the Executive Committee consider consultation feedback.

Mr Legg returned to the room and Cllr White left the meeting and took no further part.

Budget Control Statement

122. Mr Ratsey explained to Members the figures in the Budget Control Statement to October 2018.

Resolved

123. That the Budget Control Statement to date 31 October 2017, as set out in Annex “A” to these minutes, be approved.

Revenue Estimates – 2019 Levy

124. Mr Ratsey reported to Members that he and the Chief Officer had calculated the budget for the following year. He asked Members for a 2% increase to the current levy. Members of the Executive had discussed the draft budget in detail and the report in front of Members gave the reasons for the levy increase. He continued that even with a 2% increase he predicted a deficit at the end of 2019/20 financial year. The Chairman asked for comments from Members. Elected Members were concerned that they would have to present a request for an increase when services were still being cut across their councils. Cllr Turner was concerned with the charge to Dorset when Christchurch would fall under a new area from April 2019. The Chairman understood elected Members concerns and explained that they did not make this decision themselves; they would take the Authorities decision back to their council. Members of the Authority had to decide if the statutory duties could be delivered if the budget is not increased. Members asked if further funding could be obtained through other funds or projects. Cllr Roberts asked if a 4 year model could be produced to forecast earlier what levy would be expected each year. Cllr Winnington asked if a report could be produced stating the statutory duties of the IFCA.

Mr Horsman proposed and Ms MacCallum seconded the proposal to increase the levy contribution by 2% and approve the budget for 2019 – 20. One Member voted against the proposal, one Member abstained and all others present agreed the proposal.

Dr Sims proposed and Dr Jensen seconded the proposal to issue the levies to the constituent Local Authorities.

Resolved

125. a. That the Budget and Levy for the year 2019-20, as set out in Annexe ‘B’ to these Minutes, be approved and the recommendations contained therein be adopted.
b. That the Chief Executive issue Levies on the constituent Councils to a total of £773,931.

Poole Harbour Permit Access Policy

126. IFCO Birchenough explained to Members that the access policy for the Poole Harbour Dredge Permit was due to be reviewed. She asked Members to approve this proposal to revise the process and criteria for new entrants into the fishery. Members all agreed this was the best way forward to open the fishery to new entrants. IFCO

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Birchenough continued that a new draft policy would be tabled for the next TAC. Cllr Roberts proposed and Mr Stride seconded the proposal. All Members present agreed.

Resolved

127. That the Poole Harbour Dredge Permit Access Policy be reviewed.

Cllr Turner left the meeting and took no further part in the discussions. Mr Wordsworth left the room for the next item.

Poole Harbour SSSI Site Management Statement

128. IFCO Birchenough explained the management statement for Members. She had been working with Natural England to develop the plan. The Chief Officer added that there would be cost implications regarding the extension of protected areas and NE would mitigate these costs to the Authority. Ms Burton further briefed Members on the site and importance of the habitat.

Cllr Winnington and Dr Sims had to leave the meeting but gave their support to the item before they left.

Dr Jensen proposed and Cllr Roberts seconded the proposal. One Member abstained, all other members agreed the proposal.

Resolved

129. That the Poole Harbour SSSI Site Management Statement be adopted.

Standing Orders and Code of Conduct

130. The Chief Officer explained that the Standing Orders had been updated to reflect the additional duties of different sub committees and updated interests for Members and staff contracts. Members agreed to approve the papers under General Consent once the typos and minor amendments were made.

Resolved

131. That the amendments be approved.

Mr Kershaw and Ms Burton left the meeting and took no further part in the discussions.

Compliance and Enforcement

132. DCO Richardson reported to Members the enforcement and compliance activities for the last quarter. The Chairman thanked officers for the continuing professional approach to their work.

Resolved

133. That the report be received.

Fisheries Bill

134. The Chief Officer briefed Members on the recently published bill. He reminded them it was an enabling bill to allow legislation to continue once the UK exits the EU. It allows the MMO extension to their byelaw making powers and Wales to introduce different legislation currently unavailable to them.

Resolved

135. That the report be received.

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SIFCA Quarterly Report

136. Members considered the latest report which covered proceedings from August to October 2018. The Chairman thanked the officers for the time committed to producing the report. He felt it was a useful indication of the varied work undertaken by the officers and all Members agreed the different styles made interesting reading. The Chief Officer highlighted for Members that this was the last report Peter Hill had contributed to as he was retiring after 21 years with the SFC and SIFCA at the end of the year. Members wished him a happy and long retirement.

Resolved

137. That the report be received.

South Coast Fishermen's Council (FMC)

138. Mr Stride presented Members with the Minutes of the South Coast Fishermen's Council meeting held on 12 September and 7 November 2018. He reported that the commercial fleet were still concerned with the iVMS proposals; reliability and unforeseen and on-going costs, care of gear if unable to go to sea.

Resolved

139. That the Minutes of the 334th meetings held on 12 September 2018 and of the 335th meeting held on 7 November 2018 of the South Coast Fishermen's Council be received.

Recreational Sea Angling - Minutes

140. Members considered the draft Minutes of the meeting held on 26 September 2018. The Chief Officer reported that the group had responded to the netting call for information.

Resolved

141. That the Minutes of the Recreational Angling Sector Group held on 26 September 2018 be received.

Association of IFCAs

142. The Chairman presented the AIFCA Minutes to Members for information. Meetings were held on a quarterly basis and Chairmen and Chief Officers attended these meetings. DEFRA officials were usually invited to attend.

Resolved

143. That the Minutes be received.

Date of Next Meeting – 21 March 2019

144. The next meetings of the Full Authority would be held on 21 March 2019 in Poole Council Offices.

Mr Wordsworth left the meeting and took no further part in the discussion. Members of the public left the meeting for the next item.

Exclusion of the Public

Resolved

145. That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 4 of Part 1 of Schedule 12(A) of the said Act.

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Poole Lease Update

146. DCO Richardson reported that business plans for four organisations using Poole Harbour would need to be altered to accommodate the use of a different vessel on these beds. Once new business plans had been agreed, new leases would be issued for these companies. The owner had recently purchased a new oversize vessel which had been given a temporary dispensation to work the lease ground. However a different vessel was being built that would be acceptable to be used in the Harbour and the amended business plans would be used until the new vessel is in place in 2020.

Resolved

147. a. That new leases be drafted.
b. That an amended business plan be accepted.

148. There being no further business the meeting closed at 17:45.

Chairman:

Date: