

PRESENT – MEMBERS

Dr E. Baxter	MMO appointee (Marine Environment)
Mr R. Benson	MMO appointee (Fishing Industry – North West)
Councillor L. Beavers	Lancashire County Council
Councillor K. Brown	Lancashire County Council
Councillor M. Byram	Cheshire West and Chester Council
Mrs J. Butler	MMO appointee (Shellfish sector)
Dr J. A. Clark	MMO appointee (Marine Science)
Mr W. Darbyshire	Environment Agency (Officer)
Mr D. T. Dobson	MMO appointee (Anglers and Recreation)
Mr R. Graham	MMO appointee (Commercial)
Mr T. Jones	MMO appointee (Commercial/Aquaculture)
Councillor J. J. Kelly	Sefton Council
Mr R. Littleton	MMO (Officer)
Mr C. Lumb	Natural England (Officer)
Mr A. Maltby	MMO appointee (Fisheries Management)
Councillor A. J. Markley	Cumbria County Council
Mrs M. R. Owen	MMO appointee (Fishing Industry – North West)
Ms P. Taylor	MMO appointee (Marine Environment)
Dr P. Williams	MMO appointee (Recreation)

OFFICERS

Dr S. M. Atkins	Ms M. Knott
Mrs K. Atkins	Ms A. Leadbeater
Mrs I. V. Andrews	Mr J. Moulton
Mr S. Brown	Ms S. Temple
Mr A. Deary	Mr H. Thinnesen
Mrs C. Dobson	

IN ATTENDANCE

Mr S. Benson	Lancashire County Council
Mr C. Clayton	Wirral Council
Mr R. Inman	Defra

APOLOGIES

Councillor T. Beaumont	Liverpool City Council
Mr B. Crawford	MMO appointee (Anglers and Recreation)
Mr D. Grunshaw	MMO appointee (Shellfish Aquaculture)
Prof C. Frid	MMO appointee (Marine Science)
Mr D. Harpley	MMO appointee (Marine Environment)
Councillor K. Little	Cumbria County Council
Mr M. Allman	Cumbria County Council
Mr D. McAleavy	Sefton Council

234 APPOINTMENT OF CHAIRMAN

The Chief Executive opened the meeting by calling for nominations for Chairman for the year. Councillor A. Markley was nominated by Mr R. Graham and seconded by Mr D. Dobson.

RESOLVED

Councillor A. J. Markley be reappointed Chairman of the North Western IFCA for the forthcoming year.

235 CHAIRMAN'S ANNOUNCEMENTS

1. The Chairman announced apologies and welcomed visitors.
2. The Chairman announced that Mr Chris Woods, MMO appointee, had tendered his resignation from NWIFCA. Mr Woods was a member of the North Western and North Wales Sea Fisheries Committee for 17 years and was appointed to the North Western IFCA in October 2010. It was agreed a letter of thanks from the Authority be sent to Mr Woods. Mr Graham said Mr Woods had been an active member of both the NWNWSFC and NWIFCA and his contribution and knowledge of the Dee was significant. He was passionate not only about fishing but also the conservation measures that went with fishing and he will be a sad loss to this Authority. It was agreed the letter should reflect those comments.

Ms Knott pointed out Mr Woods was the sole MMO representative for the Wirral area and asked if the MMO could be asked to consider appointing a representative from that area. Dr Clark said she understood one of the other IFCA's is making representation to MMO on how members are selected to find out if it is possible for potential candidates' names to be put to the Authority before appointment. The IFCA should stress to MMO that IFCA's need and want to see strong representation from fisheries interests and communities.

Mr Littleton said there has sometimes been very little response when the MMO has advertised vacancies and there's a need to make sure people apply when given the opportunity. It was suggested, and agreed, that the question of appointment of MMO representatives to NWIFCA be placed on the Agenda for the September meeting.

RESOLVED

The question of appointment of MMO representatives to NWIFCA be placed on the Agenda for the September meeting.

