

**MINUTES OF A MEETING OF THE  
SUSSEX INSHORE FISHERIES & CONSERVATION AUTHORITY  
HELD AT UNIT 12a RIVERSIDE BUSINESS CENTRE, SHOREHAM-BY-SEA  
On 3<sup>rd</sup> August 2017**

**PRESENT**

SUSSEX IFCA:

***Members***

Stewart Harper (Chairman, MMO Appointee)  
Councillor Ollie Sykes (Deputy Chairman, Brighton & Hove City Council)  
Councillor Carol Purnell (West Sussex County Council)  
Councillor Pieter Montyn (West Sussex County Council)  
Councillor Paul High (West Sussex County Council)  
Councillor Tania Charman (East Sussex County Council)  
Councillor Carolyn Lambert (East Sussex County Council)  
Councillor Laurie Loe (East Sussex County Council)  
Robert Yorke (MMO Appointee)  
Dr. Peter Jones (MMO Appointee)  
Prof. Paul Leonard (MMO Appointee)  
James Partridge (MMO Appointee)  
Graham Furness (MMO Appointee)  
Michael Newton-Smith (MMO Appointee)  
Paul Johnson (MMO Representative)  
Charles Bacchus (Environment Agency)  
Audrey Jones (Natural England)  
Kate Bull (Natural England)

***Staff***

Tim Dapling (Chief Fisheries & Conservation Officer)  
Estelle Barton (Finance Manager)  
Kathryn Nelson (Senior Fisheries & Conservation Research Officer)  
Rachel Griffin (Committee & Office Manager)

**19 CHAIRMAN'S INTRODUCTION**

- 19.1 Stewart Harper introduced himself to members as the elected chairman and extended a particular welcome to the four newly appointed council members: Cllr. Carol Purnell and Cllr. Paul High (WSCC) and Cllr. Carolyn Lambert and Cllr. Laurie Loe (ESCC). All attendees briefly explained their roles and experience.
- 19.2 Tim Dapling explained the agenda and highlighted important Decision Items. For the benefit of new members, he also detailed the roles of different subcommittees, particularly the Technical Subcommittee.

**20 APOLOGIES FOR ABSENCE**

Steve Hanks (MMO Appointee)  
Chris Williams (MMO Appointee)

Staff:

Sean Ashworth (Deputy Chief Fisheries & Conservation Officer)  
Erin Pettifer (Conservation and Research Manager)

**21. DECLARATIONS OF INTEREST**

- 21.1 The Chairman requested any personal or prejudicial declaration of interests. Michael Newton-Smith declared that he was a commercial fisherman who fished in the MPA area to be discussed in the meeting in Item 6. No other interests were declared.

**22. APPROVAL OF MINUTES**

- 22.1 Paul Leonard queried the wording in point 10.2, he was quoted as saying 'the jury's out', and requested that it be replaced by 'this is a complex area', which better reflected his views.

ALL RESOLVED to approve the minutes with one correction.

**23. MATTERS ARISING**

- 23.1 Tim Dapling raised the subject of the biannual appointments to subcommittees, as specified in Decision Item 7 of the last meeting. For the benefit of new members, he explained the current function and constitution of each Subcommittee. The Finance Subcommittee required a representative from each of the three councils in addition to the Chairman and the Deputy Chairman. Tim Dapling suggested that one lead councillor plus one deputy represented each council; in the lead's absence, the deputy's attendance would therefore ensure that the meeting was quorate and the relevant council had representation.
- 23.2 Cllr. Pieter Montyn was already a representative for WSCC and Cllr. Paul High agreed to act as his deputy. After some discussion, Cllr. Laurie Loe agreed to represent ESCC with Cllr. Tania Charman as his deputy.
- 23.3 Michael Newton-Smith queried the large size of the meeting packs and asked if paper packs were necessary. The Chairman said that it was possible to opt out of a printed paper set, if requested, as a pdf was always emailed too. It was pointed out that Byelaw making decisions required extensive documentation to be included in reports.

- 23.4 James Partridge requested that the minutes be sent out quicker, as the last set had been received later than expected. Tim Dapling said that they would be sent out as soon as possible, two weeks was the intended time limit, but occasionally an unavoidable delay occurred, for example, Rachel Griffin, who produced the minutes in conjunction with the Chief Officer, was on annual leave for the next week, and this would inevitably result in a delay in the receipt by members of the minutes for the current meeting.

