

**MINUTES OF A MEETING OF THE
SUSSEX INSHORE FISHERIES & CONSERVATION AUTHORITY
Held remotely with Zoom software by Video conference**

on Thursday 22nd October 2020

PRESENT

Members

Stewart Harper (Chairman, MMO Appointee)
Councillor Carolyn Lambert (Deputy Chair, ESCC)
Councillor Pieter Montyn (West Sussex County Council)
Councillor Carol Purnell (West Sussex County Council)
Jo Brooksbank (NE Representative)
Robert Yorke (MMO Appointee)
Mark Bennett (Environment Agency)
Prof. Paul Leonard (MMO Appointee)
Dr. Peter Jones (MMO Appointee)

Staff

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

23 CHAIRMAN'S INTRODUCTION

- 23.1 Stewart Harper welcomed all to the third Quarterly Committee meeting of 2020-21, held via remote video conference – to comply with Covid-19 Government Health Advice. (The Chairman reminded members that the first QM had been cancelled due to the pandemic.)
- 23.2 Tim Dapling also welcomed members and reminded them of the intended meeting etiquette using Zoom software.

24. APOLOGIES FOR ABSENCE

Councillor Paul High (West Sussex County Council)
Councillor Leo Littman (Brighton & Hove City Council)
Cllr Trevor Webb (East Sussex County Council)
James Partridge (MMO Appointee)
Paul Johnson (MMO Representative)
Steve Hanks (MMO Representative)
Graham Furness (MM) Representative)

25. DECLARATION OF INTEREST

- 25.1 The Chairman requested notification of any declaration of interests. Cllr Pieter Montyn declared his interest in Chichester Harbour Conservancy.

26. APPROVAL OF MINUTES OF MEETING HELD ON 23rd July 2020

- 26.1 The Chairman asked for any comments on the previous minutes from January's meeting, but there were none. The Chairman's only comment was he did not believe he had said 'included support of legislation of minimum sizes' in 9.5, he requested it be replaced with 'taking account of recreational fishing regarding quota management'.

ALL RESOLVED to approve the minutes.

27. MATTERS ARISING

- 27.1 Tim Dapling reported that Kathryn Nelson, Research Manager, had left the Authority in early September to become a novelist. Colleagues had attended a socially distanced leaving event for her on Shoreham beach at which she had been given a leaving gift and wished well on her future endeavours. Following a subsequent open recruitment process, Jen Lewis had been appointed Senior Research Officer, she had formerly been covering on a temporary IFCO contract for Angharad Purcell's absence due to Reservist Leave.
- 27.2 Tim Dapling explained how the Authority was coping well under the necessary restrictions being taken to combat Covid-19. Those who were able to continued to work from home, with occasional visits to the office when necessary. Office activities had been thoroughly risk assessed and processes and precautions put in place to ensure that as far as practicable it was 'Covid Secure'. Both sea patrols and land patrols continued as normal and all work followed the writing of required risk assessments and implementation of Government approved precautions.

DECISION ITEMS

28. MANAGEMENT OF HAND GATHERING FOR BAIT AND SHELLFISH

- 28.1 Tim Dapling introduced this report for members' benefit: it covered hand gathering, including the collection of shellfish (predominantly cockles and clam species in the Sussex IFCA District) described as being for human consumption and bait gathering for angling needs. These

activities took place throughout the IFCA District and their management was the next theme within the review process to be addressed by the Authority. A large amount of information had been collected by the team over the years, which informed current discussions from both compliance and research angles. The Chief Officer had recently led in setting up a national group of IFCAs on this subject (Future Inshore Strategic Hand Gathering Implementation Group, FISHGIG). The intent was that the IFCA group develop a framework byelaw to be used, potentially, by several IFCAs. Local modifications would then be made which addressed specific IFCA requirements. Producing impact assessments and liaising with Defra would therefore hopefully become a simpler process by using a common framework byelaw with comparable supporting documentation based on common generic evidence if available.