3. The Chairman announced that Councillor Pat Glasman had not been re-elected at the May 2014 elections and she is therefore no longer eligible to serve on the North Western IFCA. It was agreed that a letter of thanks should also be sent to Councillor Glasman.
4. Tabled Items
Agenda Item 1 – Amended Members' Attendance Record
Agenda Item 7 – Appointment of TSB Sub-Committee. Supplementary Report
EC Proposal to prohibit all EU drift net fishing. Letter from Defra and Fishing News article
5. Agenda Item 8 (To make the new Byelaw 2: Vessel and Gear Restrictions) has been withdrawn following comments and suggested amendments by MMO.
6. The Chairman announced that Mr Thomas Henry ('Harry') Jones, MBE, a respected member of the NWNWSFC for 22 years, receiving an MBE for his work with the SFC had died on 21st May. Mr Jones will be missed by many in the fishing, boating and lifeboat community. Senior IFCO S. Brown had attended the funeral on 10th June.

236 DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTEREST IN AGENDA ITEMS (Agenda Item 3)

Agenda Item 9. Report of Vessel and Finance Sub-Committee meeting held on 28th April 2014. Mr T. Jones.

Agenda Item 13. Report on TSB Sub-Committee meeting held on 2nd May 2014. Mr T. Jones.

237 APOINTMENT OF VICE-CHAIRMAN (Agenda Item 4)

The Chairman called for nominations for Vice-Chairman for the year. Mr R. Graham was nominated by Mrs M. R. Owen and seconded by Mrs. J. Butler.

RESOLVED

Mr R. Graham be reappointed Vice-Chairman of the NWIFCA for the forthcoming year.

238 TO RECEIVE MINUTES OF THE NWIFCA MEETING HELD ON 21ST MARCH 2014 (Agenda Item 5)

Ms Knott pointed out that the reference to MCS on page 6 in the report on the AIFCA meeting should be MCZ and it was agreed to amend the minutes accordingly.

Mr Lumb voiced concerns about the comment in the Chief Officer's Report that the two conservation zones currently being considered for consultation are referred to as low priority in terms of their scientific importance. He felt the statement is incorrect and misleading. The sites are certainly of scientific importance and the management needs of those sites will need to be considered.

Proposed Mrs Owen, Seconded Mr Maltby.

RESOLVED

Following the amendment to change the reference on page 6 relating to the AIFCA report from MCS to MCZ the minutes of the NWIFCA meeting held on 21st March 2014 be approved and signed as a correct record.

239 MATTERS ARISING (Agenda Item 6)

Dr Clark asked what progress had been made with the invitation for EA to make a presentation on fracking to the Authority. Mr Darbyshire confirmed that EA could arrange a presentation and asked for guidance from members on the concerns to be addressed in that presentation. Mrs Owen confirmed that her focus of concern related to radioactive discharge into the water. Dr Clark suggested that the EA be asked to give an overview about their role in the regulation of fracking, what the challenges are and how they are working in partnership with HSE and this was agreed.

RESOLVED

EA be asked to provide a presentation on fracking at the September meeting.

240 APPOINTMENT OF TSB SUB-COMMITTEE (Agenda Item 7)

The Chief Executive reminded members of the tabled report which reported the outcome of the postal ballot. Following Mr Graham's appointment as Vice-Chairman of the Authority he would attend TSB meetings in an ex officio capacity which would leave a vacancy. It was agreed that membership of the TSB Sub-Committee should be as the tabled list with Mr Rob Benson appointed to replace Mr Graham.

RESOLVED

1. The report be received.
2. The following persons be appointed members of the Technical, Science and Byelaw Sub-Committee for the forthcoming year:

Dr E. Baxter
Mr R. Benson
Mrs J. Butler
Dr J. Clark

Prof. C. Frid
Mr T. Jones
Mrs M. R. Owen

Ex-officio:

Mr W. Darbyshire (EA)
Mr C. Lumb (NE)
Mr R. Littleton (MMO)

Chairman, NWIFCA
Vice-Chairman, NWIFCA

Councillor A. J. Markley
Mr R. Graham

241 BYELAW 2: VESSEL SIZE AND GEAR RESTRICTIONS (Agenda Item 8)

The Chief Executive reported that this item had been withdrawn following comments from the MMO on the content of the byelaw. These comments do not affect the aim of the byelaw but they will need to be considered carefully by the TSB Sub-Committee. A further draft will be produced for comment by MMO and the TSB Sub-Committee with a view to making this byelaw at the September meeting.

