

**MINUTES OF A MEETING OF THE
SUSSEX INSHORE FISHERIES & CONSERVATION AUTHORITY
HELD AT UNIT 12a RIVERSIDE BUSINESS CENTRE, SHOREHAM-BY-SEA
On 25th January 2018**

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 Tania Charman (East Sussex County Council)
Robert Yorke (MMO Appointee)
Audrey Jones (NE)
Graham Furness (MMO Appointee)
Michael Newton-Smith (MMO Appointee)
Paul Johnson (MMO Representative)
Charles Bacchus (Environment Agency)
Olle Akesson (MMO Appointee TBC)
Rob Greenwood (MMO Appointee TBC)

Staff

Tim Dapling (Chief Fisheries & Conservation Officer)
Sean Ashworth (Deputy Chief Fisheries & Conservation Officer)
Estelle Barton (Finance Manager)
Angharad Purcell (Fisheries & Conservation Research Officer)
Alberto Kavadellas (Senior Fisheries & Conservation Research Officer)
Rachel Griffin (Committee & Office Manager)

56 CHAIRMAN'S INTRODUCTION

56.1 Stewart Harper welcomed all to the meeting including Angharad Purcell, the Authority's new IFCO.

58 APOLOGIES FOR ABSENCE

Councillor Paul High (West Sussex County Council)
Councillor Laurie Loe (East Sussex County Council)
Steve Hanks (MMO Appointee)
Chris Williams (MMO Appointee)
Dr. Peter Jones (MMO Appointee)

Prof. Paul Leonard (MMO Appointee)
James Partridge (MMO Appointee)

59. DECLARATION OF INTEREST

59.1 The Chairman requested any personal or prejudicial declaration of interests. Charles Bacchus declared EA's interest in Item 7: Review of Netting Management Measures.

60. APPROVAL OF MINUTES

60.1 ALL RESOLVED to approve the minutes.

61. MATTERS ARISING

61.1 Tim Dapling took the opportunity to inform members of two new members of staff, Angharad Purcell and Daniel Davies, who had both been in post since late November. Angharad was the new IFCO and Daniel was a new part-time Assistant IFCO.

62. DECISION ITEMS

62.1 Focus and Priorities Annual Plan 2018 to 2019

62.2 Tim Dapling reminded members of Defra's annual plan duties: before the beginning of each financial year every IFCA authority was required to publish a plan which set out the authority's main objectives and priorities for the year. There was already a Strategic 4-year plan, he explained, which the upcoming year's plan would be embedded in.

62.3 Members had the opportunity to comment on the proposed new set of IFCA high level objectives, success criteria and indicators.

62.4 SA expanded on all the key priorities, focussing on the existing Authority's Review of Management Measures that related to commercial and recreational fisheries and, secondly, of equal significance, its national commitments to the delivery of conservation duties.

62.5 Marine Protected Areas (MPAs) continued to feature heavily in the IFCA workload. Compliance and monitoring work would continue on Beachy Head West and Kingmere MCZs. Amendments to the Marine Protected Area Byelaw relating to Pagham Harbour and Utopia Marine Conservation Zones were currently with Defra and the MMO for final sign off. Once confirmed compliance and monitoring work would be implemented covering these two MCZs.

- 62.6 Whilst there was a hiatus with regard to the designation of tranche 3 sites there would be continued work with partners to ensure the proposed new sites of Beachy Head East and Selsey Bill & the Hounds were prepared for.
- 62.7 Sean Ashworth explained that, following the recently completed evidence collection phase, the Authority planned to develop and consult on management of netting fisheries and nearshore trawling in Sussex District and to proceed to both informal and formal consultation periods.
- 62.8 An angling strategy had been developed so that Sussex IFCA had a coherent plan for dealing with recreational sea angling and which supported the sector through a new recreational sea angling stakeholder partnership.
- 62.9 The shellfish permit byelaw would continue to be a focus of attention, Sean Ashworth said, with work planned to ensure compliance across the District. Monitoring of shellfish would continue, including the scoping of research projects and the analysis of shellfish data.
- 62.10 It was planned that attention would be paid to the new European bass management measures and to the role of IFCAs in delivering them. The Chief Officer said that the evidence collected on Sussex sharks, skates and rays (elasmobranchs) would enable a move towards management options for the class of fish species.
- 62.11 Sean Ashworth said that a flexible approach would be required if the government marine review and EU/UK Brexit negotiations led to new guidance for IFCAs. Tim Dapling finished by adding that all ongoing compliance and research work would, of course, be continuing and developing throughout the year ahead.

