

**MINUTES OF A MEETING OF THE  
SUSSEX INSHORE FISHERIES & CONSERVATION AUTHORITY**

Held at **Jury's Inn**, 101 Stroudley Road, Brighton BN1 4DJ  
on **28<sup>th</sup> October 2021**

**PRESENT**

***Members***

Prof. Peter Jones (Chair)  
Councillor Leo Littman (Deputy Chair, Brighton & Hove City Council)  
Councillor Julia Hilton (East Sussex County Council)  
Councillor Sam Adeniji (East Sussex County Council)  
Councillor Pieter Montyn (West Sussex County Council)  
Councillor Emma Evans (West Sussex County Council)  
Mark Bennett (Environment Agency)  
Graham Furness (MMO Appointee)  
Dr. Paul Driver (MMO Appointee)  
Dr Corina Ciocan (MMO Appointee)  
Andy Read (MMO Appointee)

***Staff***

Tim Dapling (Chief Fisheries & Conservation Officer)  
Dr Sean Ashworth (Deputy Chief Fisheries & Conservation Officer)  
Erin Lawes (Conservation & Research Manager)  
Dr Jen Lewis (Senior Research Officer)  
Stephen Jump (Finance Manager)

**33 CHAIR'S INTRODUCTION**

- 33.1 Prof. Peter Jones welcomed all to the 3rd Quarterly Committee meeting of 2021-22. Tim Dapling added that the current venue fulfilled more Covid safe distance requirements, being more spacious than the previous venue, unfortunately, the office boardroom remained too small to accommodate full committee meetings safely at this time.
- 33.2 Tim Dapling took the opportunity to formally thank Sean Ashworth for his contribution to the Authority over the last seven years. One highlight of his time as Deputy Chief Fisheries & Conservation Officer at Sussex IFCA had been his contribution to the introduction of the Nearshore Trawling Byelaw, amongst many others, Tim Dapling said. Staff had recently presented Sean Ashworth with a framed print and book as leaving gifts and wished him well, along with the Chair and Authority members, in his new role at Southern Water.
- 33.3 Tim Dapling briefly updated members on a successful Finance Subcommittee meeting which had taken place via Zoom on the previous day, and also on the departure of Steve Hanks from the Authority, whose membership had

expired at the beginning of October. The Chief Fisheries Officer would be passing on his thanks and a leaving gift to Steve Hanks at some point in the next few weeks, and believed that Steve Hanks' input would be welcome when the formal consultation took place for the proposed 'Hand Gathering Byelaw'. Following a recent MMO appointee recruitment process it was expected a local inshore commercial fisher would be appointed shortly.

#### **34 APOLOGIES FOR ABSENCE**

Councillor Noel Atkins (West Sussex County Council)  
Representative for Natural England  
James Partridge (MMO Appointee)  
Paul Johnson (MMO Representative)  
Sally Ashby (MMO Appointee)  
Prof. Paul Leonard (MMO Appointee)  
Garry Walker (MMO Appointee)

#### **35. DECLARATION OF INTEREST**

35.1 The Chairman requested notification of any declaration of interests. Sean Ashworth said that he remained a trustee of The Sussex Wildlife Trust.

#### **36. APPROVAL OF MINUTES**

36.1 The Chair, Prof. Peter Jones, asked for any comments and corrections from members on the minutes from the 2<sup>nd</sup> Quarterly Committee Meeting which had been held in July.

ALL RESOLVED to approve the minutes.

#### **37. MATTERS ARISING**

- 37.1 Tim Dapling updated members on the Minimum Conservation Sizes management work which had taken place since the last meeting. The Byelaw and its Impact Assessment plus all supporting documentation had now been sent to MMO and Defra for quality assurance and subsequent confirmation.
- 37.2 Following the introduction of the Nearshore Trawling Byelaw in March 2021, Sussex IFCA continued to work in partnership with the Sussex Kelp Restoration Project (SKRP) and several initiatives were planned, including a pending Kelp Summit. As SKRP Lead Officer IFCA member Sally Ashby provided an excellent direct contact for the Authority, Tim Dapling added.

