

**MINUTES OF A MEETING OF THE
SUSSEX INSHORE FISHERIES & CONSERVATION AUTHORITY
HELD AT BIRLING GAP NATIONAL TRUST BOARDROOM
On 21st April 2016**

PRESENT

SUSSEX IFCA:

Members

Councillor Nigel Peters (Acting Chairman)
Stewart Harper (Acting Deputy Chairman)
Councillor Ollie Sykes (Brighton & Hove City Council)
Councillor Janet Mockridge (West Sussex County Council)
Councillor Tania Charman (East Sussex County Council)
Robert Yorke (MMO Appointee)
Audrey Jones (Natural England)
Graham Furness (MMO Appointee)
Steve Hanks (MMO Appointee)
James Partridge (MMO Appointee)
Charles Bacchus (Environment Agency)

Staff

Tim Dapling (Chief Fisheries & Conservation Officer)
Sean Ashworth (Deputy Chief Fisheries & Conservation Officer)
Estelle Barton (Finance Manager)
Erin Pettifer (MPA Officer)
Rachel Griffin (Committee & Office Manager)

Invitees

Alistair Byford-Bates (Historic Environment Fisheries Liaison Officer)

Cllr. Nigel Peters welcomed all members to the meeting.

389. **CHIEF OFFICER'S INTRODUCTION**

Tim Dapling welcomed members to the different venue, which was situated adjacent to Beachy Head West MCZ, and he highlighted key report items that were on the agenda.

390. **APPOINTMENT OF CHAIRMAN & DEPUTY CHAIRMAN**

390.1 The nominations had all been for Nigel Peters to remain as Chairman and for Stewart Harper to remain as Deputy Chairman. In the absence of any other nominations, Robert Yorke proposed Cllr Peters as Chairman, Steve Hanks seconded him and there was unanimous support from members.

390.2 Nigel Peters asked for nominations for the appointment of a Deputy Chairman other than the many received for Stewart Harper, none were received. Nigel Peters proposed Stewart Harper for Deputy Chairman and Jim Partridge seconded him. Members voted unanimously for Stewart Harper to remain in post.

390.3 Nigel Peters took the opportunity to thank Stewart Harper, members and Sussex IFCA staff for their support over the last year and said how much he enjoyed and valued the work of the Authority.

391. **APOLOGIES FOR ABSENCE**

Councillor John Ungar (East Sussex County Council)
Councillor Peter Pragnell (East Sussex County Council)
Councillor John Rogers (West Sussex County Council)
Paul Johnson (MMO Representative)
David Guy (MMO Appointee)
Paul Leonard (MMO Appointee)
Dr Peter Jones (MMO Appointee)
Chris Williams (MMO Appointee)
Michael Newton Smith (MMO Appointee)
Keith Schofield (MMO Appointee).

392. **DECLARATIONS OF INTEREST**

392.1 The Chairman requested any prejudicial declaration of interests, no interests were declared.

393. **APPROVAL OF MINUTES**

393.1 Cllr. Nigel Peters asked if there were any comments on the accuracy of the minutes of the last meeting. There were no amendments.

ALL RESOLVED to approve the minutes.

394. **MATTERS ARISING**

394.1 No matters arising outside agenda report items.

395. **DECISION ITEMS**

395.1 **MMO Appointees' terms and conditions of appointment, Authority Code of Conduct**

395.2 Tim Dapling explained that this was a procedural report item, prompted by an MMO initiative for renewing MMO membership appointments to the Authority. The MMO had redrafted their Terms and Conditions for MMO appointees which affected the Authority's own internal Code of Conduct, these had in turn been updated. This new version gave MMO members the opportunity to themselves review and approve the Authority's Code of Conduct.

395.3 Jim Partridge raised his concerns that fishermen were marginalised and not listened to. Tim Dapling said that Jim Partridge himself, as a fisherman, had been accepted as a member specifically for his fishing expertise and that fishermen formed an essential part of Sussex IFCA's membership. The Chairman said that the Authority always took stakeholders' interests into account prior to holding public consultations.

ALL RESOLVED to accept the recommendation to adopt the propose amendments within the Sussex IFCA Code of Conduct.

396. **Beachy Head West Marine Conservation Zone
–Proposed Regulatory Notice**

396.1 Tim Dapling said that this Item was to notify members of the recommendations following the Technical & Byelaw subcommittee meeting, regarding the development of Beachy Head West Regulatory Notice and prior to public consultation.

