

AT THE INAUGURAL MEETING OF THE NORTH WESTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY held at Morecambe Town Hall on Tuesday, 2nd November 2010

PRESENT – MEMBERS

J. Butler	Marine Management Organisation
M. Byram	Cheshire West and Cheshire Council
J. A. Clark	Marine Management Organisation
D. Clarke	Marine Management Organisation
G. Coleman	Blackpool Borough Council
B. Crawford	Marine Management Organisation
W. Darbyshire	Environment Agency
G. Ford-Keyte	Marine Management Organisation
T. R. Glover	Sefton Council
R. Graham	Marine Management Organisation
M. Hawkins	Marine Management Organisation
T. Jones	Marine Management Organisation
R. F. Langley	Marine Management Organisation
C. Lumb	Natural England
A. Maltby	Marine Management Organisation
A. J. Markley	Cumbria County Council
T. McInerney	Halton Borough Council
J. D. Murphy	Marine Management Organisation
M. R. Owen	Marine Management Organisation
A. C. Ross	Cumbria County Council
A. Thornton	Lancashire County Council
K. Walker	Marine Management Organisation
C. J. Woods	Marine Management Organisation
Y. Yadi	Marine Management Organisation

OFFICERS

T. Agnew	M. Dobson
H. Ake	A. Forster
I. V. Andrews	R. Houghton
S. A. Atkins	M. J. Knott
S. Brown	P. Price
A. Brownrigg	H. Thinneren
C. E. Dobson	E. Thinneren
D. Dobson	S. J. Waite

IN ATTENDANCE

S. Benson	Lancashire County Council
G. Friend	Defra
D. Knight	Natural England
C. Preston	Defra
P. Winterbottom	Association of Sea Fisheries Committees

Apologies

N. Robinson	Marine Management Organisation
S. Leadbetter	Lancashire County Council
C. Frid	Marine Management Organisation
D. Nixon.	Marine Management Organisation

2 APPOINTMENT OF CHAIRMAN

The Chief Executive invited nominations. Councillor T. R. Glover was proposed by Mrs. M. Owen and seconded by Councillor A. C. Ross.

RESOLUTION: Councillor T. R. Glover be appointed Chairman of the Joint Committee until the Annual Meeting 2011.

3 CHAIRMAN'S ANNOUNCEMENTS: Papers for Agenda Items 15/16 (Proposed Dates of Meetings 2011) and Member Profiles were tabled.

4 NW-IFCA DRAFT STANDING ORDERS FOR CONSIDERATION

The Chief Executive reported that the draft Standing Orders incorporated advice from Cumbria and NWSFC, and other Committees. The Financial Regulations, the S.I establishing the IFCA, Terms and Conditions prepared by the MMO for Members and a draft Code of Conduct for Members were also provided. Members were asked to send any comments to Officers by 10 January 2011.

Standing Order 19(c). Mr. Ford-Keyte requested approval to nominate another voting officer for MMO if the appointed Member is unable to attend any meeting. CEO agreed to incorporate this amendment noting that the Clerk should be informed of any change at least 5 working days in advance of the meeting. Similar arrangements would apply for NE and EA Officers.

Councillor Thornton's amendments, received by the Clerk before the meeting, would be incorporated in the next draft of the Standing Orders.

Mr. Langley raised an objection to one of the MMO appointees, pointing out that he was a Welsh resident and therefore from outside the NWIFCA District. Mr. Friend informed Members that MMO appointees had been appointed on merit and on their knowledge of the marine environment and it was not a requirement of membership of the NWIFCA that a Member should be resident in the area covered by that IFCA.

RESOLUTIONS

1. That the draft Standing Orders be approved, taking into account the amendments proposed at today's meeting.
2. **Action 1.** That a further draft of the Standing Orders be submitted to the next meeting of the NWIFCA for approval.

5 APPOINTMENT OF VICE-CHAIRMAN

Councillor A. J. Markley was proposed by Mr. R. F. Langley and seconded by Mrs. Owen.

RESOLUTION: Councillor A. J. Markley be appointed Vice-Chairman until the Annual Meeting 2011.

6 CONFIRMATION OF STANDING SUB-COMMITTEES

Under Standing Order 30, The CEO recommended establishment of a Finance Sub-Committee and Chairman's Sub-Committee.

