

**MINUTES OF A MEETING OF THE
SUSSEX INSHORE FISHERIES & CONSERVATION AUTHORITY
HELD AT UNIT 12a RIVERSIDE BUSINESS CENTRE, SHOREHAM-BY-SEA
On 26th October 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 Carolyn Lambert (East Sussex County Council)
Councillor Laurie Loe (East Sussex County Council)
Robert Yorke (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)

Staff

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

Visitors

Rachel-Louisa Joyce (MMO)
Olle Akesson (MMO Appointee TBC)
Rob Greenwood (MMO Appointee TBC)

36 CHAIRMAN'S INTRODUCTION

- 36.1 Stewart Harper welcomed all to the meeting and introduced the two new MMO Appointees, Robert Greenwood and Olle Akesson. He also welcomed Rachel-Louisa Joyce from the MMO.
- 36.2 Tim Dapling shared the good news with members that Erin Lawes, Conservation and Research Manager, had given birth to a baby girl called Lyla on 7th October. All members sent her their congratulations.
- 36.3 Tim Dapling then identified key reports within the agenda.

37 APOLOGIES FOR ABSENCE

Councillor Tania Charman (East Sussex County Council)
Councillor Paul High (West Sussex County Council)
Steve Hanks (MMO Appointee)
Chris Williams (MMO Appointee)
Kate Bull (Natural England)
Dr. Peter Jones (MMO Appointee)

38. DECLARATIONS OF INTEREST

- 38.1 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.

39. APPROVAL OF MINUTES

ALL RESOLVED to approve the minutes.

40. MATTERS ARISING

- 40.1 Tim Dapling updated members on the progress of the netting review. The recent Technical subcommittee had included full discussion on the issues involved in netting management. The netting questionnaire remained available for the fishing industry to supply informal feedback until the end of November. A report would then be produced which would be discussed at the next Technical Subcommittee meeting.
- 40.2 Tim Dapling presented the first Sussex IFCA newsletter, 'Inshore Matters', and encouraged members to distribute copies to all of their interested contacts. A pdf of the newsletter was also available online, he said. Good feedback had been received and Stewart Harper thanked Tim Dapling and his team for their work on it. Rachel Griffin had designed it.

41 DECISION ITEMS

41.1 Marine Protected Area Byelaw 2017 incorporating Schedule 4 Utopia Marine Conservation Zone management measures

- 41.1 Tim Dapling updated members on the formal consultation process to revoke MPA Byelaw 2015 and simultaneously remake the proposed MPA Byelaw 2017. The 2015 Byelaw had incorporated Schedules 3 and 4 and had been discussed and recommended to the full committee by the Technical Subcommittee.

- 41.2 Sean Ashworth confirmed that the formal consultation period had ended on 9th October, two responses had been received, both positive: one from Hampshire and I.O.W. Wildlife Trust and another from MCS.
- 41.3 Michael Newton-Smith said that he was pleased to report that he had met local fishermen who had all been well informed about the proposed Byelaw, from documentation received from the Authority. In his view, no response to the formal consultation was a positive response.
- 41.4 Sean Ashworth was in agreement with Michael Newton-Smith, because, he said, views that had been expressed at the informal consultation stage had been acted upon and any issues raised had been addressed then.
- 41.5 Rachel Louise-Joyce explained how MMO process worked, prior to submission to Defra. Several members queried the length of time taken by the MMO to submit the Byelaw to Defra. Tim Dapling said that the MMO had been kept informed of proposed byelaw measures throughout the development process, this included the intended text prior to making the Byelaw. It was always hoped that any MMO concerns were flagged by them at an early stage, to avoid last minute delays.
- 41.6 Members felt the process should avoid the need for multiple legal views within Defra and MMO which could result in unnecessary delays. Tim Dapling explained this position had been expressed at a recent AIFCA meeting where Defra had asked for the IFCA's comments on Byelaw making.

Recommendations:

- i. That in respect to the Sussex IFCA MPA Byelaw 2017, incorporating the new Schedule 4 for Utopia MCZ, members note the completion of the proposed Byelaw's public consultation process in accordance with MMO guidance.**
- ii. That following consideration of consultation responses received and no further Byelaw advice from the MMO since the consultation commenced that, Members support the recommendations from the Technical and Byelaws sub-committee of 12th October 2017.**
- iii. That the MPA Byelaw be subject to no further amendments and the proposed regulation is approved by the Authority.**
- iv. That the Authority submits the Marine Protected Area Byelaw 2017 (appendix 1), incorporating Schedules 3 & 4 for Pagham Harbour and Utopia MCZ for confirmation by the Secretary of**

State. Upon confirmation, the existing MPA Byelaw will be revoked and the new MPA Byelaw simultaneously made as described in the regulation's text.