396.2 Tim Dapling thanked Erin Lawes for her work both on the Impact Assessment and the Voluntary Code of Conduct. Tim Dapling introduced the draft Regulatory Notice, and associated appendices, including the voluntary code of conduct.

396.3 Jim Partridge queried the length of the Educational Conservation Areas. Tim Dapling described the areas to members, Sean Ashworth said this was longer than they had been originally. Tim Dapling said that the public consultation would enable further reponses and discussion. Stewart Harper asked for clarity by changing the initials 'EZ' (educational zone) on the maps to 'ECA' (educational conservation areas). Tim Dapling said that minor alterations to wording would be made to ensure the key reflected the correct acronym.

- 396.4 Graham Furness queried whether the regulation prohibited angling in the Educational Areas. Sean Ashworth said that there was no intention to prevent potting at low tide or to restrict angling.
- 396.5 Steve Hanks suggested including nautical miles with GPS information for the general public's understanding and also attaching the regulation to the website.

Recommendations:

- i. That members agree that the proposed Beachy Head West Regulatory Notice is accepted and proceeds to a public consultation process, subject to the following drafting.**
- ii. That prior to consultation the Regulatory Notice be subject to minor amendments for final legal drafting needs, which:**
 - Ensures angling and fishing from boats can occur within Educational Areas**
 - Provide a narrative describing the boundaries of the educational areas**
 - Ensure positional information is in best format for standard GPS systems, i.e. degrees and decimal minutes to 2 decimal points**
 - Ensure that the seaward Educational Area boundaries extend to LAT not MLWS**
 - Make any grammatical amendments that would not alter the management measures.**
- iii. That the Authority adopts the proposed Impact Assessment for the Regulatory Notice.**
- iv. That internal guidance interpreting the Sussex MPA Byelaw procedures is accepted for the intended Beachy Head West Regulatory Notice public consultation process.**
- v. That members approve the Beachy Head West Marine Conservation Zone 'Code of Conduct'.**

ALL RESOLVED unanimously to accept the recommendations.

397 **Pagham Harbour Marine Conservation Zone – proposed management**

- 397.1 Erin Lawes introduced the report whose purpose was to agree a plan of action for management formulation. The report had been produced by IFCA officers for Pagham Harbour MCZ and EMS setting out the Authorities duties, aims, key evidence and proposed management measures.
- 397.2 Erin Lawes ran through the proposed management measures and rationale for. It was recommended, she said, that the Authority took a pro-active, rather than a re-active, approach to Pagham Harbour management. Although currently there was a very low-level of fishing activity, this was potentially the only near-pristine site within the district and a one-off fishing activity occurrence could have a significant effect on protected features.
- 397.3 There was a strong fisheries management rationale for protective measures given migratory species and juvenile fish populations.
- 397.4 Tim Dapling said that this was an opportunity to create pre-emptive fisheries management measures within the MPA. Existing activities were very low level and could be accommodated within the proposed plan.

Recommendations:

- i. That the Authority agree the high level management recommendations for towed gears, netting, potting, recreational sea angling and intertidal hand gathering outlined in the report.**
- ii. That members delegate officers with formulating a draft Regulatory Notice for Pagham Harbour MCZ and EMS, the detail of which will be discussed with Technical Subcommittee members prior to the July Principal Committee meeting.**
- iii. That the draft Regulatory Notice is brought to the next Principal Committee meeting in July 2016.**

ALL RESOLVED to accept the recommendations.

398. **Sundry Items**

- 398.1 Nigel Peters, on behalf of all members, formally thanked Jim Partridge for his informative tour of Monteum Ltd the previous week.

398.2 Jim Partridge expressed his disappointment that no councillors (other than the Chairman) had attended, as he believed that the morning would have greatly improved their knowledge of fishing.

399. **Presentation by Alistair Byford-Bates**

399.1 Alistair Byford-Bates gave a presentation on the Sussex IFCA Partnership Project Fishing Industry Protocol for Archaeological Finds (FIPAD II).

399.2 Members were asked to raise awareness of the project wherever possible.

A 10 minute comfort & refreshment break took place.

INFORMATION ITEMS

400. **Research Plan 2016 to 2017**

400.1 Erin Lawes highlighted the new summary format of the year's research plan and thanked Kathryn Nelson for her hard work in its production.

400.2 The Strategic Research Plan 2016-20 was also presented and sat within the framework of the Authority's 4 year Business Plan.

400.3 Jim Partridge suggested changing the date of berried hens to October, which Erin Lawes noted.

ALL RESOLVED to accept the report.

