

**MINUTES OF A MEETING OF THE
SUSSEX INSHORE FISHERIES & CONSERVATION AUTHORITY
HELD AT UNIT 12a RIVERSIDE BUSINESS CENTRE, SHOREHAM-BY-SEA
On 22nd January 2015**

PRESENT

SUSSEX IFCA:

Members

Councillor Nigel Peters Vice Chairman
Councillor Ollie Sykes (Brighton & Hove City Council)
Councillor Peter Pragnell (East Sussex County Council)
Councillor John Ungar (East Sussex County Council)
Councillor Trevor Webb (East Sussex County Council, replacing Cllr. John Hodges)
Councillor Janet Mockridge (West Sussex County Council)
Graham Furness (MMO Appointee)
Steve Hanks (MMO Appointee)
Paul Johnson (MMO Representative)
James Partridge (MMO Appointee)
Paul Leonard (MMO Appointee)
Stewart Harper (MMO Appointee)
Joe Watt (MMO Appointee)
Charles Bacchus (Environment Agency)
David Guy (MMO Appointee)
Emma Kelman (NE) replacing Audrey Jones for this meeting.

Staff

Tim Dapling (Chief Fisheries & Conservation Officer)
Sean Ashworth (Deputy Chief Fisheries & Conservation Officer)
Estelle Barton (Finance Manager)
Erin Pettifer (MPA Officer)
Kathryn Nelson (Fisheries and Conservation Research Officer)
Charlie Hubbard (Marine Operations Manager)
Alice Tebb (Fisheries & Conservation Officer) present for Item 13)
Rachel Griffin (Committee Manager & Personal Assistant)

Invitees

Roger Mason (MMO)
Tom Conlon Perry (East Sussex County Council)

Cllr. Nigel Peters welcomed all members to the meeting and Tim Dapling briefly introduced the agenda.

307. APOLOGIES FOR ABSENCE

Tony Delahunty (MMO Appointee) Chairman
Dr Peter Jones (MMO Appointee)

Robert Yorke (MMO Appointee)
Audrey Jones (Natural England)
Cllr. John Rogers (West Sussex County Council)
Keith Schofield (MMO Appointee).

308. **DECLARATIONS OF INTEREST**

308.1 No prejudicial declaration of interests.

308. **APPROVAL OF MINUTES**

308.1 Approval proposed by James Partridge and seconded by Cllr Janet Mockridge.

309. **MATTERS ARISING**

309.1 Page 2 Angling Strategy: Graham Furness queried whether the online questionnaire had been published. Tim Dapling apologised that it had not yet been uploaded but would be as soon as workloads allowed.

309.2 Bass management was not included as an agenda report, but it remained an important issue, Tim Dapling said. He had discussed it briefly with Tony Delahunty, given his presence at prior EU meetings. The UK government had written to the EU Commission requesting that emergency measures for offshore pair trawling be put in place for the bass fishery; subsequently, the French had responded with further proposals for commercial and recreational sectoral measures which should be taken by other member states. Referring to the latest online, Steve Hanks and Paul Johnson confirmed that the announcement of a ban of pelagic pair trawling for bass had been made and would come into effect at the end of January.

310. **DECISION ITEMS**

310.1 **Review of byelaw documentation**

310.2 Tim Dapling reported to the members. He summarised the scope of the work conducted by ESCC legal sources. The value of archive material was recognised.

310.3 Tim Dapling introduced Tom Conlon Perry, from East Sussex County Council's Legal Services department, who was able to answer any queries from members. Jim Partridge requested that byelaws be discussed at Technical Subcommittee meetings. Nigel Peters said that the correct arena for individual byelaws was indeed the Technical Subcommittee

meetings, but that the recommendations on this agenda should be considered at this full committee meeting.

