

**MINUTES OF A MEETING OF THE
SUSSEX INSHORE FISHERIES & CONSERVATION AUTHORITY
HELD AT UNIT 12a RIVERSIDE BUSINESS CENTRE, SHOREHAM-BY-SEA
On 9th November 2015**

PRESENT

SUSSEX IFCA:

Members

Councillor Nigel Peters (Chairman)
Stewart Harper (Deputy Chairman)
Councillor Ollie Sykes (Brighton & Hove City Council)
Councillor Janet Mockridge (West Sussex County Council)
Councillor Tania Charman (East Sussex County Council)
Councillor John Ungar (East Sussex County
Robert Yorke (MMO Appointee)
Charles Bacchus (Environment Agency)
Graham Furness (MMO Appointee)
Steve Hanks (MMO Appointee)
Paul Johnson (MMO Representative)
James Partridge (MMO Appointee)
Michael Newton Smith (MMO Appointee)
Audrey Jones (Natural England)
Keith Schofield (MMO Appointee).

Staff

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

Invitees

Giulietta Holly (Natural England)
Graham Singleton (Cemex UK Marine)
Joe Holcroft (Cemex UK Marine)

Cllr. Nigel Peters welcomed all members to the meeting.

352. **APOLOGIES FOR ABSENCE**

Councillor John Rogers (West Sussex County Council)
Chris Williams (MMO Appointee)
Dr Peter Jones (MMO Appointee)
Paul Leonard (MMO Appointee)
David Guy (MMO Appointee)

353. **DECLARATIONS OF INTEREST**

353.1 The Chairman requested any prejudicial declaration of interests. Michael Newton-Smith and Jim Partridge held an interest in the Shellfish byelaw and Kingmere MCZ, as it affected them directly.

354. **APPROVAL OF MINUTES**

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

ALL RESOLVED to approve the minutes.

355. **MATTERS ARISING**

Tim Dapling reported on the success of the Oyster Permit Byelaw introduction and the positive feedback which had been received from oyster fishermen in Chichester Harbour. Jim Partridge asked to discuss vehicle fuel costs with Estelle Barton, Finance Manager.

356 **DECISION ITEMS**

356.1. **Marine Protected Area Byelaw and Kingmere Marine Conservation Zone Regulatory Notice**

356.2 Tim Dapling reported that the byelaw was now ready to be submitted to Defra and the Secretary of State for final sign off. The Technical & Byelaw Subcommittee meeting of 22nd October had agreed to no further amendments, subject to any which Defra might require.

356.3 Tim Dapling asked the members for agreement that the full byelaw and supporting documents be supplied to Defra; he thanked the Technical Subcommittee for their work in creating this byelaw.

Recommendations:

- i. **That members note the MPA Byelaw and Kingmere MCZ Regulatory Notice consultation process and the associated documentation.**
- ii. **That the Authority submits the Marine Protected Area Byelaw 2015 and accompanying Kingmere MCZ Regulatory Notice for confirmation by the Secretary of State**
- iii. **That subject to the date of Byelaw confirmation the Authority implements the provisions to ensure management is introduced by the 1st April 2016.**

iv. That Officers continue to develop the draft code of conduct to support the regulatory measures.

Proposed by Steve Hanks
Seconded by Cllr. Ollie Sykes

357.1 Shellfish Permit Byelaw

357.2 Tim Dapling said that the Technical & Byelaw Subcommittee had considered all the conditions of this Byelaw and agreed amendments, which had been incorporated. The Byelaw and supporting documentation were now ready to supply to Defra, Tim Dapling said. Members were now asked to note the Shellfish Permit Byelaw consultation process and the associated documentation prior to submission to Defra.

357.3 Jim Partridge raised some concerns. In respect to a query from Jim Partridge at a previous meeting, Tim Dapling confirmed that his correspondence had been part of the responses circulated to members and that the Byelaw had been stakeholder led and full consultation had taken place with stakeholders, many of whom had expressed their support directly.