- 28.2 Sean Ashworth took over reporting on this item as he had been present at the recent Technical Subcommittee meeting (Tim Dapling had been on (non-Covid) sick leave). Full, detailed discussions had taken place at this meeting on the subject and Sean Ashworth explained the key points covered.
- 28.3 Sean Ashworth said that it had already been agreed at a previous meeting to apply a 'whole District' approach with separate restrictions for different areas. The next steps would be concerned with supplying continued evidence collection. He described the different options and the discussions which had taken place at the recent Technical Subcommittee meeting.
- 28.4 It was recommended that a questionnaire be sent out and the draft was amended at the Technical Subcommittee.
- 28.5 Cllr Carolyn Lambert welcomed the national partnership which had been set up with IFCA Chief Officers and requested clarification of the roles of Natural England and Sussex IFCA, she queried whether there was a conflict of interests in this work. Sean Ashworth explained that Jo Brooksbank had now supplied clearer text for the report on NE's contribution, which more fully described NE's role. NE had a role to play in managing bait collection in MPAs, Jo Brooksbank explained. Tim Dapling thanked Jo Brooksbank for her correction to the report, in respect to details of Chichester Harbour's conservation designation status as a European 'Marine' Site and, as such, the MMO and not Natural England was responsible for the introduction of byelaws under Section 40 of Conservation and Habitats and Species Regulations 2017. Tim Dapling briefly explained that although the MMO also had marine SAC & marine SPA byelaw making powers and responsibilities which 'overlapped' within the IFCA's District, it was understood that commercial hand gathering activities are considered within scope of IFCAs management under Defra's 'Revised Approach' under which the

IFCA had previously introduced fisheries management byelaws to protect seagrass (*zostera* spp.) in Chichester Harbour.

There then followed a short discussion as to the extent of the SSSI designation within Chichester Harbour.

- 28.6 Tim Dapling welcomed Francis Parfremment as online observer of the meeting as he had just joined the meeting online.
- 28.7 Jen Lewis reported that she had recently had positive conversations with Portsmouth University re their work on developing computer models for identifying areas of high activity of bait collections. Their Research department were hoping to use this model to gain a wider picture of activity across the District.

Recommendations

- i. To note the discussions had at the Technical Subcommittee, 6th October 2020.**
- ii. To agree the evidence collection direction set at the Technical Subcommittee, 6th October 2020.**

ALL RESOLVED to approve the recommendations

29. Minimum Conservation Reference Sizes Management

- 29.1 Stewart Harper introduced this item by giving members the background regarding the new EU Technical Conservation Regulation (EU 2019/1241) currently in force which did not include specific regulations covering minimum landing sizes for recreational fishing. . (This Regulation does however state "Where relevant, technical measures should apply to recreational fishing, which can have a significant impact on the stocks of fish and shellfish species")
- 29.2 Tim Dapling listed the meetings where minimum conservation reference sizes had previously been considered and discussed. Many stakeholders were keen on minimum sizes being introduced for recreational fishers.
- 29.3 Some species, for example grey mullet and black bream, were not included in either the new or previous EU technical regulation provisions. Other IFCAs were further forward in introducing minimum sizes for recreational fishing and Sussex IFCA would be able to incorporate their work with its own, allowing for a joined-up approach and continuity.
- 29.4 Robert Yorke queried where neighbouring IFCAs, Kent & Essex IFCA and Southern IFCA, were in the process. Tim Dapling replied that Kent & Essex had had their byelaw approved by Defra and Southern had an updated pre-existing byelaw which was awaiting sign-off by Defra and their work would be used to inform Sussex IFCA's work.