## DECISION ITEMS

### **38. HAND GATHERING MANAGEMENT: MAKING OF HAND GATHERING BYELAW 2021**

- 38.1 Tim Dapling introduced this Item, briefly explaining that the Byelaw would be 'made' today if members agreed, following the detailed analysis and recommended amendments which had been discussed at the recent Technical Subcommittee meeting, held on 30th September.
- 38.2 This management work was part of the Authority's long-term fisheries management plan and was a key last piece, Tim Dapling said, to cover inshore management, standing alongside the netting, trawling and shellfish byelaws. Results from past research of bait gathering and shellfish collection, plus the results of the informal consultation, were included in a summary of evidence report, which collated all evidence collected to date and identified any gaps that might need addressing.
- 38.3 Tim Dapling ran through the alterations that had been recommended at the recent Technical Subcommittee meeting for members' benefit. He explained in some details the provisions intended to use potentially polluting materials such as plastics and tyres as 'Marine Organism Attracting Devices' (MOADs).
- 38.4 Dr. Paul Driver queried whether other IFCAs were bringing in similar byelaws in their Districts and whether this was something Fishgig was set up for and could help with. Sean Ashworth explained that Fishgig was an IFCA technical group which he chaired, looking at how to manage hand gathering, and its objective was to create a handbook to assist IFCAs in setting up future management. A final draft handbook had been submitted to COG, TAG and NIMEG. Tim Dapling added that Sussex IFCA were the first to develop such comprehensive handgathering management measures.
- 38.5 Cllr. Julia Hilton said that Hastings fishermen had raised two concerns: firstly, that they had not been consulted on this Byelaw and secondly, that gathering limits would not allow for their occasional large gatherings. Sean Ashworth said that they would be consulted directly in the formal consultation and that many platforms, including social media and the website, had been used to publicise the informal consultation. Cllr. Hilton believed that few local fishermen consulted social media. Tim Dapling said that the informal consultation had included more recreational contacts than commercial as this reflected the content of the Byelaw. The formal consultation would provide an opportunity to comment on the proposed bag limits, Tim Dapling believed.
- 38.6 Prof. Peter Jones said that there remained plenty of time for stakeholders to input their recommendations and said that the phrase 'making a byelaw' was misleading, as the 'making' took place at a relatively early stage in the process. The pending statutory consultation process would be followed by detailed examination of all stakeholder responses.
- 38.7 Cllr. Emma Evans queried when the Byelaw was likely to come into use. Tim Dapling outlined the processes involved and the timescales, explaining that once the Byelaw was submitted to the MMO and Defra, given previous examples, it may take anything up to two years to be confirmed and come into force.