RESOLVED

Byelaw 2 be referred for further discussion and amendment by the TSB Sub-Committee.

242 REPORT ON VESSEL AND FINANCE SUB-COMMITTEE MEETING HELD ON 28TH APRIL 2014 (Agenda Item 9)

The Chairman reported that the last meeting of this sub-committee had agreed that the Chief Executive be asked to continue looking at available used vessels and new build options within the new specification proposed. There is a need to re-look at ways of purchasing a vessel which has to be fit for purpose, has to be suitable for both enforcement and scientific work and it is possible there may be vessels already available on the market that can be adapted or available within a shorter period of time. The CEO and Chairman will visit boatyards next week while down in London attending AIFCA meetings.

Mrs Owen suggested that someone with more experience of boats should visit the boatyards and speak to builders. The Chairman said in visiting the boatyards he would be utilising his time between meetings. If any vessel seen was considered to be suitable a further visit could be arranged for the skipper and perhaps other officers or members with the relevant expertise.

Mr Lumb said it was useful to see the Chief Executive's presentation to the sub-committee and 2 points in the presentation were particularly important. One was the slide looking at enforcement vessel trends in other IFCAs and EA which he felt is the start of what might be a useful review and stock-take of the IFCAs needs. The second useful slide is the summary slide on the vessel purchase and running costs.

Mr Graham reminded members that 'Solway Protector' is past its best in terms of suitability for the job. The Authority has agreed to a new vessel that is fit for purpose and it has given consideration to hiring a boat from another agency such as EA. This option has two potential problems, firstly the boat may not always be available when needed for the

Authority's work and secondly it will likely come with its own resident crew. With respect to the specification for the boat Mr Dobson said the Authority already has plans for a 26m vessel and although it recognises the cost of purchase and manning that size of vessel is too high, all that is needed is for the plans to be scaled down.

Mr Benson (Lancashire) said there seems to be some confusion over what is planned. Lancashire had a specification which had been put together and agreed by IFCA. The council was asked to procure the vessel and it has sought external expertise on this which is part of the reason for the delay in procurement. The council is still prepared to progress procurement of a vessel on behalf of IFCA but until it knows the final specification the council is not able to proceed with this.

The Chairman brought the discussion to a close and said that a further report on this matter will be brought back to the next meeting of the Authority.

RESOLVED

1. The report be received.
2. The Chairman and Chief Executive be asked to look at available vessels and report back.

243 FINANCIAL REPORT (Agenda Item 10)

The Finance Officer presented the report and informed members that each of the five items included will need a separate resolution. The first item related to the final budget review for the year ended 31st March 2014 and Mrs Atkins reported that there is an operating surplus of £71,654 which, with members' approval, will go into reserves towards financing the replacement patrol vessel.

Questions were raised under the budget review section concerning the report of a reduction in income from the Byelaw 3 permit fees and members were informed this was due to a decrease in the uptake of permits. Members agreed that the TSB Sub-Committee should be asked to further discuss the question of a review of Byelaw 3 including permit fees.

The Finance Officer reminded members that Section 1 and 2 of the Annual Return for 2013-14 need to be approved at today's meeting and signed by the Chairman and Chief Executive.

With respect to update of NWIFCA Bank Signatories the Finance Officer said the resolution for approval of bank signatories needs to be specifically as outlined in paragraph 4(b) of the report.

Following further discussion on the various headings Councillor Brown moved that all the recommendations in the report be approved and this was seconded by Mrs Owen.

RESOLVED

1. The report be received.
2. The Budget Review for 2013-14 be approved.
3. The Annual Return for 2013-14 Sections 1 and 2 be approved and signed.
4. The Internal Audit Report for 2013-14 be approved.

5. The Authorised Signatories in the current Mandate for the Accounts detailed in section 2, be changed in accordance with sections 5 and 6, and the current Mandate will continue as amended.
6. The question of a review of Byelaw 3 including permit fees be referred to the TSB Sub-Committee for further discussion.