ALL RESOLVED to accept the recommendations.

63 Review of Management Measures Netting & Associated Nearshore Management of Trawling

- 63.1 Tim Dapling thanked members of the Technical Subcommittee for their productive work over two meetings to compile the recommendations as regards the contents and scope of planned informal consultation processes.
- 63.2 Tim Dapling explained different netting methods for the benefit of those members not conversant with them and how sustainable management was achieved by the Authority through its creation of byelaws. Latest research evidence regarding salmonids was being fed into the process to review the best way forward in netting management.

- 63.3 Cllr Carol Purnell queried the mention of seine nets in the proposed consultation document, which she understood were currently banned. She asked how the IFCA could undertake netting as part of its small fish survey work. Scientific research was enabled through a specific scientific authorisation, Tim Dapling explained.
- 63.4 Tim Dapling informed members of the recommendations made by the Technical Subcommittee which had two strands for the proposed informal consultation, one was for netting management, the other was for near-shore trawling management. Tim Dapling emphasised the 'informal' nature of the consultation at this initial stage and briefly went through the proposed recommendations, with visual mapping aids, which had been discussed at length, developed and approved by the Technical Subcommittee. An informal consultation would be open and encouraged stakeholders to submit feedback and new ideas, Tim said.
- 63.5 Paul Johnson asked if it mattered what size of boat caught the fish, as all sizes had their own quota restrictions. Stewart Harper agreed that this point should and would be considered carefully. Sean Ashworth explained that the recommendations were not yet finalised and there would be further discussions at the next Technical Subcommittee prior to a final submission of the document to the next full committee meeting in April.
- 63.6 Members discussed some details of the recommendations. Robert Greenwood expressed concern that no small boats had equipment which allowed them to gauge depth of water or to judge accurately their position. Tim Dapling noted his concern and explained that a proposed fixed limit seaward from mean high water enabled vessels to more effectively comply with regulations when compared with using a 1.5 metre distance over a net headline at any state of the tide. Stewart Harper said that this was a complex matter, particularly for small boats which lacked equipment, and that the subject had been discussed at the Technical Subcommittee but obviously required further discussion for possible solutions to be arrived at.

ALL RESOLVED to accept recommendations 2.1a and 2.1b: that draft documentation be prepared in consultation and accordance with the reports, with Technical Subcommittee recommendations. The draft documents should be presented to the next quarterly meeting for approval.

INFORMATION ITEMS

- 64 **Brexit Fisheries Update, Fisheries Bill and AIFCA 'Day One Readiness' Policy**
- 64.1 Tim Dapling introduced his update report which gave links to further sources of information for members, including a link to the NFFO website. The Chief Officer's overriding impression of the current situation was of the uncertainty and lack of clarity surrounding the future of fisheries post Brexit.

- 64.2 Defra had a specific Brexit team engaged in working on negotiations, to which representatives had been seconded from MMO, EA and NE. To engage externally with stakeholders on Brexit issues, Defra had run several nationally orientated engagement meetings to identify key decisions, issues and opportunities as the process goes forward. The Chief Executive of AIFCA had attended these meetings and, with support from Chief Officers, had written evidence that reflected the agreed AIFCA policy document 'Opportunities for Inshore Fisheries and Marine Environment, Future Management in England'.
- 64.3 Tim Dapling explained to members that, as described in the Queen's Speech, the Government would enable the process of 'Brexit' through a new Fisheries Act. This would provide a new legal framework in which management was subject to domestic UK control as opposed to the current EU regulatory system.
- 64.4 Stewart Harper said that there was a possibility that the 12 mile limit would apply in the future to foreign flag vessels but that any fishing further offshore than that would be up for negotiation and legal discussions. A white paper was due out in February, the Chairman said.
- 64.5 Defra and MMO were engaged in discussions around the UK's fishing boundaries, EEZ and fisheries management. 'Day One Readiness' plans were being drafted to cover the transitional period, Tim Dapling explained.