- 310.4 Steve Hanks and Paul Leonard both agreed that each new byelaw should include copy to say that it superseded the previous byelaw.
- 310.4 Tim Dapling said that, as part of his work, Tom Conlon Perry had carried out an extensive search of archives and unearthed fascinating historical Sussex Sea Fisheries committee information from as long as a century ago. Tim Dapling said that they had discovered Byelaw 7 that appeared to have fallen into disuse in the early 1990's. No revocation of the byelaw had been located. Legal Services had offered advice on the approach to take. The options included revoke the disused byelaw, take no action or ensure any byelaw which related to it and was created at a later date should simply have the wording inserted that it superseded all previous byelaws.
- 310.5 Jim Partridge said that it was important to ensure wording was correct and specific on each byelaw. Nigel Peters said that each new byelaw would be discussed at Technical Subcommittee, following which legal services would then be contacted for final drafting and any required amendments to existing regulations.
- 310.6 Tom Conlon Perry expanded on the difficulty of superseding byelaws. Stewart Harper suggested a single byelaw revoke all previous byelaws prior to a defined date. It was suggested that legal services be asked to comment on this approach.
- 310.7 Nigel Peters suggested that the following recommendation **2.4** be taken to Technical Subcommittee for discussion:

To take no action (option 2) in respect to historic 'undetermined' byelaw regulations. Where appropriate to include a future text provision in new byelaws that specifies the revocation and replacement of any existing byelaws measures they are intended to replace.

Nigel Peters and Tim Dapling recommended that the Committee agree to the following recommendations:

Recommendations:

- i. **As necessary to maintain contact with ESCC legal services in respect to final drafting of new byelaw regulations and required amendments to existing regulations.**
- ii. **To continue to identify existing and new byelaws by name and date as opposed to a sequential numbering system.**
- iii. **To use clear English in new regulations and where relevant provide unambiguous descriptions of fish/shellfish species**

and gears. Common species names will be supported by taxonomic classification and gears will be defined appropriately.

- iv. To maintain the record of archive material and consider the future opportunities to scan and store material of significant historic value. Examples would be historic catch information that may indicate long term trends in the presence of commercial species.**
- v. To take legal advice as to whether a single byelaw could revoke all others previously made, prior to a defined date.**

ALL RESOLVED to accept the recommendations, except Jim Partridge.

311. Strategic Research Plan for 2015 - 2016

- 311.1 Kathryn Nelson went through the Plan which was to provide members with a proposed strategic framework for managing research activities and with a draft Strategic Research Plan.
- 311.2 Nigel Peters thanked Erin Pettifer and Kathryn Nelson for their work on this report. Paul Leonard said that he was interested in the data outputs and asked how the data would be reported outside the Authority, as organisations like MEDIN and OceanWise would be very keen for any reliable data

ALL RESOLVED to accept the recommendations.

312. Chichester Harbour Oyster Fishery, Thorney Channel bivalve classification

- 312.1 Tim Dapling said that this item was to report to members the potential implications, modifications and improvements to present Chichester Harbour oyster fishery following management and improvements in bivalve health classification within Thorney Channel. Tim Dapling said that present 2014/15 season management reflected the same approach applied in 2013/14 season. Subsequently, receiving evidence from Cefas, The Food Standards Agency changed classification of shellfish in Thorney Channel from 'C' to 'B'. Requests had been received from some members of the fishing community who expressed interest as to whether the Thorney Channel could now be opened following the reclassification.
- 312.2 Tim Dapling said that the request raised various legal issues regarding emergency byelaw provisions to reopen a closed area, this report

recommended that the Technical Subcommittee be delegated to discuss the issue and its implications. A CHOPI meeting was planned for early February, which would be a good opportunity to have discussions with the community.

- 312.3 Paul Leonard expressed concern with the EHO classification, he wanted to know what sewage management was taking place. Alice Tebb had been involved with the shellfish testing and said that the shellfish were tested for many months and had to receive ten positive consecutive results before a bed could be reopened.
- 312.4 Charles Bacchus said that it was important to receive new data from the CHOPI meeting and felt that the description 'sustainable' fishery should not be used.
- 312.5 Tim Dapling said CHOPI decisions would be influenced by the fishing community members, with the assistance of other attending authorities, including the IFCA and NE. General discussion of the issue then took place.
- 312.6 Nigel Peters asked if all were happy to accept the recommendations.

ALL RESOLVED to accept the recommendations.