244 REPORT TO PARLIAMENT ABOUT THE CONDUCT AND OPERATION OF IFCAs
(Agenda Item 11)

The Chairman welcomed Mr Richard Inman, Defra.

Mr Inman reported that the MACAA requires the Secretary of State to prepare a report for Parliament every 4 years about the conduct and operation of IFCAs over that period of time. The timetable for preparing the report is set by legislation and the first report will cover the period from 31st August 2010 to 31st August 2014. Defra has now put out a public call for evidence, inviting comments and asking respondents to structure their evidence around the 7 success criteria set when IFCAs were introduced. The consultation is available on the Defra website and the call for evidence closes on 1st August. The report will be compiled, approved by the Minister and laid before Parliament by Christmas 2014.

Following the presentation there was an opportunity for questions.

Dr Clark asked if Defra is expecting different perspectives from different IFCAs or whether it is finding there's a level of consensus among them about how they operate. Mr Inman said of 20 responses received, one common strand seemed to be the view that IFCAs have not moved as quickly as expected from being SFCs to being IFCAs. Of those 20 responses there is the view that the conservation side is not being given the consideration it should. Mr Inman suggested that any comments to Defra on this point should be based on evidence and not just opinion. Dr Clark said there are a lot of organisations lobbying for conservation of fisheries stocks in order to protect birds and not so many lobbying on behalf of the fisheries communities and the stocks that need to be researched. Dr Clark said her response will highlight the fact that the fishing communities should be at the heart of the conservation of those stocks.

Ms Knott asked how the call for evidence is being advertised to ensure all stakeholders are aware of this. Mr Inman said Defra has written to the CEO of all member authorities of IFCA and to the 10 IFCA Chairmen. All those on the Defra marine stakeholder list had also been made aware of the consultation. It was pointed out that neither of the two local Fishermen's Associations had received the letter. Mrs Owen said it is important for the Associations to be kept informed of the consultation as the only way some fishermen can get their views across is through the associations. Ms Knott agreed with that comment and pointed out that the IFCA has some stakeholders with low levels of literacy and little confidence in putting forward their response. Their views are still very important and should be taken into consideration. Some way of ensuring they have access to that consultation needs to be found and Ms Knott suggested an easy way of doing this would be to issue a Press Release to every local paper in the country.

In response to a question as to whether the responses will be published, Mr Inman said a summary of the consultation will be produced.

The Chairman asked if members wished for a block response to be submitted by IFCA or whether members wished to submit individual responses. Mr Lumb suggested that it would be most practical and helpful for officers to set out as factually as possible the evidence they think is relevant to the various questions and Dr Atkins agreed to produce a factual briefing and overview of facts to assist members in completing the questions.

Councillor Byram proposed that the NWIFCA should submit one block response from the Authority as well as individual responses from members. The proposal was seconded by Dr Clark. Following a vote of 5 for and 8 against the motion was rejected.

The Chairman brought the discussion to a close and thanked Mr Inman on behalf of NWIFCA for his presentation.

RESOLVED

1. That members submit their own reply to Defra for the call for evidence.
2. The Chief Executive compiles some factual information to assist members in drafting their submission to Defra.

245 ADJOURNMENT OF MEETING

The Chairman proposed an adjournment until 1300 hours and this was agreed.

246 MEETING RECONVENED AT 1300 HOURS

247 QUARTERLY REPORT (Agenda Item 12)

The Head of Enforcement reported the main period of activity during the quarter was on nephrops in the north of the District in April. Cockle stocks remain low within the District and there have been no reports of prospecting or gathering. The level of mussel fishing remains low but there has been interest from industry in 4 areas highlighted in the report. At its meeting in May the TSB Sub-Committee agreed that the Authority should start to request returns under paragraph 21 of Byelaw 3. Officers will write to all Byelaw 3 permit holders to inform them of this requirement.

A mussel bed was located on the Duddon last October which raised issues about classification, access to the fishery and monitoring. Following the required sampling regime the bed was classified 'B' in May. Officers have liaised with National Trust with regard to access as this is through a nature reserve and is a sensitive area because of natterjack toads and also possible erosion of the track. Officers have monitored the bed and the initial effort was light. A transfer of activity from Foulney to the Duddon has been noticed.