ALL RESOLVED to accept the report.

65 **Small Fish Surveys 2017**

- 65.1 Angharad Purcell introduced the report on the four fish surveys that had been conducted in 2017.
- 65.2 The surveys had taken place in Chichester Harbour, Medmerry, Rye and Tide Mills. More detailed reports would be available on the Sussex IFCA website and the report data would be shared. Angharad was happy to announce that there was one new species found within survey samples: the starry smoothhound.
- 65.3 Tim Dapling said that the information collected in this report was not only of interest to all, but was also of national value, being fed into Cefas and EA. The information on bass also supported the ongoing Defra review of bass nursery areas.

ALL RESOLVED to note the report.

66 Development of national iVMS regulation for vessels under 12 metres length

- 66.1** Tim Dapling said there was a recognition by MMO and Defra that vessel monitoring systems on smaller vessels could provide a range of benefits: improved spatial management for conservation needs, management of sensitive fisheries areas and boundaries, improved understanding of significant fishing areas, better marine spatial planning and improvement in safety.
- 66.2** Technology was moving forward and a national project, led by the MMO and closely involving several IFCAs, had produced a specification for iVMS which had ultimately resulted in three approved devices. A national piece of legislation was currently being written by Defra involving an incremental rollout for introduction of iVMS for all licensed fishing vessels under 12 metres.
- 66.3** Paul Johnson said that iVMS systems were limited, and purely gave information on particular vessel's position and time. Tim Dapling said amongst the many possible management benefits in iVMS systems enabled the opportunity to reduce buffer zones, and allowed a more nuanced approach to spatial management. Robert Greenwood said that it was important to maintain meaningful and timely data collection.
- 66.4** Robert Yorke asked when this initiative was likely to be implemented. The Chief Fisheries and Conservation Officer explained that the intended Defra Statutory Instrument consultation would probably commence later during the year. This would mean implementation probably not taking place until 2019 or 2020, but timing was somewhat speculative at this point in time.

ALL RESOLVED to note the report.

67 Marine Protected Area Update

- 67.1** Sean Ashworth briefly updated members on MCZs: both Kingmere and Beachy Head West MCZs were now part of the Authority's routine sea patrols, and Pagham Harbour and Utopia were awaiting the signing off of the new MPA Byelaw by the Secretary of State.
- 67.2** Sean Ashworth also updated members on the oyster fishery in Chichester Harbour, an European Marine Site. The oyster fishery had been open from the 1st to 3rd November 2017. The Authority continued working with local partners, monitoring all fishing activity alongside routine patrols, as well as continuing to contribute to national discussions on monitoring and progress.

ALL RESOLVED to note the report.

68 Recreational Sea Angling Liaison Update

- 68.1 Sean Ashworth reported that Barry Goodhew had set up a Recreational Sea Angling partnership and the first meeting had taken place earlier in January. It had been a well-attended and positive meeting where members had discussed many relevant issues and elected a chairman, Brett Leggett.
- 68.2 Cllr Carol Purnell queried the receipt of a video by email in December, she wanted to know why it had been sent and if all members had received the email. Sean Ashworth explained that William Bantock, angler, had sent it to all members and his views had been represented at the meeting. Mr Bantock was concerned about the volume of commercial fishing nets set too close to the beach which interfered with angling pursuits.
- 68.3 Both the Chairman and Chief Officer had met Mr Bantock and reassured him that he would have the opportunity to participate in any forthcoming consultations.

ALL RESOLVED to accept the verbal report.

69 Communications and Engagement Q3 2017-18

ALL RESOLVED to note the report.

