

NWIFCA Quarterly Meeting

12th December 2014: 11.00 a.m.

AGENDA
ITEM NO.
8

CHIEF EXECUTIVE OFFICER REPORT

Purpose of Report

This report for information provides updates for the quarter and comment on various areas of work.

Recommendations:

1. The report be received
2. Members approve the procedure for dealing with the waiting list for byelaw 3 permits as set out in paragraph 20.

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- I) Defra policy
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Introduction

A number of factors have affected delivery in this quarter. The Morecambe Bay seed mussel fisheries have taken a lot more time resource this year than usual and the CEO has had to take more leave than expected to deal with a family bereavement.

I) Defra policy

1. **EMS revised policy:** This continues to demand a disproportionate amount of the science team's resources. With no additional funding from Defra, it is difficult to see how the tight deadline to complete the implementation of the revised policy by end 2016 as set by Government can be achieved. However, all the IFCA face the same challenge and work will continue as fast as possible. A number of officers in Defra have been moved to different roles and coupled with the impending election, it is possible there will be significant changes to Defra priorities in the coming months
2. **MCZ:** No developments to report.
3. **4 year report on conduct and operation:** A report on progress was received from Defra by the AIFCA at its meeting on 23 September. The 4 year report will now be published in early 2015 but no date has yet been announced.

II) **NWIFCA Health and Safety policy**

4. The policy has been checked for breaches and recordable incidents in the last quarter (September to December 2014). There have been no Health and Safety incidents in the past quarter. NWIFCA Officer training to enable them to carry out their duties in accordance with the H&S policy continues and a register of training is maintained.

III) **Officer and Member changes**

5. Three vacancies on the Authority have been filled by MMO in the last quarter. We are pleased to welcome Ms. Caroline Salthouse, Mr. Kelsey Thompson and Mr. Stephen Manning.
6. Councillor Tim Beaumont (Liverpool City Council), Mrs. Margaret Owen and Prof Chris Frid have resigned from the Authority. Thanks are extended on behalf of all the members for their periods of service. Councillor Beaumont has been a member of the Authority since 2011. Wirral has not yet appointed his replacement. Mrs. Owen has been on the Authority and previously the Sea Fisheries Committee since 2005 and made a very valuable contribution towards the development of shellfish management in the District. Prof Frid has been on the Authority since 2011 and has greatly helped develop the science programme. MMO have started the process of appointing replacement members.
7. IFCO Matt Burdekin resigned from the NWIFCA in October and left on 21 November to pursue other interests. We thank Matt for his valuable contribution to the IFCA over the last 2 years and wish him well in his future career. The vacancy will be filled by recruitment as soon as possible.

IV) **Association of IFCA (AIFCA)**

8. The AIFCA Members' Forum met on 23rd September at the Port of London Health Authority. The Chairman and CEO attended. Items considered included:
 - I) 2013-14 accounts
 - II) The Defra 4 year report to parliament now slightly delayed
 - III) Progress with procurement of underwater survey equipment funded by Defra
 - IV) Marine protected areas.
9. AIFCA was introduced to Mr. Sam Evans a senior manager recently appointed to the Defra marine team.
10. Presentations were received on the work of the Sea Mammal Research Unit (SMRU) at St Andrews University. The main programmes described were the UK strandings investigation programme and the cetacean by-catch project. The latter showed that the use of 'pingers' on fishing nets can significantly reduce the accidental catch of cetaceans.
11. A meeting of the AIFCA Directors was held at 15.00 on the same day. CEO attended.
12. The next AIFCA meetings will be on 3rd December. Chairman and CEO will attend.

V) **Procurement of main patrol vessel replacement**

13. At the joint meeting of the Vessel and Finance sub-committees in September, members agreed that financial considerations dictated that the new patrol vessel would have to be more modest than previously planned. A maximum budget of £1.3M in 2015 would be available for procurement. The CEO was instructed to obtain estimates and designs for the maximum size of aluminium vessel which could be procured for this budget. Following these investigations, the CEO prepared an interim report in November proposing that the

Authority develops a new specification for a GRP (fibreglass) vessel which could be put out to tender.