Mrs Butler voiced concerns that due to spawning of the mussel at Hard Acre there have been fatalities as the mussels have not been able to withstand the transport. She asked why the seasonal closure byelaw for mussels between the end of April and end of August, which was in force in the Cumbria SFC District, had not been incorporated into the new Byelaw 3. She felt there would not be a sustainable fishery if the shellfish are not allowed to spawn and rejuvenate and pointed out the rule of the genuine local fishermen is to fish for shellfish in winter and for finfish and shrimps in summer. Mrs Butler suggested that a future review of Byelaw 3 should include a closed season for mussels. Mr Deary said he was not aware of a size mussel fishery having been closed in the past and Mr Dobson confirmed that Cumbria SFC had never had such a byelaw. The Chairman suggested this should be a matter for further discussion by the TSB Sub-Committee.

Ms Knott drew attention to the report from the IFCO covering North Morecambe Bay and the reference to inspection of lobsters that were carrying berries. She asked if this matter could also be referred to the TSB Sub-Committee as Officers were also looking at a review of the lobster byelaw.

Mr Jones raised a query in respect of the Byelaw 3 returns and asked if the Authority is able to suspend permits for not filing returns. Mr Deary said it was likely suspension of a permit could only be carried out by a court following prosecution.

RESOLVED

1. The report be received.
2. The question of a closed season for mussels be referred to the TSB Sub-Committee for further discussion.
3. A review of the lobster byelaw be referred to the TSB Sub-Committee for further discussion.

248 REPORT ON TSB SUB-COMMITTEE MEETING HELD ON 2ND MAY 2014 (Agenda Item 13)

The Chairman of the sub-committee, Mr R. Graham, presented a verbal report. Items discussed included the Morecambe Bay Hybrid Fishery Order, Byelaw Review, Use of track record for management of the seed mussel fishery at South America, Science Plan and a Summary Report which included a draft Biosecurity plan. There had also been a presentation by the PhD student working on the jointly funded CMACS, Liverpool University and NWIFCA project on the sustainability of fisheries in the North West.

Sustainability PhD Presentation. This was an interesting presentation on the project findings over the last 18 months. Members were concerned that fishermen felt their voices were not being heard and some of their concerns were not being addressed. In an attempt to address those concerns NWIFCA is now holding regular liaison meetings. It was felt the report needed updating and that a final report should be presented to the sub-committee.

Morecambe Bay Hybrid Fishery Order. The sub-committee now feels that a Morecambe Bay Hybrid Fishery Order could prove too costly and that many of the measures proposed under the Order can already be done under Byelaw 3. It was agreed that advice should be sought from Defra on whether the alternative of a review of Byelaw 3 to apply certain conditions across the whole District could have merit.

Byelaw 2: Restriction on Vessel Size. Mr Graham reminded members that this item had been withdrawn from today's Agenda. Further discussion on the byelaw will take place at the next TSB Sub-Committee and a further version presented to the next meeting of the Authority.

Use of Track Record. There is uncertainty at present whether a substantial fishery will occur this year on South America. Transshipping at sea has historically taken place but MMO have now advised this activity is illegal under EU legislation.

Science Plan. Ms Knott had updated members on the ongoing work of the Science Team. It had been suggested that ways of securing external funding and partnership working should be investigated.

Science Team Summary Report. The application for authorisation to conduct a mussel dredge trial in the channel between Foulney and South America had not been progressed as officers are awaiting contact from the applicant in order to assess the extent and distribution of the stock.

RESOLVED

The report be received.

249 SCIENCE REPORT

The Senior Scientist reported that a number of the items in the report had already been discussed under other items on the Agenda.

Survey and Fisheries Work

Cockles. Cockle stocks are low throughout the District. Stock surveys will be carried out following any reports of substantial recruitment.

Mussels

South America. Officers will be carrying out a survey of the South America mussel bed next week. Much of this mussel bed has sanded over and it is unclear whether there will be a fishery there. If a fishery is possible Officers will need to conduct a habitats assessment to formulate a plan for managing the vessels and to look at track records before issuing authorisations.