70 Compliance and Enforcement Report

- 70.1 Alberto Kavadellas introduced the Report and told members that patrols had continued, both at sea and by road. Angharad Purcell's arrival, as an experienced and fully trained IFCO, had assisted with marine operations, making his job easier.
- 70.2 Enforcement priorities continued to be centred on the Shellfish Permit byelaw, the Marine Protected Area byelaw and bass regulations, Alberto Kavadellas explained. Shellfish Permit byelaw compliance was steadily improving, there were, however, on-going needs in relation to marking of gear which require constant enforcement effort. Enforcement of the Marine Protected Area byelaw had centred on the Beachy Head West MCZ for this quarter with excellent results. There was good compliance from the trawling sector. The oyster season had been short with some limited non-compliance issues.
- 70.3 With regard to detected offences, Alberto Kavadellas reported that the fishing vessel engaged in oyster dredging found to have a non-compliant oyster dredge configuration had been issued with a fixed administrative penalty (FAP) of £250. The FAP had been paid in full.

- 70.4 The master and the owner of the fishing vessel found to have landed high quantities of whelk below MCRS in the previous quarter had been found guilty in the Portsmouth Magistrates court on the 15th of November. This had resulted in fines and costs totalling £16,474.
- 70.5 The Chairman gave members a brief update on a pending offence which had been reported in 'Fishing News', involving pots in Chichester Harbour. A FAP had been issued by Officers, which had not been accepted or paid to date and the case was therefore now proceeding to prosecution, meaning that it was sub judice and no more detail could be given to members at this point.

ALL RESOLVED to accept the report.

71 Summary of Expenditure for the 3rd Quarter from 1st October to 31st December 2017

- 71.1 Estelle Barton, Finance Manager, went through her report for the members' benefit, updating figures to include increased depreciation for the quarter. On Paper 15a depreciation was increased to £18,962, which increased the total expenditure to £34,381 and the surplus deficit was reduced to £234k now, she said.

ALL RESOLVED to approve the report and expenditure to date.

72 Budget for the year commencing 1st April 2018

- 72.1 The Budget had been updated since the draft Budget which had been created for discussion at the third quarterly Committee Meeting. The update had followed a review of the local Authority levies which had now been agreed.
- 72.2 The budget sat within the Authority's 4-year Plan, Tim Dapling explained. The required increase in the levies between the 3 constituencies was £64K per annum for the next 3 years, within the current 4 year planning cycle. This adjustment fully reflected depreciation of the Authority's vessels at appropriately revalued levels. Capital depreciation on the vessels was calculated over a 10 year period. The new funding would significantly help the build-up of future funds for the estimated replacement costs, less their estimated residual value costs.

ALL RESOLVED to approve the levies for the financial year 2018/19 and to approve the Budget for 2018/19.

73 Vessel & Vehicle maintenance log

- 73.1 Tim Dapling briefly updated members on the Authority's vessel and vehicles on Charlie Hubbard's behalf. 'Merlin' was now decommissioned for winter and was having standard cleaning and updating carried out.

ALL RESOLVED to accept the report.

74 Association of Inshore Fisheries and Conservation Authorities

- 74.1 Tim Dapling reported back on recent AIFCA meetings where the focus had been on Brexit related 'Day One Readiness' discussions.
- 74.2 Tim Dapling had also attended several meetings over recent months where joint working between IFCA's and MMO had been discussed. A Memorandum of Understanding, a common intelligence project and joint training were initiatives being discussed. Sean Ashworth was Chair of NIMEG, a joint group of senior enforcement officers, who were involved in developing enforcement practices.
- 74.3 Devon and Severn IFCA had left the Association mainly due to financial reasons but it was hoped that they would return.

ALL RESOLVED to accept the report.

75 Chief Officers Group

- 75.1 Tim Dapling said that COG's meetings had focussed on the same issues as the Association of IFCA's had, that is Brexit related 'Day One Readiness' discussions and MMO and IFCA joint working.

ALL RESOLVED to accept the report.

76 A.O.B.

- 76.1 Sean Ashworth congratulated Kathryn Nelson, in absentia, who had become Chairman of TAG, a national organisation of IFCA's and other organisations which covered technical and scientific matters.

77 DATE OF NEXT MEETING

- 77.1 Thursday 26th April 2018 – venue 12a Riverside.

Stewart Harper, Chairman Sussex IFCA.