- 38.8 Cllr. Emma Evans queried enforcement action and who would be taking it. Prof. Peter Jones said that one of the drivers of this Byelaw had been the fact that Sussex IFCA Officers would be enforcing the Byelaw and the Authority would be working in partnership with other agencies, including Environmental Health and Immigration. Regarding the hand gathering gangs, Sean Ashworth said that collaboration had taken place historically with the gang masters of the Labour Abuse Authority and that this byelaw would not allow hand gathering permit holders to collect bait on non-designated shellfish beds. The Chair said that it looked probable that 2023 would be the time that Defra gave the go-ahead for the Byelaw. Cllr. Evans said that this management also involved the possible employment of illegal immigrants and raised associated slavery issues, Prof. Peter Jones suggested that that concern could be used to encourage Defra to prioritise the Byelaw and greenlight it sooner. Cllr. Emma Evans informed members that she also worked for an MP and would be encouraging them to bring pressure on Defra to speed up the process.
- 38.9 Cllr. Pieter Montyn queried how exactly the formal consultation would be advertised. Tim Dapling replied that as well as adverts via the angling press and local papers, there would also be widespread advertising in angling shops, angling clubs, via The Angling Trust, and on social media. There would be no relevance to advertising in '*Fishing News*' as was usual for many byelaws, Tim Dapling asserted. Prof. Peter Jones added that every effort would be made to contact as many interest groups as possible. It was suggested that one option was to produce suitable notices which could be attached to public notice boards.
- 38.10 Dr. Corina Ciocan expressed shock that tyres were being employed to harvest fishing bait and stressed the importance of emphasising what was acceptable to use, rather than what wasn't, as unacceptable means would always increase as those involved would think up limitless methods to circumvent the legislation. Tim Dapling said that all listed 'polluting' materials would be included and felt that the definition was sufficiently broad but that further discussions on specific wording would follow the formal consultation.
- 38.11 Tim Dapling detailed the proposed provisions in the Byelaw and associated permit for members' benefit and introduced the management area maps and charts within the report, which had been produced by Jen Lewis.
- 38.12 Cllr. Sam Adeniji queried what the penalties were if the Byelaw was breached. Tim Dapling said that financially administrative penalties could be triggered for offences but that there was flexibility with regards to minor offences and the issuing of warnings. He anticipated that initially education would play a large part in the process before any warnings were issued or penalties administered. The first increment of financially administrated penalties was £250.00, prior to any court proceedings, Tim Dapling informed members. Sean Ashworth added that a full list of penalties was listed in the Compliance Plan and was on the website.
- 38.13 Chichester Harbour Conservancy (CHC) collected evidence and supported the Authority's FOs in their work, as did EA in intertidal areas, Tim Dapling said.

**ALL RESOLVED to accept the following Recommendations:**

- i. To approve the final draft proposed Hand Gathering Permit Byelaw and associated Impact Assessment (IA). (subject to any final amendments agreed during the meeting)**
- ii. That the Hand Gathering Permit Byelaw is 'made' and officers proceed to the formal consultation phase.**

**39 BEACHY HEAD WEST MARINE CONSERVATION ZONE, REVIEW OF MANAGEMENT**

- 39.1 Sean Ashworth introduced this Item by highlighting that the title was incorrectly dated:
- 39.2 Sean Ashworth gave a brief history of the District's MPA management. The management of Beachy Head West MCZ had come into force four years previously, in 2017, with gear-specific restrictions in place year-round, to protect the rocky reef within the site.
- 39.3 The purpose of the report was to consider how successful the Authority's management of this site had been since its introduction.
- 39.4 Sean Ashworth read out the Summary Of Evidence points from his report.
- 39.5 Deterioration of the site had been identified with regard to sedimentation and lobster catches associated with the site. This problem had not been created as a result of Sussex IFCA's management measures but had been highlighted to the MMO (the licencing Authority for marine dredging activity) and Sussex IFCA would continue to contribute to any investigations and licence reviews.
- 39.6 Cllr. Leo Littman queried whether the MMO held all the monitoring reports, Erin Lawes confirmed that they were all with the MMO and had been discussed at a recent consultation held by them. The outcome of the consultation had been that the MMO would be re-examining their monitoring systems and liaising with NE firstly, and then other interested parties, including Sussex IFCA. NE had reported recently that no contact had yet been received from the MMO.
- 39.7 Prof. Peter Jones explained that the sediment found in Beachy Head West MCZ originated from dredging in Brighton Marina, he added that the sediment was dropped just outside the Marina once the dredging had been carried out. This activity was currently licenced by the MMO.
- 39.8 Jen Lewis was involved with CHASM (Crustacean Habitat and Sediment Migration) which was an organisation involved with looking at sedimentation effects and was happy to pass on the organisation's details to members. Sean Ashworth said that CHASM's preliminary findings leaned towards blaming the Solent large capital dredgers for sediment problems further to the west. However this sediment issue appeared to be more of a local issue associated with the sediment disposal from Brighton Marina.
- 39.9 Prof. Peter Jones hoped that by the time of the next review NE would have published an official Condition Monitoring Report, which was essential in his view. The report's delay had been due to a chronic staff shortages at NE.

