

**MINUTES OF A MEETING OF THE
SUSSEX INSHORE FISHERIES & CONSERVATION AUTHORITY
Held remotely with Zoom software by Video conference**

on Thursday 21st January 2021

PRESENT

Members

Stewart Harper (Chairman, MMO Appointee)
Councillor Carolyn Lambert (Deputy Chair, ESCC)
Councillor Pieter Montyn (West Sussex County Council)
Councillor Paul High (West Sussex County Council)
Councillor Leo Littman (Brighton & Hove City Council)
Paul Johnson (MMO Representative)
Steve Hanks (MMO Representative)
Graham Furness (MMO Representative)
Jo Brooksbank (NE Representative)
Robert Yorke (MMO Appointee)
Prof. Paul Leonard (MMO Appointee)
Dr. Peter Jones (MMO Appointee)
Garry Walker (MMO Appointee)
Dr Paul Driver (MMO Appointee)
Ben Dunwell (MMO Appointee)

Staff

Tim Dapling (Chief Fisheries & Conservation Officer)
Dr. Sean Ashworth (Deputy Chief Fisheries & Conservation Officer)
Erin Lawes (Conservation Manager)
Stephen Jump (Finance Manager)

35 CHAIRMAN'S INTRODUCTION

- 35.1 Stewart Harper welcomed all to the fourth Quarterly Committee meeting of 2020-21, held via remote video conference – to comply with Covid-19 Government Health Advice. He welcomed three new members, all MMO appointees, Dr Paul Driver, Ben Dunwell and Garry Walker, to the meeting. The Chairman welcomed the fact, that both Ben Dunwell and Garry Walker are actively engaged in commercial fishing within the Sussex IFCA District.
- 35.2 The Chairman gave members a brief update on national developments in the fishing industry, including the new Fisheries Act 2020 which gave the UK government new powers post Brexit, and the UK/EU trade and cooperation agreement (T&CA), which had been completed immediately prior to Christmas. The fishing element of the T&CA was generally unpopular with fishermen, not providing UK fishermen exclusive access

within territorial waters (12 nm) or fulfilling other promises given in respect to reallocation of quota.

- 35.3 Increases in UK quota allocations would be introduced over a five and a half year period. Non-tariff barriers were a cause for concern, Stewart Harper explained, as a large amount of paperwork was now involved with exports to the EU. However the UK was now 'an independent coastal state', with framework fishing agreements already in place with Greenland, Faroes and Norway, and other ongoing negotiations were currently taking place. In conclusion, Stewart Harper felt it was important to give members a broad overview of the UK's current situation without spending too much time on the detail at present.
- 35.4 Tim Dapling explained that many within the fishing industry were deeply disappointed and angry at the outcome from the final negotiations. Many had clearly expressed their dissatisfaction and frustration in the national fishing press over the past month. The lack of exclusive access rights for the UK fleet within, 12 mile territorial waters was a particular blow to many. Tim Dapling explained to members that there were considerable levels of activity by non-UK, French and Belgium registered vessels in the 6 to 12 mile zone off Sussex. Inevitably these continuing activities would continue to impact on inshore fishers in future, and the opportunities envisaged from exclusive access by the UK fleet appeared lost.
- 35.5 Working with MMO through a chartering agreement for Watchful, the Authority was directly involved in monitoring territorial waters and the temporary absence of non-UK vessels in the 6 to 12 mile zone, whilst the licences were being issued. At that time Watchful had undertaken six patrols during January, including one on New Year's Eve and New Year's Day.
- 35.6 Tim Dapling welcomed the opportunity from the MMO to support national compliance and management need outside the Sussex IFCA District. Thanks for the IFCA's involvement had been recently expressed by the MMO's Senior management during a recent Chief Officers Group meeting.

36. APOLOGIES FOR ABSENCE

Councillor Carol Purnell (West Sussex County Council)
James Partridge (MMO Appointee)

37. DECLARATION OF INTEREST

- 37.1 The Chairman requested notification of any declaration of interests. Steve Hanks declared his interest in commercial bait digging and

chairman of the Bexhill Sea Angling Club. It was noted by the Chairman that usual declaration of interests applied to commercial fishers who were members of the Authority.