Proposed by: Graham Furness

Seconded by: Ollie Sykes

ALL RESOLVED to accept the recommendations.

42 Habitats and Fisheries mapping presentation– given by Kathryn Nelson

Kathryn Nelson gave a presentation of a summary of the work she had carried out for her dissertation for her masters degree at Brighton University, 'GIS Mapping and Environment Management'. The work identified marine management priority areas by mapping environmental value, sensitivity to fishing impacts and fishing effect recorded by the IFCA.

INFORMATION ITEMS

43 Annual Report 2016-17

43.1 Tim Dapling explained that the Annual Report was at the last stage of corrections prior to being sent to print. The Report referred to the last reporting year, April 2016 to March 2017, Tim Dapling said. A schedule of work objectives and outcomes was included and were mostly ongoing.

43.2 A modest amount were to be printed and a pdf would be added to the website. Any comments would be welcome within the next week, Stewart Harper said, he also thanked Tim Dapling and his team for producing the report.

ALL RESOLVED to accept the report.

44 Staffing Update

44.1 The Chief Fisheries and Conservation Officer gave a verbal update on staffing changes in the last quarter. Alice Tebb, Fisheries and Conservation Officer since 2014, had resigned in late August and had now taken up a new role at MCS.

- 44.2 The resulting vacant IFCO post had been advertised and circa 40 applications had been received, many of which were from very strong candidates. The shortlist and interviews had taken place in the week commencing 9th October and the successful candidate, Angharad Purcell, was already a well-qualified FO at Kent & Essex IFCA. She would be starting work at the end of November.
- 44.3 During Erin Lawes' maternity leave, Kathryn Nelson was acting up into the role of Conservation and Research Officer.
- 44.4 Also, to assist the Research department, there had been an extension to Nick Rogers' contract plus a temporary part-time Assistant IFCO (unwarranted) had been recruited. Daniel Davies, an experienced, individual from Hastings had been chosen from another very strong field of applicants, he would also be commencing work at the end of November.

ALL RESOLVED to note the report.

45 Marine Protected Area Update

- 45.1 Kat Nelson gave a summary of the continued monitoring of activity and working with partner organisations.
- 45.2 Paul Leonard asked if there would be a journal published by the Authority of the important research work which had been carried out. Officers explained the current processes to highlight IFCA research.

ALL RESOLVED to note the report.

46 CHOPI and Oyster Management Update

- 46.1 Sean Ashworth gave a brief description of the Chichester Harbour management history, and explained how sustainability was achieved via the introduction of the recent Oyster Permit Byelaw. The fishery was to open on November 1st and permits were currently being processed.
- 46.2 The Food Standards Agency had closed Thorney Channel, part of the harbour, due to the bacteriological loading in oyster samples which had been poor over the year.
- 46.3 Kat Nelson had conducted a stock assessment including sampling with standard oyster fishing gear. The results enabled a suitable management CPUE threshold to be maintained in line with past years, Sean Ashworth said. Cllr. Pieter Montyn enquired if it was known what the source of the contamination was. There were several possible explanations, both CHOPI and EA were involved in investigating the source, Sean Ashworth

said. General discussion then took place regarding possible future management and the significance of water quality issues.

ALL RESOLVED to note the report.

47 Interim Research Report April-September 2017

47.1 Kat Nelson gave an overview of the progress of projects in the first half of the financial year.

47.2 Robert Yorke updated members on project '7171 Fishermens Fasteners'. Working with marine archaeologist Antony Firth on 'Watchful' and local fishing vessels fasteners had been successfully identified using remote camera systems. Both national and wreck sites had been filmed. The final report would now be completed and submitted to Historic England. Robert Yorke said that this was evidence that cameras on fishing vessels were an excellent way of ground-truthing numerous unknown fasteners.

ALL RESOLVED to accept the report.

