

**MINUTES OF A MEETING OF THE
SUSSEX INSHORE FISHERIES & CONSERVATION AUTHORITY
HELD AT UNIT 12a RIVERSIDE BUSINESS CENTRE, SHOREHAM-BY-SEA
on 25th April 2019**

PRESENT

Members

Stewart Harper (Chairman, MMO Appointee)
Councillor Ollie Sykes (Deputy Chairman, Brighton & Hove City Council)
Councillor Pieter Montyn (West Sussex County Council)
Councillor Paul High (West Sussex County Council)
Councillor Carol Purnell (West Sussex County Council)
Councillor Carolyn Lambert (East Sussex County Council)
Charles Bacchus (Environment Agency)
Audrey Jones (NE)
Paul Johnson (MMO Representative)
Steve Hanks (MMO Appointee)
Robert Yorke (MMO Appointee)
Dr. Peter Jones (MMO Appointee)
Prof. Paul Leonard (MMO Appointee)
James Partridge (MMO Appointee)
Michael Newton-Smith (MMO Appointee)
Chris Williams (MMO Appointee)

General Public attendees

Fishermen: Garry Walker, Chris Button, Paul Richardson, Ken Butchers,
Don Bickerstaff, Nik Brown, Tony Hills, Mick Scott, and Neil Witney.

Staff

Tim Dapling (Chief Fisheries & Conservation Officer)
Sean Ashworth (Deputy Chief Fisheries & Conservation Officer)
Erin Lawes (Conservation Manager)

1 CHAIRMAN'S INTRODUCTION

- 1.1 Stewart Harper welcomed all to the first Quarterly Committee meeting of 2019-20. He advised that it was a meeting open to the General Public and that 9 local fishermen had chosen to attend. The Chairman explained that there was no right for members of the general public to speak at this meeting but invited comments post meeting, by email or discussion with Fisheries Officers. The chairman reminded members and explained the byelaw process.

- 1.2 Tim Dapling gave the nominations received for Chairman and Deputy Chairman for the year 2019-2020. The one nomination for Chairman was Stewart Harper, proposed by Graham Furness and Robert Yorke and seconded by Steve Hanks, and members unanimously voted him in for another year. The Deputy Chairman nomination was for Cllr Carolyn Lambert, proposed by Stewart Harper and seconded by Paul Leonard, members voted her in and Stewart Harper thanked Cllr Carolyn Lambert for agreeing to be his deputy. The Chairman also took the opportunity to thank Cllr Ollie Sykes for two years' work as Deputy Chairman.

2 APOLOGIES FOR ABSENCE

Councillor Laurie Loe (East Sussex County Council)
Councillor Tania Charman (East Sussex County Council)
Graham Furness (MMO Appointee)
Olle Akesson (MMO Appointee)
Rob Greenwood (MMO Appointee)

3. DECLARATION OF INTEREST

- 3.1 The Chairman requested notification of any declaration of interests. Michael Newton Smith and James Partridge both declared interests in local fishing issues. Charles Bacchus declared his interest in the Review of Netting Management Measures.

4. APPROVAL OF MINUTES

ALL RESOLVED to approve the minutes.

5. MATTERS ARISING

- 5.1 Tim Dapling informed members that, on behalf of the Association of IFCAs, he would be attending a Maritime Coastguard Agency meeting on 2nd May regarding the marking of static gear.

6. DECISION ITEMS

6.1 Focus and Priorities 2019 to 2020

- 6.2 Tim Dapling presented members with proposed planning priorities for the upcoming year 2019/20 and the four-year plan and its objectives 2016 to 2020, noting the legal requirements and guidance concerning IFCA annual

plans and reports. Tim Dapling reported that the Annual Plan and summary for 2019 to 2020 priorities had been sent to Defra.

- 6.3 Sean Ashworth gave members the details of the highlights of the Annual Plan's focus.