401 **MPA Byelaw and Kingmere Regulatory Notice Update**

401.1 Tim Dapling gave a verbal update on the Byelaw & Regulatory Notice, which had been submitted to the MMO and Defra in November following the October Quarterly Committee meeting.

401.2 There had been a period of one month for MMO to respond with any amendments. In early January the MMO had contacted Tim Dapling saying that they needed further legal advice from Defra re the future proofing element of the notice. After a long period, they had advised of changes required which the Authority had effected and returned to them expecting final confirmation.

- 401.3 Defra legal advisors had responded and explained that there remained some legal questions for Defra, in respect to the principle of Byelaws supporting Regulatory Notices, a process already established in an existing byelaw developed by Eastern IFCA. A meeting was planned between the IFCA and Defra very shortly. Supported by the Chair and Deputy Chair and at least two Authorities seeking similar byelaws, the Chief and Deputy were in close communication with Defra to ensure the regulations were approved as soon as practically possible. It was felt that the proposed regulatory structure provided an efficient and effective mechanism and every effort should be made to ensure its implementation.
402. Information Items **Marine Conservation Zones Tranche 2 update** and **European Marine Sites Update** were taken as read. Audrey Jones updated the members on Tranche 3 MCZ sites. Erin Lawes highlighted Emma Kelman's excellent work on European Marine Sites.
403. **Wild Beach Educational Event**
- 403.1 Erin Lawes gave a verbal update on this two day event in February which had aimed to reconnect children with the marine environment. Jim Partridge had hosted the event at Monteum Fishmongers Ltd for local school children.
- 403.2 The Wild Beach Project was a great way to educate children and the community of the Authority's work, Erin Lawes said, further involvement with this project was vital to continue this process. Sussex Wildlife Trust had written a very positive review of the children's experiences.
404. **Compliance Report**
- 404.1 Steve Hanks asked that Bass be placed on the high risk register.
- 404.2 Sean Ashworth said that there would be a review of the Authority's prosecution process, to bring it in line with other IFCAs; this had been agreed at the Compliance Subcommittee meeting.

ALL RESOLVED to accept the report.

404. **Summary of Expenditure for the 4th Quarter from 1st January to 31st March 2016**

- 404.1 Estelle Barton went through the expenditure accounts for the quarter and the financial year. The annual estimated income of £20k from projects was actually £50k. Robert Yorke pointed out that, with regards to project income, after costs of £26k, it looked like there had been £24k profit, but in actual fact there had been £18k secondment costs, which made £6k only profit.
- 404.2 Salaries were under budget because there was no longer a Compliance Manager in post and Erin Lawes had reduced her working week to four days.
- 404.3 Vehicle costs had increased due to higher insurance and the added insurance required for an extra Fisheries Officer.
- 404.4 Estelle Barton would be reviewing the utility and telephone companies currently used in August/September, when contracts would be coming up for review.

ALL RESOLVED to accept the report.

405. **A.O.B.**

- 405.1 Tim Dapling reported that both the current Chairman and Deputy Chairman of AIFCA had been re-appointed. Defra was reviewing its marine functions internally and including IFCA's in the process, as an 'arms length body'. IFCA's were feeding into the review nationally to a specific transitional team assembled for the process. The AIFCA and IFCA senior management were providing relevant material and linked to working groups. The scope of review included the future duties of the Authorities and their regulatory relationships with other marine bodies.
- 405.2 Jim Partridge thought it wrong that while commercial fishermen were now allowed to catch 1.3 tons per month of bass, anglers could take none. This total ban could put anglers' shops out of business. The Chairman said that this would be discussed at the next Technical and Byelaw Subcommittee meeting. Steve Hanks confirmed that his customer level had crashed as had many others'. Tim Dapling said that there had recently been a Defra bass meeting which included discussions on the angler bass ban and its impact. IFCA officers had expressed their concerns for angling businesses' future. Defra was seeking recreational bass information to help support negotiations at December Fisheries' Council meetings. They had indicated that this would be the best opportunity to influence any change in policy or approach.

405.3 Cllr. Ollie Sykes thanked Tim Dapling for the talk he had given to Brighton & Hove City Council.

406. **DATE OF NEXT MEETING**

406.1 Tuesday 21st July 2016 – venue 12a Riverside.

A handwritten signature in black ink, appearing to read 'N. Peters', written in a cursive style.

Nigel Peters
Chairman Sussex IFCA