357.4 Jim Partridge expressed his view that successful prosecutions would be negligible and expensive, he put forward his own proposal, seconded by Michael Newton Smith. His proposal was as follows: 'The Lobster carapace should be increased from 87 to 90mm, the crab carapace should be increased from 140 to 150mm. Whelks: all boats over 6m to use and carry a 25mm riddle. Whelk size should be determined by number 10% undersize, not by weight.'

357.5 Keith Schofield said that in his view simple regulation was usually the best regulation. Michael Newton Smith said that he believed it would be impossible to police pot limitations.

357.6 Tim Dapling said that existing management demonstrating that pot tagging could be managed successfully was already happening in several IFCA Districts. All final provisions within the byelaw had been carefully developed over the last two years of extensive consultation work and considered at Technical & Byelaw Subcommittee meetings, Tim Dapling explained.

357.7 Paul Johnson raised his concern over the duplication of the use of 'mutilated lobster', querying whether it was necessary given national regulations. Paul Johnson held concerns about the practicality of enforcing the Byelaw.

357.8 The Chairman and Tim Dapling both clarified to members that all concerns currently raised had been addressed at previous meetings of the Technical & Byelaw Subcommittee. Stewart Harper, Deputy

Chairman, believed that the Shellfish Byelaw had been agreed to at the Subcommittee, where all points had been discussed before arriving at a majority vote to bring it to the Quarterly Committee meeting.

357.9 Tim Dapling reminded both Michael Newton Smith and Jim Partridge that they could not vote on the motion as they held an interest in shellfish management. Jim Partridge challenged the suggestion that he held any interest in the matter under consideration.

357.10 Cllr. Nigel Peters asked Jim Partridge to provide proof in writing of why he believes he does not have any prejudicial declaration of interests.

357.11 **Proposed amendment by Jim Partridge:**

'The Lobster carapace should be increased from 87 to 90mm, the crab carapace should be increased from 140 to 150mm. Whelks: all boats over 6m to use and carry a 25mm riddle. Whelk size should be determined by number 10% undersize, not by weight.'

Proposed by Jim Partridge
Seconded by Michael Newton Smith

In favour: Keith Schofield
Against: 7 members
Abstentions: 5 members

Proposal lost.

357.11 **Original report Recommendations by Senior Management Team:**

- i. That members note the Shellfish Permit Byelaw consultation process and the associated documentation.**
- ii. That the Authority submits the Shellfish Permit Byelaw for confirmation by the Secretary of State.**
- iii. That once confirmed the Authority implement the Byelaw provisions and permitting arrangements in a phased approach as soon as practically feasible.**

In favour: 10 members
Against: 1 member
Abstentions: 2 members

ALL RESOLVED to accept the recommendations.

358. **Beachy Head West MCZ Management Plan**

358.1 Erin Pettifer went through the Beachy Head West MCZ Management Report.

- 358.2 Sean Ashworth explained the processes to follow and had background information available for members. Michael Newton Smith said that he would welcome scientific proof to demonstrate that the project would be worthwhile and asked for spill over figures.
- 358.3 Cllr. Nigel Peters suggested that a site visit took place to increase members' understanding of the area concerned.
- 358.4 Cllr Peters asked that members vote to accept the following recommendations:
- i. That the Authority agree the evidence base presented within the Beachy Head West MCZ Management Report.**
 - ii. That the Authority agree the high level management recommendations for mobile gears, recreational sea angling, hand gathering and static gears outlined in the report.**
 - iii. That members recommend officers take the report to the next Technical Subcommittee meeting for discussion around the detail of measures.**
 - iv. That recommendations from the Technical Subcommittee are brought to the next Principal Committee meeting on 21st January 2016.**

Proposed by Cllr. Ollie Sykes
Seconded by Graham Furness

ALL RESOLVED unanimously to accept the recommendations.