38. APPROVAL OF MINUTES OF MEETING HELD ON 22nd October 2020

- 38.1 The Chairman asked for any comments on the previous minutes from October's meeting. He advised that in 29.10 he had advised that the proposed minimum size byelaw need not be "contentious" but there had been some complaints. There was also a typing error in 31.1 which should read "selectivity". There were no further points. With these comments they were accepted as a true record of proceedings.

ALL RESOLVED to approve the minutes.

39. MATTERS ARISING

- 39.1 Tim Dapling thanked Robert Yorke for highlighting the omission of any mention of marine archaeology within the Authority's Four-Year Plan. Tim Dapling and Robert Yorke had subsequently discussed the subject and agreed its inclusion and appropriate wording. Tim Dapling suggested that, following Robert's planned departure in March from the Authority's membership and many years of valuable input, he become an *ex-officio* advisor to the Authority on matters of marine archaeology, given his experience and involvement in the discipline. Stewart Harper agreed, and thanked Robert Yorke for his many years on the Authority and his financial and archaeological expertise. Robert Yorke kindly accepted the offer.
- 39.2 Tim Dapling updated members on the Sussex IFCA's team's status and how the Authority activities and planned streams had continued whilst adhering to government recommendations during the Covid-19 period. He noted that 'Watchful' had carried out 80 patrols last year, which, considering the situation, was a very good number. A continuing bi-weekly team meeting on Teams had aided communication between staff members.

DECISION ITEMS

40. DEVELOPMENT OF MINIMUM SIZE (fish, crustacea and mollusc) MANAGEMENT

- 40.1 Stewart Harper provided members with a background to this proposed management, he outlined the discussions held at the recent Technical

Subcommittee and the following informal consultation process. Several stakeholders had complained about the short length of the informal consultation and the timing of it (the email correspondence was appended to the report). Stewart Harper had informed them that, as this was an initial, informal consultation to provide analysis for further discussions on management, he believed the month long consultation as planned was adequate. The Chairman had also clarified to the fishermen and stakeholders that any further opinions and points they thought important to be raised would be welcome at any time, not just during the informal consultation period.

- 40.2 Tim Dapling explained the next steps regarding the outcome of the Technical Subcommittee meeting in October, the informal consultation and its associated initial stakeholder survey results. A draft proposed minimum size byelaw was provided in the papers. This would be subject to further examination through the Technical Subcommittee.
- 40.3 A change in legislation had taken place in 2019 when new technical regulations had been brought in (2019/1241) to replace the existing EU Technical Conservation Regulation 850/98. The new EU minimum size technical legislation did not apply to recreational fishers, as it did to commercial fishers, an omission which needed to be addressed, Tim Dapling said. Further provisions included within the draft byelaw were requirements to maintain fish whole on board; ensuring measurements could always be checked. Skate was the only exception which would have wing minimum size.
- 40.4 The accompanying impact assessment was being compiled and would be further examined at the next Technical Subcommittee meeting intended in early March, at which point it was hoped that members would recommend that the byelaw be 'made' at the April Quarterly Committee meeting.
- 40.5 For new members' benefit, Tim Dapling explained that subject to the byelaw being 'made,' the formal consultation would take place over a six week period in accordance with Defra's 'IFCA byelaw making guidance', following the Quarterly Committee meeting. He further explained the process after the formal consultation period and the subsequent consideration of responses.
- 40.6 Sean Ashworth gave a brief analysis of comments which had been submitted to the informal consultation on the Survey Monkey platform. 73 responses had been received: 49 from recreational fishers, 15 from commercial fishers, 3 from community stakeholders and 8 from 'other', including those from outside the District (some responses identified in 2 categories, hence number totals). On average 83% had been completed and had on average taken 13 minutes to complete.

- 40.7 Sean Ashworth described the overall responses received, which were generally positive and would all be analysed in depth at the Technical Subcommittee meeting. The consensus agreed in the main with suggested minimum sizes, some believed sizes were too small.
- 40.8 Stewart Harper was aware that minimum sizes were not a perfect regulatory solution, and it was a complicated subject which would be discussed in great detail at the next Technical Subcommittee (he advised Ben Dunwell that his point concerning crab claws would be addressed at that time).
- 40.9 Tim Dapling introduced the Recommendations and suggested the three new members be invited to join the Technical Subcommittee and attend the upcoming Technical Subcommittee meeting.