Heysham Flat. This bed has had a good settlement and the area will be surveyed with WLT marine graduates during the summer.

Fleetwood Beds. IFCO S. Brown has reported signs of an early mussel spat settlement on one of the Fleetwood beds and a further inspection will be carried out shortly.

Hilbre Island – Dee Estuary. An inspection of the mussel bed at Hilbre Island was carried out following interest from industry. The survey found a small area of old and barnacled mussels and it was felt that hand-gathering would strip the bed and would not be of a sustainable nature. Wirral Council has regulations in place for protection of the mussel bed.

Cumbria Coast MCZ Inspection 1. Officers carried out an inspection of the northern extent of the Cumbria coast MCZ including St. Bees Head where concerns of birds becoming tangled in nets had been reported. This matter will be discussed further by the TSB Sub-Committee to see if management measures are needed for the area.

Project Work

European Marine Sites – Review of Fisheries Management. A major part of the science team's work is a review of fisheries management in European marine sites. Ms Leadbeater is working on prioritisation of the different gear interactions. Officers are conscious of having an audit trail so there is justification for the decisions the Authority is making. More information is required on fishing activity for the beds needing to go through to full appropriate assessment. A pilot scheme of recording activity levels on bait collection is being trialled with IFCOs and feedback is awaited. Following comments from IFCOs this type of reporting will be rolled out for other activities such as netting and potting.

MCZ Designation. Tranche 2 proposed sites were announced earlier this year. Three sites have been proposed in the North West although there is only one site wholly within the NWIFCA District. Officers have been carrying out meetings to make stakeholders aware of the three sites that are going forward for designation. The proposed sites are Allonby Bay – within the NWIFCA District; West of Walney which straddles the 6 to 12 nm limits and will require joint management between the MMO and NWIFCA; and Mud Hole which is solely outside the NWIFCA District and will not come under its management remit. There are likely to be fishermen who live within our District who will be impacted by the latter two sites where management measures will be brought in with some restriction on fishing.

Morecambe Bay Hybrid Fishery Order. No response has been received from Defra and Officers will follow this up. The TSB Sub-Committee will further discuss this matter.

Project Inshore. Concerns were raised by IFCA's on the content of the draft report. Comments have also been made by Seafish, NE and MSC. The Project Inshore tea will produce a further draft once they have assimilated those comments.

Biosecurity Plan. Scientific Officer Ms Temple reported that the plan is almost in its final stages and a copy is available for any member wishing to see this. Feedback from members would be useful to see if the content and structure are right and if the practicalities of what is suggested are reasonable.

RESOLVED

The report be received.

250 CHIEF EXECUTIVE OFFICER REPORT (Agenda Item 15)

The Chief Executive reported on the following items

EMS programme and Byelaw 6. This byelaw has been confirmed and is now in force.

Officer and Member Changes. The application for an apprentice to be based in Whitehaven is proceeding.

AIFCA. The AIFCA met in March and discussed future IFCA funding, the Government's marine protected areas programme, development of an inshore vessel monitoring system and Project Inshore. The next meeting is on 17th June and Dr Atkins will report on that meeting in September.

Procurement of main patrol vessel replacement. A combined meeting of the Vessel and Finance Sub-Committee met on 28th April to consider a number of options for replacing 'Solway Protector'. The presentation to that meeting is attached at Annex C of the report. It is hoped to carry out further research into available vessels next week and once the specification has been agreed it is hoped the procurement process can be progressed.

RESOLVED

The report be received.

251 ANY OTHER BUSINESS

European Commission proposal to prohibit all EU drift net fishing.

Mrs Owen raised concerns on the proposal to prohibit drift net fishing in EU waters. The Chief Executive said the proposed ban is aimed at fisheries and protection of by-catch in the Mediterranean and a netting ban is not needed in UK waters. Members can make their comments or views known to Defra if they wish. Comments on the proposals are requested before the end of June.

The Chairman suggested that the proposals should be referred to the TSB Sub-Committee for further discussion and this was agreed

RESOLVED

The EC proposal to prohibit all EU drift net fishing be referred to the TSB Sub-Committee for further discussion.

There being no further business the Chairman thanked members for attending and declared the meeting closed at 1405 hours.