14. This new specification is now in preparation. In order to ensure the largest possible vessel is built within the available budget, the Authority could seek alternative tenders for (say) 17 and 18m (registered length) vessels from each builder. Once prepared, the specification will be circulated to members for approval.

15. Pending final decisions, the procurement process in Lancashire County Council remains paused.

VI) **Byelaw progress**

16. There is no progress to report on the byelaw review this quarter other duties having taken priority.

17. However, it is now appropriate to report on developments with regard to the Byelaw 3 permit scheme waiting list. The Authority is asked to approve the procedure adopted for issuing new permits to those on the waiting list as described below.

18. This permit scheme controls numbers of permit holders and therefore fishing effort, by almost entirely restricting new permits each year to those who held a permit in the previous year. Last year and this year, the dearth of cockles in the District has significantly reduced the number of Byelaw 3 permit holders renewing their permit. To date the number of 2014-15 permit holders is only 71.

19. Under the byelaw, only 10 new permits can be issued each year on a "first come, first served" basis. To promote fairness among applicants a waiting list is kept and there are now 80 applicants on the waiting list so places could be filled for the next 8 years (2022). However, the reduced demand for permits is also reflected in the take up of the 10 new permits. This year only three applicants from the first 10 on the waiting list have taken up the offer of a permit.

20. In order to comply with the byelaw and issue the full 10 permits each year as well as reduce the waiting list, the following procedure is being implemented. The first 10 applicants were invited to apply in September at the start of the permit year and given 3 weeks to respond. Those applicants not responding are again sent an invitation with the condition that if they do not respond within 2 weeks they will be removed from the waiting list. If there are still vacancies after this time, the next applicants on the waiting list are offered a permit under the same procedure of 2 letters 3 weeks apart until the maximum 10 permits have been taken.

VII) **Investigations into fracking**

21. Members are concerned about the possible impacts of fracking on the marine environment. Following the presentation from the Environment Agency received at the September meeting a letter asking questions of Lancashire Council was sent as attached at Annex A. A reply is awaited.

VIII) **Boughton Estate claim of fishing rights in Morecambe Bay**

22. Following disputes with shellfish operators, landowners and difficulties with enforcement of mussel fishery byelaws the Authority has requested an investigation into fishing rights in Morecambe Bay including if necessary Counsel opinion on the claims by Boughton Estate to have fishing rights in the Foulney Area. A summary briefing paper on the subject has

been prepared and is attached at Annex B. This has been sent to 2 Barristers with a view to instructing the preparation of such advice to address the questions posed in the paper.

23. Before instructions are finalized, members are invited to comment on the scope and detail of the briefing paper. It may be sensible to add into the advice, investigations into a number of other claims to fishing rights in Morecambe Bay and the wider NWIFCA District.

IX) Underwater survey equipment

24. At the September meeting, members asked for a briefing on the procurement of underwater survey equipment funded by Defra. This kit became available when Defra announced release of underspend funds in 2013 and 2014.
25. A list of the equipment which has been and still is being received is provided at Annex C which also shows the main costs, where each item is stored and outstanding work to be done to install the equipment. The IFCA's shared knowledge and experience and also consulted Cefas in the selection of equipment to be obtained.
26. The equipment is expected to be operated mainly by NWIFCA officers from 'Solway Protector' or other vessels chartered for survey work. Some of the equipment requires training to operate to its full capacity although the crew of 'Solway Protector' has some good knowledge and experience. Further training will be offered to the crew and science officers which may be dedicated tailor made training or development of experience by assisting with survey work on vessels of partner bodies such as other IFCA, EA or Cefas.

X) Chairman's Sub-Committee

27. A meeting was held on 15th September to consider matters relating to the Authority's Code of Conduct.

**Chief Executive Officer
27th November 2014**