ALL RESOLVED to accept the following Recommendations:

- i. That members note the legal requirements and guidance concerning IFCA annual plans and reports.**
- ii. That members note that the annual plan and summary for 2019 to 2020 priorities has been sent to Defra.**

7 Review of Management Measures: Netting

- 7.1 Tim Dapling said that this report outlined the next step in the process of creating the proposed Netting Permit Byelaw. The management measures draft had been discussed at length at the last Technical Subcommittee meeting and the resulting draft was now distributed to all committee members for their approval and comments. The draft would then be passed back to the Technical Subcommittee for further development work. External legal advice would also be sought on the draft.
- 7.2 Tim Dapling ran through the background of the Review and structure of the proposed Byelaw. The intention was to introduce a permit system as had successfully been employed for Shellfish management. In comparison to the Shellfish Permit, a lighter touch system was intended, with no catch returns anticipated for finfish/shellfish catches.
- 7.3 The Chief Officer ran through the points included in the agreed approach to management for members' benefit; he believed that the introduction of a permit scheme would provide a better understanding of the local fleet's activity and ensure recreational fisheries were managed effectively.
- 7.4 Tim Dapling clarified the 5 'Areas' as shown in the report's chart and detailed to members how each would be affected, as had been discussed at Technical Subcommittee meeting. Following a question Stewart Harper assured Paul Johnson that the charts had been available for scrutiny at several previous Technical Subcommittee meetings. Tim Dapling said that the purpose was to review and update the netting management already in place, in a clear and understandable form ensuring that the management was practical to enforce. Amending the current Fishing Instruments Byelaw descriptions would be necessary as part of the review process.
- 7.5 General discussion took place regarding use of kilometres, metres, nautical miles and longitude and latitudes as chart measurements, as had already been discussed at some length at Technical Subcommittee meetings.

- 7.6 Tim Dapling clarified the details of the draft byelaw, and the flexible permit conditions, which would be in a separate document. Jim Partridge queried the wording 'searching for sea fisheries resources', Stewart Harper advised that he had, prior to the meeting, discussed this wording with the Chief Officer and welcomed discussion on the point at the next Technical Subcommittee meeting. The Chairman explained to members and guests that the Technical Subcommittee would discuss and agree all wording to finish the draft for presentation at the next Quarterly Committee meeting. Following approval by members, the draft would then be submitted to all stakeholders and public for consultation.
- 7.7 Stewart Harper granted a question from the floor, and there followed several interjections by the public attendees, asking whether stakeholders could not be consulted during the production process of the draft Byelaw. Stewart Harper reminded all that there had been considerable consultation with stakeholders on this issue to date and said that a refined, agreed and practical version was now required for distribution and formal consultation, thus halting any misunderstandings.
- 7.8 Michael Newton Smith stressed the importance of fishermen responding to the Authority at all consultations. Steve Hanks requested that a brief overview be supplied to stakeholders, alerting them to where the Authority was in the process of creating the draft Byelaw, Stewart Harper agreed that this was a good idea and should be implemented. Sean Ashworth said that information was available on the website.
- 7.9 Paul Johnson said that he had not seen any responses received at the drop-in sessions which had been held at the beginning of the process. Tim Dapling replied that the informal consultation's written responses had always been, available to all at recent Technical Subcommittee meetings, furthermore, that the summaries of responses had been produced by SA and circulated previously. Significant needs and valuable points had been identified following the District-wide consultations and reflected in subsequent drafting, Tim Dapling said. Sean Ashworth explained that he had given a detailed summary to members at a Technical Subcommittee meeting of all the consultation responses received. Garry Walker (from the floor) asked whether his letter had been circulated to members, which it had been, along with other relevant correspondence.
- 7.10 Audrey Jones asked for visual representations of the changes suggested. Cllr Paul High informed the Chairman that he had collected email details from all the visiting fishermen, to assist in future communications. Michael Newton Smith requested that, if a strong negative response was received at the upcoming consultations, the Authority would go 'back to the drawing board'.

ALL RESOLVED to accept the following Recommendations:

- i. To approve the Byelaw measures as proposed and amended following a recommendations from technical subcommittee on the 21st March 2019, subject to:**

Any further minor management amendments recommended by the Technical subcommittee.