- 29.5 Sean Ashworth went through the recommendations which had been written following detailed discussions at the Technical Subcommittee, he summarised all option discussions in his report.
- 29.6 Stewart Harper was concerned that the Authority needed to tread carefully with regards to minimum and maximum sizes of quota species and ensure that Sussex IFCA's regulations were in line with neighbouring IFCAs and national regulations. The 'Discard ban' meant commercial fishermen had to bring in to port certain species of undersized fish if caught and log them, no undersize fish could be sold for commercial gain.
- 29.7 Sean Ashworth said that Erin Lawes and Jen Lewis had been using neighbouring IFCAs' evidence gathering to inform Sussex IFCA's work. Jen Lewis reported that Southern IFCA had a full-time person employed to look at the topic and working in conjunction with them would enable a joined-up approach.
- 29.8 Sean Ashworth wanted it noted that Jim Partridge, who was absent from the meeting, believed that lobster minimum size should be increased. A short conversation took place on lobster sizes.
- 29.9 Dr Peter Jones expressed his support for the suggested 'quick fix' byelaw but also felt that its creation should not limit future ambitions. A national co-ordinated IFCA approach was important he said. The weighty scientific evidence for the benefits of maximum landing sizes was clear and could be pursued nationally by IFCAs.
- 29.10 Cllr Pieter Montyn asked for more details as to a timetable for production of the 'quick fix' byelaw. Stewart Harper said that because this byelaw need not cover any contentious subjects, he foresaw that the Authority would be able to progress the byelaw promptly over the following Quarterly Committee and Technical Subcommittee meetings.
- 29.11 Tim Dapling commented briefly on the matter of maximum sizes and explained that any successful future use of the measure as a management tool was closely linked to post capture survivability. The potential implications of discarding of large dead fish could result in perverse unwanted consequences including increased fishing effort for loss of catch.

Recommendations

- i. **To recommend the options set out in section 4 of this report, such that officers draft and initial byelaw for further consideration by Committee. This byelaw being an initial measure to address the present regulatory gap.**
- ii. **To recommend the options set out in section 4 of this report, such that officers continue to research MCRS and maximum size options**

for various species in the District. This information is to feed into a continuing review of any Sussex IFCA MCRS byelaw.

ALL RESOLVED to approve the recommendations.

30 Four Year Management Plan

- 30.1 Tim Dapling informed members that the last Four Year Plan had now come to an end and the draft new Plan 2020-2024 gave a medium strategic view of the years ahead. The Authority was obliged to provide planning details to Defra within strategic objectives and success criteria Guidance had been developed from the Marine and Coastal Access Act 2009 by Defra for the development of IFCA plans. The Plan aimed to reflect long term Marine Policy objectives of government. Tim Dapling said that January 1st 2021 would inevitably result in some significant changes to fisheries management by Government.
- 30.2 Tim Dapling highlighted key overarching elements for delivery in the Plan: implementing byelaws for hand gathering, minimum sizes, elasmobranch protection and the potential need for recreational bag limits in future. The Authority planned to build evidence and consult with stakeholders to create management for T3 MCZ sites, most notably Beachy Head East.
- 30.3 Jo Brooksbank reported that there would be a delay to NE's conservation package response to T3 sites due to lack of resources. Erin Lawes queried when it would be published and Jo Brooksbank replied that it was likely to be delivered in September 2021 instead of March as originally intended.
- 30.4 There would be a review of the management of T1 sites as well as the Shellfish Permit Byelaw, Tim Dapling said. As part of that process Jen Lewis was already examining data collected on shellfish data.
- 30.5 Tim Dapling reported that there was an increasing focus on an ecosystem approach to management by the Authority, and how habitats could be protected and sustained to support healthy fisheries for the future. The Authority's team with partners had done much work over many years to increase our understanding of marine habitats in Sussex waters. This work should be recognised and the Authority should be proud of this progress.
- 30.6 Compliance activities would continue to apply and develop its risk-based approach to enforcement.
- 30.7 At this point in time, in light of the Covid 19 pandemic, Tim Dapling was cautious to include total budget figures in the four year plan beyond the coming year Fyr 2021/2022. The budget had been provisionally agreed at the previous day's Finance Subcommittee.

- 30.8 Robert Yorke pointed out that there was no mention in the Plan of marine archeology. Given the IFCA's past work in this area he would have hoped that it would have been included. He remained concerned regarding the protection and understanding of historical wrecks.
- 30.9 Cllr Carol Purnell expressed concern about future financial input from councils who were particularly hard pressed at this time.
- 29.10 Cllr Carolyn Lambert queried whether the Authority should become involved in active lobbying. Tim Dapling replied that Sussex IFCA and its previous incarnation as Sussex Sea Fisheries Committee had always been of the opinion that public resources should not be directed towards active lobbying. Many NGOs were very supportive of the Authority's activities but Tim Dapling believed the Authority could best influence Government through consultation processes, and where these were national through the AIFCA. Cllr Lambert wondered if the IFCA could seek to influence partner organisations in the protection role and this could be included in the new Plan. Stewart Harper said that he was aware of current shellfish resource problems within the District and was of the view that the MMO should be encouraged to review dredging licences in the area very carefully. Sean Ashworth believed that Sussex IFCA were already influential to the best of their ability and that this could be reflected in the Four Year Plan.
- 29.11 Finally, Tim Dapling drew members' attention to the summary of progress RAG table on objectives developed shortly after the establishment of the Sussex IFCA, which demonstrated the extent to which the review of management had progressed over past years.