RESOLUTION

1. **Action 2:** A Finance Sub-Committee comprising all 10 Local Authority Members of the Authority be established and a meeting be called to prepare the 2011-12 budget.

2. A Chairman's Sub-Committee comprising 5 members: Chairman, Vice-Chairman, Chairman of the Finance Sub-Committee, Chief Executive and Chief Fishery Officer be established.

7 The main content of the meeting was a series of presentations from the SFCs and agencies represented on the IFCA. Copies of all the presentations are available from the Clerk.

PRESENTATION: CUMBRIA SFC

Mr. Dave Dobson, Chief Fishery Officer, Cumbria SFC gave a presentation on the District, Resources and Assets of the NWIFCA. He described the locations and many different types of fishing carried out within the District. Commercial fishing activity includes lobsters, shrimping and landings of scallops, non-commercial activity being recreational sea angling, hobby fishing with pots and creels, netting, bait digging/shore crab collection and razor clams.

Enforcement resources of the new IFCA would include 10 operational enforcement officers and 8 management and administrative support and scientific staff. Equipment available to aid enforcement would be the patrol vessel, zodiacs, mobile radar van and shore patrol vehicles.

Mr. Langley raised a question about how the byelaws would be implemented in future. Mr. Dobson said that the NWIFCA would have to work with the existing byelaws of Cumbria, NWSFC and Environment Agency initially and it was a matter of priority that a complete review of the byelaws should be carried out. All stakeholders would be consulted and have an opportunity to comment on the new byelaws.

PRESENTATION: DEFRA

Mr. Gordon Friend (Defra) pledged the support of the IFCA Implementation Team for the transition of SFC to IFCAs. He acknowledged the good spread of expertise in the IFCA from SFCs and new members. Strong cooperation between Cumbria and North Western SFC will enable the challenge of a successful merger.

Mr. Friend outlined the roles of the MMO, IFCAs and Defra. The MMO had a role in delivering the objective of clean, healthy, safe, productive and biologically diverse oceans and seas and new marine planning would be put in place that would govern how the marine environment was used. The IFCAs role was modernising management and regulation of inshore fisheries and ensuring that the Act's conservation measures were implemented effectively. Defra's role would be the wider policy such as marine nature conservation and Marine Protected Areas, implementation, guidance, applying best practice and on fundamental ways of working. Guidance for IFCAs had been prepared that would look at how the activities will be assessed as IFCAs moved forward and Defra would be seeking views on the guidance by the end of November. Training for staff on guidance and new duties would be carried out in the spring of 2011. Defra had allocated transitional funding towards essential items and equipment to take the work forward.

Mr. Friend reminded Members that the IFCA vision was to lead, champion and manage a sustainable marine environment and inshore fisheries, by successfully securing the right balance between social, environmental and economic benefits to ensure healthy seas, sustainable fisheries and a viable industry. Success criteria, high-level objectives and an annual plan had been developed to give guidance to the vision. IFCAs would be required to publish annual plans and reports and there would be a four yearly review of IFCA performance.

The Chairman asked about the increase in rate support grant to the local authorities to cover IFCA funding and how this would be identified. Mr. Friend said that it would be entirely transparent as to how much rate support grant each authority was receiving from

Defra. Each Councillor Member would then contact their local authority with that information.

Mr. Woods raised a question on fixed penalties and asked if these would be set by IFCA or done nationally by Defra. Mr. Friend said that consultation on the fixed penalty system was presently in the process of consultation. Within that consultation there would be suggestions for levies for different offences and an opportunity to comment on those suggestions.

The Chairman pointed out that confirmation of byelaws could sometimes be a long process and asked if that was likely to change under the new IFCA. He also asked whether there were any plans to extend the District out to 12 miles. Mr. Friend reminded Members that there were measures within the Act to allow IFCA to introduce emergency byelaws and those byelaws could stay in place for a year to 18 months. Mr. Friend said there were no plans to extend out to 12 miles at present.

9 PRESENTATION: MMO

Mr. Graham Ford-Keyte provided background to his role within the MMO. He was the District Marine Officer based at Blackpool, Head of Marine Investigation and Enforcement Team and co-author of the Marine and Coastal Act 2009. MMO was a Non Department Public Body (NDPB) with 18 coastal offices, 7 Districts, and a central office in Newcastle.