Drafting changes reflecting any legal advice on the present text and structure of the draft Netting Permit Byelaw.
- ii. To simultaneously revoke and amend relevant existing Sussex IFCA Byelaw regulations that contain relevant netting management measures that are either superseded or need to reflect the new regulatory arrangements.**

8 Review of Management Measures: Nearshore Management of Trawling

- 8.1 Sean Ashworth introduced this item's recommendations and explained that the aim was to move forward with the trawling management review. The management principles had been agreed during several Technical Subcommittee meetings.
- 8.2 In the discussions and decisions to date, the Authority had been pursuing a specific issue in Area 1 with regard to light otter trawl gear. Sean Ashworth said that officers had revisited the Area 1 proposed regulation and defined three options for further consideration. Sean Ashworth asked members to agree to taking further discussions on the third recommendation to the next Technical Subcommittee.
- 8.3 A fisherman attendee asked from the floor for clarification on the definition of light otter trawls and gear. Charles Bacchus said that he believed that at the last Technical Subcommittee meeting it had been stated that very little trawling took place in Area 1, which reduced the importance of the current discussion. Stewart Harper acknowledged all comments made which would be taken into consideration but requested that members move on with the report.
- 8.4 James Partridge said how important he believed it was to have a trawling fisherman as a Committee member, as there were now only potting fishermen members. Tim Dapling explained the process for MMO appointments and the efforts of the IFCA to raise awareness of appointee recruitment by the MMO. Paul Johnson said that the MMO, who provided new members, could only choose between those who applied for membership and were not able to approach possible candidates or sectors.

General discussion took place among members on this topic, the Chairman acknowledged that there were currently no trawling fishermen on the Committee, which may have been helpful when discussing trawling issues. It was acknowledged that consulting with industry sought to address the issue.

- 8.5 Nearshore zones were important spawning areas for many different species whose survival supported the future of fisheries, Tim Dapling said. During various consultations Fishermen could give input on their dissatisfaction with the proposed trawling regulations and the future of fisheries. Despite prior technical reports, Paul Johnson said that he had read no scientific evidence that the areas under discussion needed any further protection.

ALL RESOLVED to accept the following Recommendations:

- i. To approve the draft byelaw.**
- ii. To approve next steps:**
 - **Continue to draft the Nearshore Trawling Byelaw**
 - **To plan to revoke the Fixed Exclusion Bylaw**
 - **To plan to amend the Instrument Byelaw**
- iii. To review Area 1 options A, B, C and refer to a subsequent Technical Subcommittee with comments as appropriate.**

INFORMATION ITEMS

9 Annual Research Plan

- 9.1 Erin Lawes introduced the Annual Plan of research to be conducted during 2019/20 which had been written by herself, Kathryn Nelson and Sean Ashworth.
- 9.2 Six projects had been identified as the highest priorities for this year and efforts would focus on these. Progress made on projects described under last year's Research Plan (2018-2019) would be described in the Annual Research Report which would be presented at the next Committee Meeting.
- 9.3 Paul Leonard suggested that scientific data links of the Authority's partnerships with local universities and the Wildlife Trust etc would be good to include in the report. Paul Leonard would be in discussion with fishmongers in the following week and explained that they could possibly provide a source of future funding.
- 9.4 Cllr Carol Purnell raised the issue of many angling lines found on beaches. Tim Dapling said that there was an Angling Group which promoted recycling of angling gear and Steve Hanks was a member. Michael Newton Smith spoke of plastic recycling and how fishermen were often blamed, sometimes with reason, for plastic litter in the sea. Sean Ashworth and Erin Lawes said that, coincidentally, the Authority were in the early stages of

applying for a National Lottery Heritage Fund partnership project with Marine Conservation Society, Sussex Wildlife Trust, the Sealife Centre and the National Trust, to the value of £75k in the first phase. There was a marine fishing gear plastic element to the project re facilitating net recycling and alternatives to all plastic gear. Michael Newton Smith said that Eastbourne fishermen were now disposing of their own waste which was an expensive process.

- 9.5 Erin Lawes flagged to members that all the management was evidence-based and that a huge amount of work had been done throughout the District looking at diversity, eco-system services and sensitivity.

ALL RESOLVED to approve the report.