## **DECISION ITEMS**

### **24 Marine Protected Area Byelaw 2017 incorporating Schedule 4 Utopia Marine Conservation Zone**

- 24.1 Tim Dapling explained that this report was to provide members with the proposed Marine Protected Area Byelaw 2017 and associated Impact Assessment for Schedule 4 Utopia Marine Conservation Zone as agreed by the Technical Subcommittee on 27<sup>th</sup> June 2017 following the public consultation period.
- 24.2 The draft byelaw had been shared with MMO/Defra, at this time and any comments or suggested drafting amendments had been received and taken into consideration in producing the final Byelaw and Schedule 4.
- 24.3 Tim Dapling said that once the Byelaw was made, it would be advertised and go out for public consultation, following which, any responses and changes necessary would be considered and recommended to the principal Committee at the next Technical Subcommittee. The final Byelaw would subsequently be submitted to Defra, if agreed at the October quarterly meeting.
- 24.4 There was a slight complication in that the Schedule 3 Byelaw re Pagham Harbour had been finalised and submitted for confirmation but, as yet, confirmation had not taken place. The most appropriate course, at this point, was therefore to revoke and remake the MPA Byelaw 2015, (confirmed in December 2016), incorporating both Schedule 3 for Pagham Harbour and 4 for Utopia. Since the public consultation on Pagham Harbour MCZ management was complete and awaiting confirmation as part of MPA Byelaw 2017, the intended consultation would only consider Schedule 4 Utopia MCZ management and the associated Impact Assessment. Subject to any further advice from Defra or MMO lawyers lawyers, this was the recommended approach, Tim Dapling said. There was thus one amendment to text to be made at the bottom of page 12, regarding the date, which would be changed to 3<sup>rd</sup> August.

- 24.5 Cllr. Carol Purnell expressed her disappointment that no Utopia consultation had taken place at Selsey. Tim Dapling replied that although the informal consultation had taken place in Chichester, the Authority maintained good communications with Selsey fishermen, who would have been informed of the meeting. The Chief Officer said that there would also be an opportunity for Selsey fishermen to respond at the formal consultation. Tim Dapling also pointed out that the only proposed regulatory controls related to mobile fishing operations and Selsey was an entirely static gear fleet.
- 24.6 Stewart Harper reiterated that there were strong connections between the Authority and Selsey, not least that Tony Delahunty, a Selsey fisherman, had been a previous chairman.
- 24.7 Richard Yorke pointed out that all reference to elasmobranchs should be removed from the byelaw and only included in supplementary information, Tim Dapling agreed. Michael Newton Smith queried whether AIS as a monitoring system should be removed, but Tim Dapling believed it should remain and explained the reasons.

#### **Recommendations:**

- i. That, the Authority make the 'Marine Protected Area Byelaw 2017' and therein, Schedule 4 Utopia Marine Conservation Zone, in accordance with the relevant IFCA Byelaw making provisions of The Marine and Coastal Access Act 2009.**
- ii. That, in making the Byelaw the Authority agrees to revoke the 'Marine Protected Area Byelaw 2015' and associated Schedules.**
- iii. That, the Authority approves the associated Impact Assessment for Schedule 4 Utopia Marine Conservation Zone (appendix 2).**
- iv. That, in accordance with Defra's published 'IFCA Byelaw Guidance' the Authority commences a public consultation in respect to Schedule 4 Utopia Marine Conservation Zone before September 2017.**

ALL RESOLVED to accept the recommendations, bar one abstention vote from Jim Partridge.

## **25 Updated Compliance and Enforcement Plan**

- 25.1 The Chief Officer introduced the report which reflected the IFCA's national position on compliance issues. Tim Dapling explained how the Shellfish permit scheme was enforced and the different warnings which were issued. There was an amendment to be agreed with particular

reference to section 3. The Compliance Subcommittee meeting had agreed to these changes following discussions and dialogue with officers.

ALL RESOLVED to accept the recommendations.

## **26 Sharks, skates and rays (Elasmobranch) and minimum size management**

- 26.1 Tim Dapling said that the purpose of this item was to seek members' approval to develop proposals for district-wide elasmobranch management and review past elasmobranch work streams and associated evidence in Sussex, as part of the byelaw review.
- 26.2 Tim Dapling sought members' approval to examine and formulate district-wide minimum size management proposals for finfish and shellfish species that incorporated relevant elasmobranch species present locally, as part of the ongoing review of management measures. Further discussion would take place at the next Technical Subcommittee
- 26.3 Members were provided with a summary of each IFCA's minimum landing size regulations, together with EU minimum landing sizes and sizes at sexual maturity for named species. TD identified several errors that required amendment, it was recognised that any reference to EU minimum size should use the term 'minimum conservation reference size' (MCRS). There followed a discussion on minimum sizes currently applied through the various regulatory mechanisms.
- 26.4 The Chief Officer said that, in respect to rod and line caught elasmobranchs, the Authority sought members' approval to examine and develop the opportunity for maximum size restrictions, bag limits or catch and release regulations for named species.
- 26.5 Paul Johnson said that any reference to 'minimum landing size' should be replaced by 'minimum retention size'. He also said that it was important to take government's proposals to reduce discards into account, as minimum size management would inevitably lead to more discards, which had to be avoided. New EU legislation, soon to be introduced, reduced the minimum sizes again and put the responsibility on fishermen to use more selective gear to ensure that juvenile fish were not caught.
- 26.6 Michael Newton-Smith said he was surprised that elasmobranch minimum size management was now being reviewed, as he had understood from previous discussions that new minimum sizes would be too difficult to enforce when they'd been discussed in respect to shellfish management.
- 26.7 Paul Johnson said that it was important to look at the science evidence before putting any new restriction in place, Tim Dapling agreed, and said that these were early discussions in the process and further evidence would be examined and discussed at Technical Subcommittee.