The responsibilities of the MMO include marine planning, marine licensing, decision support, marine emergencies such as oil spills, and marine nature conservation. It is also responsible for fisheries management including quotas, fishing effort control, fishing vessel licensing, inspections on land and sea, log books, landing declarations, and for sustainable development. It supported joint working and operational cooperation, closer working with industry, sharing data and information and making best use of resources in joint training and cross warranting. The MMO also provided grants for the fishing industry under the European Fisheries Fund.

Mr. Crawford raised the absence of plans to extend the limit of the District out to 12 miles suggesting that to protect fishing communities, consideration would need to be given to extending out to 12 miles with the use of the appropriate equipment and vessels.

10 PRESENTATION: ENVIRONMENT AGENCY

Mr. Bill Darbyshire said that the EA, also an NDPB is familiar with cross agency and stakeholder working to protect the coastline. Its duties include flood defence, cleaner waters and improved environment. EA is looking at the best way to make a contribution towards economic recovery. EA works on protected areas with Natural England, it aims to improve wetlands areas where it wildlife can be fostered and is committed to support angling; one of the biggest participation sports.

Mr. Darbyshire said that the EA's inshore fisheries aims are for improved byelaws throughout the North West to protect the environment and encourage sustainable fisheries; to improve and maintain migratory fisheries; to work effectively with IFCA partners; and to maintain, improve and develop migratory and freshwater fisheries.

The EA's monitoring capacity covered data that would be shared with Defra and with access to that information also being available to IFCAs. The EA has a great deal of expertise in conservation diversity and fisheries and wanted to make sure its contribution to the NWIFCA was using those skills-sharing information.

The Chairman then proposed that the meeting be adjourned until 1315 for lunch and this was agreed.

11 MEETING RECONVENED AT 1315

The Chairman reopened the meeting by welcoming Members' back and asking Mr. Lumb, the Natural England representative, to give his presentation.

12 PRESENTATION: NATURAL ENGLAND

Mr. Chris Lumb said that NE; also a NDPB is the Government's statutory adviser on the marine environment out to 12 miles. The aims of NE are: a healthy marine environment and conservation not preservation. NE provides advice and guidance on Marine Protected Areas (MPA) and on how activities may be impacting upon the features for which the sites were protected. NE works with other Authorities to make sure MPA are managed sustainably and will assist IFCA's to deliver their new nature conservation duties. NE has duties to further the conservation objectives of MPAs, to develop and promote sustainable solutions to management issues and to work together with partner bodies. NE will assist development of a joint work programme with the NWIFCA.

Mr. Darbyshire asked about development of the plan for the IFCA and whether there was any outline available for completion of the plan. Members were advised that an outline plan has been provided by Defra and a plan would be drafted for approval at a subsequent meeting with a view to implementation by April 2011. Mr. Darbyshire said that the timescale was very tight and suggested formation of a sub-group to discuss this if a draft was to be prepared in time.

13 CHANGE IN AGENDA ITEM. A change in the order of Agenda to take Item 12 before Item 11 was agreed.

14 AGREEMENTS WITH THE MAIN PARTNERS OF THE IFCA

The Chief Executive stated that all IFCA have an objective to work with partner bodies. Defra has asked all IFCA to sign formal Memoranda of Understanding with four organisations: MMO, EA, NE and Cefas. These agreements will consist of 2 parts. The first parts will be general and applicable to all IFCA while the second parts will contain detailed action plans targeted to local circumstances. These agreements have been drafted for Members' comments. Officers would compile comments for Defra with the aim that parts 1 of the MoU could be signed by April 2011. Discussion on the Action Plans in Parts 2 would take place after April.

Councillor Markley proposed that copies of the MoU should be sent to Chief Executives of all contributing authorities. This was agreed. Mr. Darbyshire queried whether a MoU should also be agreed with local authorities, as it was essential that they were combined in their ambition for the inshore fisheries.

RESOLUTIONS

1. **Action 3.** All members to return comments or questions on the draft MoU to the Chief Executive by 30th November 2010.
2. **Action 4.** Copies of the draft MoU to be circulated to Chief Executives of all contributing authorities.
3. **Action 5.** That final draft MoU be submitted to the next meeting of the NWIFCA for approval and subsequent signature by the Chairman.