Recommendations

- i. To note the provisional informal consultation survey results analysis.**
- ii. That, supporting documentation and evidence continues to be prepared to enable introduction of the new byelaw.**
- iii. That, subject to the process to consider informal consultation responses, final drafting of the intended byelaw and production of accompanying impact assessment, it is recommended that the byelaw is made at the April Quarterly Meeting.**
- iv. That, the Technical Subcommittee are delegated to support the development and approval of the associated Impact Assessment required to accompany the byelaw's introduction.**
- v. That Dr Paul Driver, Ben Dunwell and Garry Walker be invited to join the Technical Subcommittee and attend the next Technical Subcommittee in March.**

Proposed: Cllr Carolyn Lambert

Seconded: Prof Paul Leonard

ALL RESOLVED to approve the recommendations

41. BAIT AND SHELLFISH HAND GATHERING MANAGEMENT

- 41.1 Sean Ashworth introduced this report and gave the background to the report for new members' benefit: it covered hand gathering, including the collection of shellfish (predominantly cockles and clam species in the Sussex IFCA District) described as being for human consumption and bait gathering (predominantly worms) for angling needs. These activities took place throughout the IFCA District and their management

was the next theme within the review process to be addressed by the Authority. The Authority's present strategic Review of Management, which translated into the 4 year and annual plans, had identified hand gathering as a key theme and work package.

- 41.2 Sean Ashworth explained that bait and hand gathering management was already in place in a few areas in the District: within Pagham Harbour MCZ, Beachy Head West MCZ and Chichester Harbour sea grass beds. All other areas in the District were currently unregulated and unprotected from over exploitation. Beachy Head East MCZ review of management recommended that the same management be put in place as for Beachy Head West MCZ.
- 41.3 Identified compliance hotspots were Chichester Harbour, the Adur Estuary and Rye Harbour, Sean Ashworth reported. Management was needed across the District with management tailored to specific areas according to evidence. FISHGIG, a meeting group of interested IFCAs, had been set up to develop and share the approach and thinking towards this management work occurring in several IFCA Districts.
- 41.4 Erin Lawes gave members a detailed description of all the evidence to be included in the summary of evidence report. Sean Ashworth told members that Survey Monkey had been used to create a questionnaire which had been compiled with the aid of the Technical Subcommittee, and had been widely circulated to stakeholders. The survey had run from November until the beginning of January. Respondents had numbered 102 and been primarily from recreational anglers.
- 41.5 The suggested timings had slightly changed, Sean Ashworth said, it was now envisaged that the management proposal and draft byelaw be completed and made by the summer and the formal consultation be held in winter 2021-2022. Sean Ashworth briefly ran through the responses received and their analysis. The majority of bait digging and hand gathering was done for personal consumption by individuals but a couple of commercial diggers had responded. Steve Hanks said that there was probably far more activity to the east of the District. More discussions would take place at the Technical Subcommittee, Erin Lawes explained, and Steve Hanks' input would be invaluable at the meeting.
- 41.6 Cllr Littman raised the question of possible links to modern day slavery, Sean Ashworth replied that there was evidence in the Adur Estuary and that the Authority had been in contact with GLAA in regard to addressing this problem and collecting evidence.
- 41.7 Sean Ashworth introduced the Recommendations.

Recommendations

- i. To note the evidence collected to date.**

ii. To note and agree the updated anticipated timelines for moving forward with management development.

ALL RESOLVED to approve the recommendations.

42. ANNUAL MANAGEMENT PLAN PRIORITIES 2021 to 2022

- 42.1 Tim Dapling introduced this item which was to present members with proposed planning priorities for the upcoming year 2021/22, as part of the four-year plan and its objectives 2020 to 2024. The plans and the objectives therein would be submitted to Defra as required under the Marine and Coastal Act 2009.
- 42.2 Tim Dapling said that the Covid-19 pandemic was expected to continue to impact upon many aspects of the Authority's work in 2021/22 including the holding of Committee meetings, which looked likely to continue via Zoom online software. Given the Authority's experience during the year to date, the typical outside research activities were likely to be compromised significantly during 2021/22, however desk-based work could continue largely unhindered. Compliance activities, though continuing, had been subject to considerable changes to reflect Government health restrictions/advice and national agreed procedures and protocols with the MMO.
- 42.3 On a positive note, Tim Dapling said that the remote working IT systems continued to function very well and cloud functions had been further developed. It was clear that, even when the return to normality came, activities such as virtual meetings on MS Teams and Zoom would remain common place.
- 42.4 Minimum size and hand gathering work would be continuing, as previously discussed, Tim Dapling said. Principles of 'Natural Capital' and 'Ecosystem Services' were increasingly being applied and adopted and by the Authority and partners. Recent conferences had presentations on this government policy approach toward sustainability. Tim Dapling represented the Authority on the Harbour of Rye Advisory Committee and Chichester Harbour Conservancy, and Garry Walker was also a member of the Harbour of Rye Advisory Committee. Both groups were useful links to the community and Sussex IFCA's work.
- 42.5 The new Shellfish Permit database, currently being developed would help to streamline data input and allow permit holders to access their own information. Two Byelaws, currently with Defra, were expected to be confirmed by them in the coming months.