- 26.8 General discussions then took place, with new councillors querying methods of evidence gathering for stock assessments, Paul Leonard was able to explain briefly the role of ICES and the way in which population modelling was approached.

ALL RESOLVED to accept the recommendations.

**Presentation: Fishing Effort Mapping – given by Kathryn Nelson**

Kathryn Nelson gave a presentation on research evidence which supported fisheries management, including fishing activity sighting numbers and habitats data in the District.

**INFORMATION ITEMS**

**27 Research Annual Report**

- 27.1 Kathryn Nelson went through her report for members and updated the committee on the progress of her masters degree on 'GIS Mapping and Environment Management' which was reaching its conclusion. She was studying part-time at Brighton University, with the support of Sussex IFCA.

ALL RESOLVED to accept the report.

**28 Marine Protected Areas Update**

- 28.1 Tim Dapling showed members the first two leaflets which had been produced for Kingmere and Beachy Head West MCZs. The leaflets were distributed throughout the District and were available for members to distribute further.
- 28.2 Tim Dapling reported that a large amount of work had been undertaken by the team on EMS sites, collecting activity information to inform assessments and working with a wide range of partners who had an understanding of marine habitats within the District.
- 28.3 Clarification on bait and hand collection Habitat Regulation Assessment (HRA) reporting requirements and responsibilities continued to be sought by IFCAs from Defra. The Habitat Regulatory Assessment work remained a large body of work for the team and, due to the development of new evidence was an ongoing process requiring appropriate updating.

ALL RESOLVED to note the report.

**29 Communications and Partnership Projects Report, including Netting Review**

- 29.1 Tim Dapling went through this report in Sean Ashworth's absence.
- 29.2 Sean Ashworth had produced leaflets and a poster for Clear Seas, in partnership with the Environment Agency, on how to reduce the human footprint on the local marine environment, one had been produced on Brighton Marina and one on Chichester Harbour. They were for general consumption and not solely for those involved in fisheries, Tim Dapling said.
- 29.3 A netting review questionnaire had been produced and been posted online and would be enhanced with the direct mailing and emailing of stakeholders. In response to queries, Tim Dapling anticipated the provisional date for all questionnaires to be completed was the end of October, Tim Dapling explained.
- 29.4 The Chief Officer presented the draft newsletter, 'Inshore Matters' on screen for members' information, he asked that when members received the pdf, that they forward it to their own interested parties. Cllr Paul High said that he could post a link on WSCC Facebook page and on their general website, if possible.
- 29.5 Audrey Jones raised a correction needed on a map included in the newsletter, which would be incorporated in the final publication.

ALL RESOLVED to note the report.

**30 Compliance Report**

- 30.1 Compliance and Enforcement operations remained very active, Tim Dapling said. Kingmere regulations had come into force in the quarter, which had required a regular presence. MCZ management had been prioritised during this period including significant weekend operations. Several infringements had been detected by Fisheries Officers, resulting in verbal warnings, three official warnings and two financial penalties.

ALL RESOLVED to note the report.

**31 Summary of expenditure from 1st April 2017 to 30th June 2017 against the budget**

- 31.1 Estelle Barton presented the report and gave a detailed explanation of the information supplied.



### **32 Vessel & Vehicle maintenance log**

32.1 The Chief Officer reported on the main event in this quarter, which had been the major refit of 'Watchful' at Eastbourne. Engines were due to be reinstated the day after the meeting and it was expected that the relaunch would take place the following week. The vessel had been out of the water for 6 weeks and Charlie Hubbard, Marine Operations Manager &

Master of Vessels, had been monitoring the work constantly with his team to ensure that all went smoothly and speedily. Sea trials would take place once the vessel had returned to the water. 70% of costs would be recovered through the EMFF Compliance Funding process and MMO, Tim Dapling said.

### **33 Association of Inshore Fisheries and Conservation Authorities**

33.1 Tim Dapling gave an update from the last meeting held. Several meetings had taken place to discuss the creation of a Memorandum of Understanding with MMO. Members would be kept informed as this became more final. At the end of 2 years following Brexit, the UK waters up to 12 miles out could become exclusive fisheries, and, subject to negotiated position by Government, no non-UK registered fishing vessels would be able to fish in them.

33.2 Stewart Harper advised that by giving notice to leave the London Convention 1964 the UK government had merely enabled unhindered Brexit fisheries negotiations for any foreign fishing access to UK Territorial Waters after 2019. The debate was taking place now to ensure that the organisations were fit for purpose following Brexit. As information emerged, members would be kept informed, he said.

### **34 A.O.B.**

34.1 None.

### **35. DATE OF NEXT MEETING**

35.1 Thursday 26<sup>th</sup> October 2017 – venue 12a Riverside.

Stewart Harper, Chairman Sussex IFCA.