Recommendations

- i. That members note the legal requirements and guidance concerning IFCA annual plans and reports.**
- ii. That subject to some suggested amendments members agree to the proposed Management Plan for the four year period commencing 2020 and authorise SMT officers to publish the plan.**

ALL RESOLVED to approve the recommendations.

INFORMATION ITEMS

30 Conservation and Research

- 30.1 Erin Lawes ran through the Conservation and Research department's work over the last quarter.

- 30.2 The projects contained within the Four-Year Conservation and Research Plan remained the same as those presented to Committee in the 1st Quarter of 2020, with some adjustment to priorities and leads, and also acted as a Workplan for the team.
- 30.3 Erin Lawes explained that the Interim Conservation and Research Report within Appendix I provided an update on the team's activities during the first half of the financial year, i.e. April to September 2020. The report demonstrated the great range, volume and quality of evidence collection work that had been undertaken so far this year.
- 30.4 Erin Lawes also outlined the progress which had been made in Marine Protected Area work which included T1 management reviews evidence gathering on Kingmere, Beachy Head East and Selsey Bill and The Hounds MCZs and European Marine Sites (EMS).
- 30.5 Stewart Harper wanted to pass on that Jim Partridge had expressed concern to him that wind farms were negatively affecting fishing.
- 30.6 Jen Lewis continued by summarising the Lobster data report on declining lobster catches in the District which included suggestions on how more evidence could be gathered and ways forward. Appendix II displayed work already developed by other IFCAs.

Recommendation:

That members note the report and associated Appendices I and II.

ALL RESOLVED to approve the recommendation.

ITEMS 10 & 11 were taken as read.

31 Compliance Report

- 31.1 Robert Yorke requested more information on a recent prosecution. Tim Dapling said that it had involved breaches in the Shellfish Permit Byelaw conditions including use of incorrectly marked and untagged pots, absence of selectively measures and excessive pot numbers for whelk fishing within the 3 mile limit. Previous sanctions had already been taken against the owner hence the decision to prosecute. It was hoped this would act as a deterrent to others and also reassure those fishers who were compliant and always followed the Shellfish Permit regulations.

ALL RESOLVED to approve the report.

32 Financial Performance Report 2nd Quarter 2020

- 32.1 Steve Jump briefly talked through his latest report and highlighted the key points for members, as a Finance Subcommittee had already discussed the report in detail at the meeting held the day before.
- 32.2 A surplus of £35,979 had been achieved in the Quarter, a net gain against the budget of £34,154. This was principally because of staffing costs which had changed during the Quarter.
- 32.3 Steve Jump explained that premises costs covered rent and utilities costs whereas office costs covered the work which took place in the building, for example IT costs and printing and photocopying.
- 32.4 It was estimated that there would be an overall gain of £52,100 against the budget, primarily as a result of the variation in staffing costs. Expenditure on employee salaries was expected to be £28,900 lower than budgeted.
- 32.5 Robert Yorke and Stewart Harper thanked Steve Jump for his good work.

ALL RESOLVED to approve the report.

ITEM 14 was taken as read

33 Chief Officers Group

- 33.1 Tim Dapling explained that these meetings continued to take place more frequently than before. He also mentioned that the lead role in co-ordinating IFCA Compliance Training had become vacant (due to Ian Jones' moving to become Chief Fisheries & Conservation Officer for Southern IFCA). Recruitment was currently underway to fill the vacancy.

ALL RESOLVED to approve the report.

34 Association of Inshore Fisheries and Conservation Authorities

- 34.1 Stewart Harper gave a brief update on recent positive meetings which had taken place and informed members that the Association now had a new Chief Executive, Robert Clark, previously Deputy Chief Fisheries Office at Sussex IFCA and Chief Officer at Southern IFCA.

A.O.B None

Date of Next Meeting: Thursday January 21st 2021