10 Marine Protected Area update

- 10.1 Erin Lawes updated members on MPA work progress. The Angling Trust had confirmed their support for an update to the joint Angling Voluntary Code of Conduct for Kingmere MCZ, in light of new research on the species biology.
- 10.2 Work on the latest round of the Clear Seas project had been completed and materials were available for distribution, plus additional materials had been produced for specific ports. Sussex IFCA and the Environment Agency had worked with partners to produce simple guides to looking after the marine environment for boat users. These included suggested simple steps to protect Sussex seas for wildlife and future generations.
- 10.3 Some copies were available for members of the national MPA output.

ALL RESOLVED to approve the report.

11 Information Agenda Items 12 and 14

- 11.1 Stewart Harper suggested that Information Items 12 to 14 on the Agenda be taken as read.
- 11.2 Cllr Paul High asked about the abundance of black bream, he wanted to know whether there was a limit on catch. There was no limit except the prohibitions and angling bag limits in Kingmere MCZ, Michael Newton Smith and other members informed him. Bass were also associated with the Area 2 beam trawl fishery; this had previously been flagged at an Authority meeting Tim Dapling said, the problem was that bass would be discarded when the bream was trawled due to size or bycatch limits. There were a number of important evidential issues to consider with trawling in the area. Black bream had only been trawled since the 1990s and the large area of kelp, which had supported high bio-diversity and ecosystem functions for both fin and shellfish, had subsequently been lost. There had

also been a decline in the lobster fishery reported by fishers and confirmed by Jim Partridge. Tim Dapling explained he was disappointed by the comment made earlier that there was no scientific evidence to back up the proposed trawling management, as this was patently untrue and considerable evidence had been provided to the Technical Subcommittee.

- 11.3 General discussion among members took place on quota management.

ALL RESOLVED to take the reports as read.

12 Compliance & Enforcement

- 12.1 Sean Ashworth asked that members note that a couple of numbers were incorrect within the report and he would be distributing the correct version to all members.

13 Summary of Expenditure for the 4th Quarter from 1st January to 31st March 2019 against the budget and financial year end for 2018/19

- 13.1 Stewart Harper welcomed Steven Jump, who had been the new Finance Manager since the beginning of February.
- 13.2 Steve Jump ran through the report for the benefit of members: Income had exceeded expenditure in the last quarter by £27,087, a positive variance of £30,874 compared with an expected deficit of £3,787 in the period.
- 13.3 Income for the year had totalled £1,067,880 compared with the budget of £1,008,823, an increase of £59,057. Expenditure for the year had totalled £1,014,211 compared with the budget of £1,023,958, a net underspend of £9,747. In overall terms, a surplus of £53,669 had been achieved in the year compared with a budgeted deficit of £15,135, a net gain against the budget of £68,804.
- 13.4 The net surplus for 2018/19, £53,669, had been added to the Authority's Capital and Reserves held on the Balance Sheet at 31st March 2019. The income and expenditure transactions and balance sheet would be subject to independent examination by Plummer Parsons. The finalised accounts would be presented at the forthcoming Extra-Ordinary Finance Sub-Committee meeting.
- 13.5 Tim Dapling added that just over £100k of funding had finally been received for renewal work which had been carried out on 'Watchful' in 2017.

ALL RESOLVED to approve the report and expenditure to date.

14 Chief Officers Group

- 14.1 Tim Dapling distributed copies of slides describing an ongoing review by Defra on IFCAs. The Chief Officers had all contributed information on their processes and saw the process and pending output as an opportunity to say what had been achieved by their Authorities, providing information for Defra's future post Brexit decisions. It had been recommended that Defra investigate other countries' management to compare with the work of IFCAs in respect to inshore fisheries management.
- 14.2 Paul Leonard expressed his interest in sharing best practice with all senior researchers at all IFCAs.

ALL RESOLVED to accept the report.

15 Association of Inshore Fisheries and Conservation Authorities

- 15.1 An internal review had taken place by consultants, examining the structure and processes.

ALL RESOLVED to accept the report.

16 A.O.B.

- 16.1 Dr Peter Jones reported that he had an MSC research student embarking on a project about Kingmere MCZ.

17 DATE OF NEXT MEETING

- 17.1 Thursday 25th July 2019.

Stewart Harper, Chairman Sussex IFCA.