313 **Focus and Priorities Annual Plan 2015 to 2016**

- 313.1 Sean Ashworth introduced the Senior Management item by He explained that this item's purpose was to discuss the Annual Plan for 2015 to 2016, and for members to decide what they would like to see included in the Plan. Sean Ashworth then detailed the legal requirements concerning IFCA annual plans and reports, as stated in The Marine and Coastal Access Act 2009.
- 313.2 Sean Ashworth and Tim Dapling wanted to know from members what they thought was important for the Authority to deliver through the next year. The aim, he said, was to categorise those items identified as important by members under the following **seven success criteria**:
- 1:** IFCAs have sound governance and staff are motivated and respected
 - 2:** Evidence based, appropriate and timely byelaws are used to manage the sustainable exploitation of sea fisheries resources within the district
 - 3:** A fair, effective and proportionate enforcement regime is in place
 - 4:** IFCAs work in partnership and are engaged with their stakeholders
 - 5:** IFCAs make the best use of evidence to deliver their objectives

6: IFCAs support and promote the sustainable management of the marine environment

7: IFCAs are recognised and heard.

313.3 Following an exercise for members to list those items identified as important, members were invited to form three breakout groups to discuss their choices and, by examining the current plan, identify which items had previously been omitted, if any.

313.4 Sean Ashworth thanked members, at the conclusion of discussions, for their input, which would be incorporated in the planning of the next Annual Plan.

ALL RESOLVED to to accept the recommendations.

314 **INFORMATION ITEMS**

314. **Progress and Scope of HR Management Process Review for 2015/16**

314.1 Tim Dapling was happy to welcome Dr Sean Ashworth to the meeting, who had now filled the role of Deputy Chief Fisheries & Conservation Officer. Sean Ashworth had assisted in the interviews for the post of Compliance Manager, and Simon Moore had now been recruited.

314.2 Sean Ashworth explained that the planned review would identify effective management process changes, building on well-developed existing structures and arrangements that would:

- Ensure all staff had clear individual performance plans that showed a clear line of sight from their individual objectives through the IFCA Annual Plan to the higher level IFCA objectives, success criteria and vision.
- Ensure that all staff had a clear and supported training plan that aligned with their development needs and their role's expected capabilities.
- Ensure that line managers provided clarity on how performance would be assessed against objectives, and what good performance looked like.
- Ensure all posts had up to date and accurate job descriptions.
- Review and revise roles and grades to reflect changes in structure and recognise the development of existing people.

- Revise and define clear reporting lines in the light of new recruitment into senior management posts. This would coincide with reviewing individual's appraisal frequency and content.
- Ensure that management decision groups were clear, transparent and effective.
- Review the brigading of functions.
- Review effective interactions between the staff and committee.

314.3 It was envisaged, Sean Ashworth said, that the conclusions of the review would be implemented from April 1st 2015.

314.4 Graham Furness asked whether exit interviews would now be conducted. Sean Ashworth assured him that they would. Steve Hanks asked if a Natural England secondment was in place yet, Tim Dapling said that the process of arranging a secondment was underway and that this would be implemented, hopefully, at the beginning of the financial year.

314.5 Steve Hanks asked if University student volunteers could be utilised, Kathryn Nelson confirmed that she periodically took up volunteer offers from University students plus she had many volunteers for small fish surveys from various organisations.

ALL RESOLVED to note the report.

315. **Sussex IFCA Annual Report 2013 to 2014**

315.1 The Chief Officer introduced the newly published Annual Report, which had been developed to report on the activities of the Sussex IFCA in its third year of operations from April 2013 to April 2014.

315.2 The framework of the report reflected that described within the Annual Plan, as suggested within Defra guidance. It was intended that the IFCA Report was printed and published in the same format as the IFCA Plan in order that the same year's plan and report were recognised as matching documents.

315.3 High level objectives and success criteria were currently being reviewed as the Authority had completed its first four years, Tim Dapling said, and this review included the Annual reporting process.

ALL RESOLVED to note the item.

316. **Marine Conservation Zones update**

316.1 Erin Pettifer said that all MCZ workshop outputs had already been processed and taken back to the Technical Subcommittee for discussion.