- 42.6 Tim Dapling explained that these priorities, if agreed by the Committee members, the annual planning objectives would be submitted to Defra by the 31st of March.
- 42.7 Dr Paul Driver enquired whether there were any plans put forward for the declining lobster fishery, Tim Dapling explained that the Shellfish Permit Byelaw, introduced in 2016, covered all trap and pot caught shellfish species. It remained unclear why lobster catches and populations appeared to be in decline and there were various potential reasons for this. Erin Lawes said that lobsters were one species included in the 4-year Conservation and Research programme, the team would be working with Cefas monitoring and taking shore-based measurements to aid assessments. Research was also involved with CADAM, an established project based around Selsey, Erin Lawes added.
- 42.8 Dr Paul Driver asked whether stock enhancement using the hatchery in Cornwall had been considered. Tim Dapling replied that stock enhancement had not been pursued, given various factors including the availability of juveniles, unknown levels of mortality from predation and other causes. The Sussex IFCA focus was upon improved management of the resident stock through habitat protection/improvement, gear effort restrictions, the lobster minimum size, a prohibition on the taking of berried lobsters and selectivity measures with escape hatches were now all in place and were beneficial to lobster populations and the fisheries.
- 42.9 Professor Paul Leonard added his support in regard to the current approach toward lobster management.
- 42.10 Ben Dunwell asked whether there was confirmation that polluted silt from Brighton Marina was affecting lobsters and other marine life within the MCZ. Tim thanked Ben for raising the matter and explained that following past discussions at which concerns were raised, the Authority continued to highlight the issue. Importantly, a copy of the Authority's robust response to the MMO's Marine Licensing Review of the discharge in Brighton Marina was included with the following item, the Conservation & Research report.

Recommendations

- i. That members note the legal requirements and guidance concerning IFCA annual plans and reports.**
- ii. That members agree to the management priorities described.**
- iii. That members agree that annual planning priorities are provided to Defra as part of the Sussex IFCAs four year planning cycle, 2020 to 2024.**

ALL RESOLVED to approve the recommendations.

INFORMATION ITEMS

43 CONSERVATION AND RESEARCH UPDATE

- 43.1 Erin Lawes ran through the Conservation and Research department's work over the last quarter, highlighting key elements, including the Authority's response to the MMO's Licensing Review of Brighton Marina.
- 43.2 Jo Brooksbank clarified that timing of Natural England's conservation advice for Beachy Head East MCZ had moved forward from March 2021 to later in the year, hopefully in September 2021. Natural England had also responded to the MMO's Licence Review and had made comments on the need for further monitoring.
- 43.3 Dr Paul Driver asked whether the Authority could monitor the sediment this year. Tim Dapling explained that any mandatory monitoring work associated with marine licences was defined by the MMO was their responsibility to manage, implement and review. The IFCA was neither resourced or had a legal duty to do so. Sean Ashworth added that the Authority had been involved with some anecdotal observational monitoring the situation for the last couple of years, since concerns had first been raised by the industry. Sean Ashworth said that concerns had been voiced to the licensing Authority to ensure that the port and its dredging company thoroughly monitor the effects on marine life themselves. Tim Dapling thanked Erin Lawes for her time and effort on the comprehensive response, and Erin Lawes, in turn, thanked Professor Paul Leonard for his input.
- 43.4 Erin Lawes brought members' attention to the two community consultations currently being undertaken by Rampion 2, and explained she would send members a link to the consultation.
- 43.5 Steve Hanks was concerned that monitoring only took place every five years, he believed an outside source should be carrying out the monitoring and not the developer. Tim Dapling said that, there was often concerns raised as to the involvement of licensees in monitoring their own activities, and the need for transparency and independent monitoring was clear.

ALL RESOLVED members note the report and associated Annex.