359. **Presentation:
Aggregate Extraction Application Areas 488 & 453 – North Owers**

- 359.1 Cllr. Peters introduced Graham Singleton and Joe Holcroft of Cemex UK Marine, who gave a presentation followed by discussion, on the current application submitted to MMO to extract aggregates, which included the area within the boundary of Kingmere MCZ.
- 359.2 In discussion, Tim Dapling said that the next Technical Subcommittee gave an ideal opportunity to develop and agree a response from the Authority to the application. Any member not part of the Technical Subcommittee would be welcome to respond individually to the Authority for inclusion in a response. The Chairman said that, in his view, it was not within Sussex IFCA's remit to be for or against the application, but for individuals to inform the MMO of their concerns via the Authority.

A 10 minute break followed this item.

360. **INFORMATION ITEMS**

360. **Annual Report 2014 to 2015**

- 360.1 Tim Dapling updated members on the production of the latest Annual Report, which would be ready in time to comply with Defra guidelines and copies would be supplied to members with their next Quarterly Committee papers.

ALL RESOLVED to note the report.

361. **Revised IFCA High Level Objectives & Joint Working Programme**

- 361.1 Tim Dapling reported that since January 2015 the COG had been revisiting IFCA High Level Objectives and then revision was provided to Defra who had commented. A summary was supplied to members showing the way forward. The revised document was renamed 'a Performance Framework' at Defra's request.
- 361.2 Tim Dapling said that the framework's scope was broad enough to allow individual IFCAs to have emphasis in different work areas relevant to their individual needs.
- 361.3 A draft of the Joint Working Programme, showing working arrangements between the MMO and IFCAs was also distributed to members. Defra was very keen, Tim Dapling said, for both organisations to identify efficiencies and opportunities for joint working, sharing training, vessels and enforcement. General discussion took place among members about the practicalities of joint working.

ALL RESOLVED to note the report.

362. **Interim Research Report April – September 2015**

- 362.1 Cllr Peters thanked both Erin Pettifer and Kat Nelson for their work on this report.

ALL RESOLVED to note the report.

363. **Compliance and Enforcement Report**

- 363.1 Members were pleased with the new look of this report. Sean Ashworth said that it had been decided that the position of Compliance Manager

would not be filled at the present time, and that the senior management team, with Alberto Kavadellas and other Fisheries Officers would be carrying out extra duties as a result.

- 363.2 Jim Partridge asked that the word 'alleged' be inserted when the word 'Buddhists' was used in the report. The Chairman asked that this be noted.

ALL RESOLVED to note the report.

364. **Communications Report**

ALL RESOLVED to note the report.

365. **Project 7171 Fishermen's Fasteners Archaeological Project**

- 365.1 Tim Dapling said that an application which the Authority had made to Historic England, for money to support this project with Anthony Firth of Fjord Ltd, had been accepted. This would allow survey work to be conducted in January or February 2016.

- 365.2 FIPAD II's formal go ahead was also imminent, a project officer would be based in the Authority's office, and would be involved in liaising with the industry. Robert Yorke said that there should be little impact on Fisheries Officers' work and he welcomed the Authority's support.

- 365.3 Tim Dapling asked that meetings be set up at Selsey, Eastbourne and Shoreham with fishermen. Michael Newton Smith and Jim Partridge both agreed to assist Anthony Firth to organise these.

366. **Summary of Expenditure for July to September 2015**

- 366.1 Estelle Barton went through the accounts report for the benefit of members. James Partridge queried fuel costs for Authority vehicles in the report, he asked if the Authority qualified to receive the tax back. He felt duty returned needed to be noted on the report.

367. **A.O.B.**

- 367.1 Cllr Peters welcomed new member, Cllr Tania Charman, from East Sussex County Council, to the meeting.

368. **DATE OF NEXT MEETING**

368.1 Thursday 22nd January 2016 – venue 12a Riverside.

A handwritten signature in black ink, appearing to read "N. Peters".

Nigel Peters
Chairman Sussex IFCA