15 PRESENTATION: NWSFC

Dr. Stephen Atkins, CEO of the NWSFC, stated that the IFCA would bring together a wide range of expertise including the funding local authorities, commercial and hobby fishermen, anglers, merchants, nature conservation interests and wider marine stakeholders. The

NWIFCA work programme would have 10 main components including servicing the IFCA, permits and authorisations, science, survey and research, a Morecambe Bay Fishery Order, Byelaw review, MoU, with partner bodies, finance and office administration, reporting, and staff development and training. Issues for the IFCA were implementation of the Marine and Coastal Access Act, wind farms, management of MCZs, SPAs, SACs and review of the Common Fisheries Policy.

With respect to wind farms Dr. Atkins said that fishermen were finding that the areas around the wind farms were not good fishing areas and he suggested that the Authority should have concerns about accepting new wind farm areas. The NWSFC has concerns about the Irish Sea Conservation Zones project in that no data, evidence or justification has been provided on why the sites had been selected or what they were meant to protect. It also has concerns about the very large geographical size of the Liverpool Bay SPA and the impact it could have on activities in the Irish Sea

NWIFCA byelaws could be used to protect areas for conservation, regulate fish landing sizes, vessel access, and issue of permits. The NWIFCA will have new duties for conservation, with stronger powers to enforce fisheries regulations on land including searching premises and vehicles and recovery of management costs. The NWIFCA will have a larger district than the SFC and wider environmental responsibilities. To meet this challenge IFCA will need enhanced science capacity and additional enforcement officers.

Mr. Woods raised enforcement of the presently unclassified cockle bed at Leasowe and the poaching problems being experienced there. He voiced concerns that at the rate of the present exploitation, despite the vast amount of enforcement being carried out by Fishery Officers, the stocks would be severely depleted by the time the bed was opened. Mr. Woods expressed the hope that the new IFCA would be able to direct change to prevent the same situation happening in the future. Councillor Markley suggested that those comments should be taken on board and should be a priority for the new IFCA.

Mr. Hawkins raised a question on byelaws, specifically about the third set of byelaws previously referred to. Dr. Atkins said those were EA byelaws that will also apply to the District initially and will need to be taken into account

16 NWIFCA: TASKS TO BE COMPLETED BY 1ST APRIL 2011 AND AVAILABLE FUNDING

Dr. Atkins reminded Members that the work plan had already been discussed earlier in the Agenda. He informed Members that transitional funding of £116,000 had been agreed for the establishment of the NWIFCA, covering such items as additional administrative posts, enforcement officer posts, equipment and branding. New burdens funding of £3M has been allocated from central government to IFCA's each year for the next four years.

RESOLUTION: Members to note the tasks required of the NWIFCA so far identified.

17 EXPENSES ALLOWANCES FOR MMO APPOINTEES' ATTENDANCE AT NWIFCA MEETINGS

The Chief Executive presented the report outlining proposed rates of Members' expenses for travelling and loss of earnings for meetings of the NWIFCA until 31st March 2011. Dr. Atkins' drew Members' attention to paragraph 3 of the report, reminding Local Authority and representatives of other government bodies that expenses should be claimed from their own council or organisation. MMO appointees were eligible to claim expenses based on the rates proposed by Defra and given at paragraph 9 in the report.

RESOLUTION: Members agree the MMO Members' expenses as set out in paragraph 9 to the report.

18 PROPOSED DATES OF MEETINGS 2011

The Chief Executive presented the report, which suggested a date for the first Finance Sub-Committee meeting and proposed dates of meetings of the NWIFCA for 2011. Members were advised that the date given for the proposed February 2011 meeting should be Tuesday, 8th February.

With respect to the Finance Sub-Committee it was reported that not all Local Authority Members were available on the proposed date for that meeting and it was agreed that Officers should contact all Local Authority Members again with further dates.

RESOLUTIONS

1. **Action 6.** Officers to contact Local Authority Members with further dates for the Finance Sub-Committee meeting.
2. **Action 7.** That pending availability, Officers arrange the next meeting of the NWIFCA on Tuesday, 8th February 2011 at Copeland Borough Council, followed by a visit to Whitehaven Harbour to view the patrol vessel.
3. That meetings of the NWIFCA for the remainder of 2011 be as follows:

Tuesday, 17th May 2011
Tuesday, 13th September 2011
Tuesday, 13th December 2011

There being no further business the Chairman thanked Members for attending and declared the meeting closed at 1420 hours.