44 Compliance Report

- 44.1 Sean Ashworth drew members' attention to the warning which had been given during the Quarter for suspected drift netting to the East of the District.

ALL RESOLVED to approve the report.

ITEM 11 was taken as read.

45 Financial Performance Report – Quarter 3 2020/2021 and Annual Budget 2021/2022

- 45.1 Steve Jump briefly talked through his latest report and highlighted the key points for members, as a Finance Subcommittee had already discussed the report in detail at a meeting held the day before.
- 45.2 A surplus of £26,302 had been achieved in the Quarter, a net gain against the budget of £24,477. This was principally because of staffing costs which had changed during the Quarter.
- 45.3 Steve Jump explained that a surplus of £95k was forecast for the year, largely due to staff expenditure reductions over the year. The impact of Covid-19 had also resulted in reduced administration and travel costs.
- 45.4 Careful consideration had taken place at the Finance Subcommittee about the budget for 2021/2022, Steve Jump said. It had been agreed that the Authority would adopt a balanced budget and a 2% increase in the levies would be requested from the Authority's contributing councils (West Sussex County Council, East Sussex County Council and Brighton & Hove City Council).
- 45.5 Cllr Paul High recommended caution in increasing levies at this time. Stewart Harper said that he would discuss this further with Cllr High, as Cllr High had been absent from the Finance Subcommittee meeting where the issue had been discussed at length.
- 45.6 Dr Paul Driver asked whether any of the Government £100m fund to the fisheries industry would be allocated to fisheries management, or was it all aimed at commercial fishing. Stewart Harper said that the amount had not been specifically allocated or distributed as yet and was up for negotiation. He advised that another £23m had been announced that week for problems associated with fish export delays. Tim Dapling said that the Association of IFCAs were involved in discussions with Defra regarding the collective £3m annual New Burdens payment to all IFCAs which had been in place over the last decade, since the IFCAs had been established. Tim Dapling explained that this amount had never been subject to inflation and remained unsecured beyond 2021/22. It was to be hoped that MPA and MCZ work would be adequately funded as they were of national importance.
- 45.7 Ben Dunwell queried whether the Authority, given its surplus this year, would be looking into more environmentally friendly methods of transport along the coast for the Fisheries Officers. Stewart Harper agreed that this was an area which needed investigating further. Sean Ashworth said that glycerol had been investigated as a possible replacement marine fuel and Officers were always looking for other more ecofriendly fuels.

Recommendations

- i. **To approve the budget monitoring report and expenditure to date.**
- ii. **To note the 2021/2022 budget and proposed income and expenditure for the year, following its approval by the Finance Subcommittee.**

ALL RESOLVED to approve the report.

ITEM 13 was taken as read, after Tim Dapling briefly explained the history of the Authority's vessel and its maintenance for new members' benefit.

46 Chief Officers Group

- 46.1 Tim Dapling explained the background of the Chief Officers' Group and ran through the redacted minutes from a recent COG meeting. Discussions had taken place regarding the MMO's recruitment process of IFCA members nationally. He expressed his wish that all had gone smoothly with the recruitment of Sussex IFCA's three new members.
- 46.2 Tim Dapling also took the opportunity to thank the Marine Operations team for their work recently with the MMO charter operations within the 6 to 12 miles zone offshore.

ALL RESOLVED to approve the report.

47 Association of Inshore Fisheries and Conservation Authorities

- 47.1 Stewart Harper informed members that the Association now had a new Chief Executive, Robert Clark, previously Deputy Chief Fisheries Office at Sussex IFCA and Chief Officer at Southern IFCA.
- 47.2 Tim Dapling was happy to report that Rob Clark, as new Chief Executive of AIFCA, was currently involved in raising the IFCA's profile and had given a presentation to government officials, MPs and senior members of the fishing industry the day before this meeting.
- 47.3 A National Training Officer was about to be recruited by AIFCA.

ALL RESOLVED to approve the report.

48 A.O.B

48.1 Dr Peter Jones asked if there was any update from Defra on the Nearshore Trawling Byelaw. Tim Dapling replied in the negative, no news had been received.

48.2 Correspondance had been received from a party referring to itself as the 'The South Coast Skippers Council' (which was understood to be a private social media 'Facebook Group'). However, it was otherwise anonymous, containing no postal address or name. Therefore no response could be made.

Date of Next Meeting: Thursday April 22nd 2021