At their last meeting in December 2014, Peter Richardson from MCS had presented a summary of outputs to members on behalf of the Community Voice Method team.

- 316.2 At the December 2014 Technical Subcommittee meeting potential management options and next steps had also been considered in break out groups to enable members to input further, provide their opinions on potential measures and discuss the detail of how to carry out the management in practical terms.
- 316.3 Erin Pettifer detailed next steps with management measures formulation, which included:
- Workshop outputs and presentations to be put on Sussex IFCA's website to facilitate wider comment
 - Workshop outputs to be circulated to participants
 - Further discussion with Sussex IFCA Technical Subcommittee
 - Small sectoral group meetings with site users to fully understand issues and find a way forward.
- 316.4 Kingmere final management measures would be formulated as a priority, however, the target of formulating and introducing management in time for the April 2015 bream season was, as anticipated, not achievable.
- 316.5 The SCHIP1 habitat map from Dungeness to Newhaven and Hove to Selsey out to 1km had now been completed. This provided an invaluable resource for informing the Beachy Head West MCZ management workshops.
- 316.6 Interpretation of Sussex IFCA and partner's Side Scan Sonar (SSS) survey of Kingmere MCZ was ongoing. Erin Pettifer explained that lack of government funding had delayed work in respect to interpretation of the data and reporting, however, following efforts of officers to secure external funding, progress was being made.
- 316.7 Erin Pettifer said that following the 2014 pilot bream tagging study to investigate bream movements and survivability, a larger scale tagging survey was being planned for 2015. A tagging pilot studies 2014 survey report had now been completed and was available on request.
- 316.8 Paul Leonard suggested asking Cefas for any available data as it would be useful to compare different sets of data to avoid duplication of work.
- 316.9 Jim Partridge had recently attended a meeting with Tarmac Lafarge, Global Ocean Biodiversity Initiative (GOBI), and Cemex who were involved in extracting aggregate from the MCZs. Erin Pettifer said that the Authority had also had a meeting with the same organisations and they had expressed a desire to give a talk to either the full committee or the Technical Subcommittee.

- 316.10 David Guy queried the age of the data supplied by NE, he suggested that Cefas's data was more current. Emma Kelman and Erin Pettifer said that the aggregate companies' data had been supplied and incorporated to ensure the Authority's information was as up-to-date as possible.

317. **Tagging Pilot Studies**

- 317.1 Alice Tebb presented survey results on tagging pilot studies, to investigate bream movements and survivability, both by acoustic tagging in conjunction with Cefas and by ID tagging, in collaboration with four skippers from Littlehampton. Alice Tebb and Tim Dapling took questions from members following the presentation.

318. **European Marine Sites Update**

- 317.1 Nigel Peters asked if there were any questions from members on Erin Pettifer's report, there were none.

ALL RESOLVED to note the report.

319 **Developments in respect to 2015 MMO appointments to IFCA**

- 319.1 Tim Dapling explained the current process of reapplication for MMO appointees wishing to remain members, he said that he had had a tripartite meeting with Defra, MMO and IFCA representatives concerning appointment process in future. The Chief Officer thanked all the MMO appointees for their interest and involvement in the Authority's work over the last four years. The MMO process and period of appointment remained undefined, which he regretted but offered any assistance he could give.
- 319.2 Steve Hanks registered his disappointment with the way the whole process had been handled by MMO. Paul Leonard drew attention to the application and the difficulties with its use.

ALL RESOLVED to note the item

- 320 Nigel Peters suggested that **Items 16 to 21** on the Agenda be approved en bloc and asked for any questions. The Summary of Expenditure and Budget and Levy Figures (**Items 18 and 19**), he said, had already been discussed in detail at the Finance Subcommittee meeting.

320.1 There were several minor questions about The Compliance Report, but Alberto Kavadellas was not present to answer them due to compassionate leave. Colleagues responded on some reporting queries in his absence.

321. **DATE OF NEXT MEETING**

321.1 Thursday 23rd April 2015 – venue 12a Riverside.

A handwritten signature in black ink, appearing to read 'Tony Delahunty'.

Tony Delahunty
Chairman Sussex IFCA