- 39.10 Tim Dapling summed up by saying that whilst the Authority was raising awareness wherever possible and sending strongly worded letters of concerns to the MMO, it was not involved with licencing which came under the MMO's remit.

**ALL RESOLVED to accept the following Recommendations:**

- i. To note the BHW MCZ Summary of Evidence Report.**
- ii. To approve the decision that no changes to management or the associated byelaw are required.**

There was a five minute comfort break following this Item.

**INFORMATION ITEMS**

**40 Deputy Chief Fisheries & Conservation Officer position**

- 40.1 Tim Dapling gave members a verbal update on this Item. One of the Authority's Fisheries Senior Officers, Anghard Purcell, would be acting up into the role of Deputy Chief Fisheries & Conservation Officer following Sean Ashworth's departure, Tim Dapling informed members.
- 40.2 This temporary situation would continue until the full recruitment process for a new Deputy had been completed.

**41 Conservation and Research Update Presentation**

- 41.1 Erin Lawes, Conservation & Research Manager, highlighted areas in the report, which covered work carried out over the first half of the financial year. A large volume of work had been undertaken despite limited capacity, which had demonstrated the importance of partnership working, Erin Lawes said.
- 41.2 Jen Lewis highlighted the breadth of collaborative projects that the Authority was involved in, tying in with various workstreams, which included Byelaw monitoring, kelp and habitat restoration, carrying out surveys employing the new ROV equipment and creating an Elasmobranch Code of Conduct, the latter being compiled with the assistance of a volunteer.
- 41.3 Erin Lawes added that work with Southern IFCA had informed a co-ordinated approach to management of the black sea bream population, which covered both Districts.
- 41.4 Cllr. Pieter Montyn queried whether Sussex IFCA's response to Rampion II was easily accessible to his fellow councillors. Erin Lawes said that it was now in the public domain and the Chair added that it would be included on the Rampion website. Erin Lawes confirmed that she would email all

- members following the meeting with a copy of the letter submitted by the Authority.
- 41.5 Cllr. Julia Hilton flagged up that Hastings Fishermens Protection Society were keen to provide assistance and information whenever appropriate to their area.
- 41.6 Erin Lawes concluded by explaining that the oyster stock had not been sufficient to enable opening Chichester Harbour to oyster fishers this season, which was the third year in a row. This lack of oysters was due to a complex number of factors, Tim Dapling said, which could be due to a native pathogen, an oyster drill parasite and/or sediment effects.
- 41.7 Dr. Corina Ciocan informed members of a new Phd. course available at Brighton University, which covered sediment surveys in Chichester Harbour. The course was being funded by CHC, and would be investigating the historic oyster population there, particularly around Bosham.

ALL RESOLVED to approve the report and appendices.

- 42 The Compliance Report and The Communications Report** were taken as read. The Sussex Undersea project was applauded for its video work by members and Tim Dapling recommended watching one of their videos which would be played at the close of the meeting.

ALL RESOLVED to note the reports.

**43 Financial Performance Report Quarter 2 2021/2022**

- 43.1 Stephen Jump presented detailed analysis of expenditure and income in the second Quarter, along with a comparison against the budget. A surplus of £18,593 had been produced in the 2<sup>nd</sup> Quarter, a net gain against the budget of £17,463.
- 43.2 Total income in the Quarter had been £13,182 below the budgeted amount, Stephen Jump reported. Including contributions to Reserves, expenditure was £30,645 below the budgeted amount.
- 43.3 Employee costs were £18k lower than had been budgeted for, mainly as a result of the Fisheries & Conservation Officer post which remained vacant. There was a provision in the budget for a 2% pay increase that to date had not been used. Stephen Jump explained that Local Government National Employers and the Trade Unions had yet to reach agreement over the level of the national pay increase for 2021/2022.
- 43.4 The forecast of expenditure and income for the whole of the financial year 2021/2022 indicated a probable overall gain of £25,300 against the budget. The original forecast of £25k income from MMO had not been achieved and Stephen Jump had therefore adjusted the forecast of income from them.
- 43.5 The expected income from the implementation of the Netting Byelaw and Oyster Permits had also not been forthcoming at this time.
- 43.6 Employee costs were projected to be lower than the budget for the year by £46,300. This projection included provision for a 2% pay increase and was