48 Compliance and Enforcement Report

48.1 Sean Ashworth answered questions regarding the detail in the report for the benefit of members.

48.2 Cllr Carolyn Lambert asked if there was any further information available on the unsubstantiated reports of heavy sediment from Brighton Marina negatively affecting the lobster fishery, as described in the report. Paul Johnson was unable to comment as the MMO and Cefas were currently carrying out investigations. It was noted that the issue had previously been raised at IFCA meetings and been brought to the attention of MMO by fishers, Natural England and NGOs. IFCA officers had offered to assist the MMO in the collection of shellfish samples for monitoring needs. Paul Johnson had explained that this was not necessary as they had sent multiple lobster samples to Cefas.

48.3 Paul Johnson queried how warning letters were issued by the Authority and expressed his wish that the MMO and IFCAs had identical modus operandi in issuing them. Sean Ashworth, Chair of the National Inshore Marine Enforcement Group (NIMEG), said that this was a subject which could be discussed at the next Compliance Subcommittee.

48.4 Cllr Carol Purnell queried a point in the report which mentioned 'Medmerry' which should appear under the 'Selsey' heading and not under 'Pagham'.

- 48.5 Further to a member's email communications during the past quarter, the Chairman explained the Authority's agreed complaints procedure and the appropriate process by which they are addressed or escalated to the next management level. Importantly, any compliance incident under investigation by Fisheries Officers, whether mentioned in the press or not, is sub judice and therefore not for general discussion by members. Jim Partridge had previously complained that members had not been informed about an compliance incident and an associated article in Fishing News.
- 48.6 Following discussion with the Chief Fisheries and Conservation Officer, the Chairman was satisfied that protocol had been adhered to and had sent an explanatory email to all members on 26th September. He recommended that if anyone was approached by the press, particularly regarding compliance issues, they should contact the Chief Fisheries Officer and apprise him of it. Fisheries Officers, he said, should be allowed to carry out their job and receive support from members in so doing. Members should not interfere in procedure when an incident was sub judice; such action would be in contravention of the Authority's Code of Conduct.
- 48.7 The Chairman said that mention of specific incidents should be avoided on social media but agreed that generic mention of compliance work could be helpful. Tim Dapling explained that FOs are fully aware that social media should not contain information that could be identified to a specific investigation or individual. In this instance, an individual had publicly identified himself through IFCA social media and the 'Fishing News'. Michael Newton-Smith agreed that extra care should be taken when posting on social media.
- 48.8 Sean Ashworth said that, of course, in situations where court proceedings take place, the outcome is in the public domain once the case has concluded; subsequently, the press and social media could describe details. Senior management approved social media connected with compliance activities and it was recognised as a valuable communications tool.
- 48.9 Sean Ashworth asked for new volunteers for the Compliance Subcommittee.

ALL RESOLVED to accept the report.

49 Communications Report
Taken as read.

50 Summary of Expenditure for the 2nd Quarter from 1st July to 30th September 2017

- 50.1 Estelle Barton, Finance Manager, went through her report for the members' benefit.
- 50.2 The quarterly depreciation for the quarter should have been £7,103 which made the total expenditure £365,353, Estelle Barton reported.
- 50.3 Michael Newton-Smith queried the extra costs on 'Watchful' above the anticipated refit estimate. Tim Dapling explained which items had required additional expenditure and commented that 'Watchful' was now in excellent condition for future needs.

51 Vessel & Vehicle maintenance log

- 51.1 Sean Ashworth brought this full report to the notice of members as Charlie Hubbard had provided a full log of work carried out on 'Watchful' during the refit.
- 51.2 Stewart Harper and members were very grateful and sent their thanks to Charlie Hubbard for the informative report, and to him and his team for their hard work.

52 Association of Inshore Fisheries and Conservation Authorities

- 52.1 Tim Dapling reported back on recent meetings where Brexit had dominated the agenda. He circulated a draft policy statement on 'first day readiness', and how fisheries management might be affected.
- 52.2 Stewart Harper said that the current working relationship with the MMO was also under discussion as Defra are pushing for all IFCAs to work closely as possible with the MMO.
- 52.3 Robert Yorke pointed out the possibility mentioned in the minutes of extending IFCAs' districts from 6 miles to 12 miles. General discussions took place.

53 Chief Officers Group

Taken as read

54 A.O.B.

- 54.1 None.

55 DATE OF NEXT MEETING

55.1 Thursday 25th January 2018 – venue 12a Riverside.

Stewart Harper, Chairman Sussex IFCA.

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