- based on those employees in post in the year to September 2021, Stephen Jump reported.
- 43.7 Following the previous day's Financial Subcommittee meeting where the subject had been discussed at some length, Stephen Jump highlighted costs that would be increasing over the next year. Fuel costs for the Authority's vessel, *Watchful*, petrol for Officers' vehicles, rental charges for Sussex IFCA's office premises and staff salaries would all increase, the Finance Manager believed. Costs therefore would be likely to rise in the region of 2% and it had thus been agreed at the Subcommittee meeting to increase the levies to the contributing local authorities by 2% to match these inflationary costs. The new levy amounts would be included in Quarter 4's final budget for 2022/23.
- 43.8 Cllr. Sam Adeniji queried future premises costs and questioned how the pandemic had impacted on Sussex IFCA's working practices with the inevitable increase in flexible working. Tim Dapling replied that individuals were slowly returning to the office as and when necessary, but remained working from home to a large extent. There was still uncertainty for all organisations in the longterm with regards to Covid-19, Tim Dapling said. Prof. Peter Jones added that it was important to continue monitoring the situation.

ALL RESOLVED to approve the report and expenditure to date.

#### **44 Vessel & Vehicle maintenance log 1<sup>st</sup> July to 30<sup>th</sup> September 2021**

This Item was taken as read.

#### **45 Chief Officers Group**

- 45.1 Tim Dapling reported that COG's chief workstream recently had been working with AIFCA's CEO on the 2021 spending review all IFCA's had collectively submitted to Defra. The aim had been to provide Defra with well evidenced case for a substantial uplift in funding in the form of New Burdens, which was distributed via local authorities. There had been no increase in this funding amount for the last ten years, Tim Dapling informed members. Under the SR21 Review COG and AIFCA were bidding for a rise from £3.3m, the current level of funding for all IFCA's, to £5.1m, a rise of £1.85m. A modest, separate proposal for a grant aid mechanism and provisions to cover future vessel renewals and replacements of £925k, reflecting a 10 year depreciation, had also being presented.
- 45.2 As this review had now been presented to Defra, it remained to be seen whether the increases would be agreed, but it was hoped so as the delivery of HMPAs was of priority importance to the Government and the inshore management of the HMPAs would fall to IFCA's. It was clear from government HPMA policy that a complete ban on every commercial and



recreational fishing method within these areas would be brought in by the Government. It therefore seemed likely that the management provisions were best suited to a statutory instrument as opposed to Byelaw regulations, the Chief Fisheries Officer said.

ALL RESOLVED to note the report.

**46 Association of Inshore Fisheries & Conservation Authorities**

46.1 Tim Dapling briefly updated members on AIFCA activities over the recent Quarter and introduced the minutes to the most recent meeting. The Government was now focussing on the development of future domestic fisheries development plans. This was an extremely important thread of work flowing from the new Fisheries Act.

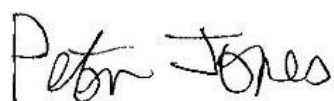
ALL RESOLVED to note the report.

**47 A.O.B.**

47.1 Cllr. Emma Evans commented that there had not been any mention of Southern Water at the meeting. Sean Ashworth declared his interest at this point, as his new role would be working for Southern Water on their Environment Strategy. Cllr. Emma Evans confirmed that Southern Water's actions were of importance to local communities and Prof. Peter Jones agreed that it was a subject of increasing importance to the Authority and the community as a whole. Sean Ashworth stressed the importance of partnership working to solve such problems.

**48 DATE OF NEXT MEETING**

48.1 Thursday 27<sup>th</sup> January 2022.

A handwritten signature in black ink that reads "Peter Jones". The signature is written in a cursive, slightly slanted style.

Dr Peter Jones, Chair Sussex IFCA.

