

AT A MEETING OF THE NORTH WESTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY held at Morecambe Town Hall, Morecambe on Friday, 20th September 2013

PRESENT - MEMBERS

Dr J. A. Clark	(Chairman)	MMO appointee (Marine Science)
Councillor L. Beavers		Lancashire County Council
Mr R. Benson		MMO appointee (Fishing Industry – North West)
Councillor K. Brown		Lancashire County Council
Mr B. Crawford		MMO appointee (Anglers and Recreation)
Mr W. Darbyshire		Environment Agency (Officer)
Prof C. Frid		MMO appointee (Marine Science)
Mr R. Graham		MMO appointee (Commercial)
Mr D. Grunshaw		MMO appointee (Shellfish aquaculture)
Councillor J. J. Kelly		Sefton Council
Mr C. Lumb		Natural England (Officer)
Councillor A. J. Markley		Cumbria County Council
Mrs M. R. Owen		MMO appointee (Fishing Industry – North West)
Ms C. Reed		MMO appointee (Marine Science/Conservation)
Mr N. Robinson		MMO (Officer)
Ms P. Taylor		MMO appointee (Marine environment)
Mr C. J. Woods		MMO appointee (Fishing Industry – North West)

OFFICERS

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

IN ATTENDANCE

Mr S. Benson	Lancashire County Council
Mr C. Clayton	Wirral Council
Mr I. Marshall	Cheshire West and Chester Council
Mr D. McAleavy	Sefton Council
Mr R. Proudfoot	Environment Agency
Mr S. Garner	Environment Agency
Ms H. Ake	Natural England
Ms E. Baxter	North West Wildlife Trust
Mr J. Holt	North West Wildlife Trust
Ms R. Wright	North West Wildlife Trust

APOLOGIES

Councillor T. Beaumont	Liverpool City Council
Mrs J. Butler	MMO appointee (Shellfish sector)
Councillor M. Byram	Cheshire West and Chester Council
Mr D. Clarke	MMO appointee (Fishing Industry – Cumbria)
Councillor G. Coleman	Blackpool Borough Council
Mr D. T. Dobson	MMO appointee (Anglers and Recreation)
Councillor P. Glasman	Wirral Council
Councillor R. Hignett	Halton Borough Council
Mr T. Jones	MMO appointee (Commercial/aquaculture)
Councillor K. Little	Cumbria County Council
Mr A. Maltby	MMO appointee (Fisheries Management)
Mr J. D. Murphy	MMO appointee (Marine)

179 CHAIRMAN'S ANNOUNCEMENTS (Agenda Item 1)

1. The Chairman welcomed new members Councillor L. Beavers (Lancashire) and Ms P. Taylor (MMO).
2. Agenda Item 7 – Byelaw 6: Protection for European Marine Site Features. An amended version of the byelaw and an Addendum to the report were tabled.
3. Agenda Item 10 – Quarterly Report. Annex A to the report from the Master of the 'Solway Protector' was omitted from the report. This had been tabled
4. The Chairman announced one item of Any Other Business. This related to NWIFCA Patrol Vessel Procurement and a report had been tabled. With Members' permission this would be taken under Agenda Item 15.

180 DECLARATIONS OF PECUNIARY AND NON-PECUNIARY ITEMS IN AGENDA ITEMS (Agenda Item 2)

Agenda Item 7. To make the new Byelaw 6: Protection for European Marine Sites. Mr R. Graham, Mrs M. R. Owen, Mr C. J. Woods.
Agenda Item 13. Wind Farms in the District. Mrs M. R. Owen.

181 TO RECEIVE MINUTES OF THE NORTH WESTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY MEETING HELD ON 14TH JUNE 2013 (Agenda Item 3)

Mr Brian Crawford asked that his title be given as Mr in future minutes and not Councillor and this was agreed.

RESOLVED

Following an amendment to record member Brian Crawford as Mr rather than Councillor, the minutes of the NWIFCA Annual Meeting held on 14th June 2013 be approved and signed as a correct record.

182 MATTERS ARISING (Agenda Item 4)

Minute 174 (Science Report). It was reported that consultation on the National Grid North West Coast Connections had been delayed from the autumn until early next year. Although the Authority had not been asked to make representation on the proposals members should be kept aware of developments.

183 REPORT ON TECHNICAL, SCIENCE AND BYELAW SUB-COMMITTEE MEETING HELD ON 16TH AUGUST 2013 (Agenda Item 5)

The Chairman of the Technical, Science and Byelaw Sub-Committee (TSB), Mr R. Graham, presented a verbal report. Items discussed, some of which appeared elsewhere on today's Agenda, included the proposed byelaw for protection of EMS features, razor clam fishery, EU bass management, hand gathering of non-regulated bivalves at Leasowe and a review of the Foulnaze cockle fishery.

Proposed byelaw for the protection of EMS features. Mr Graham drew members' attention to the main points of the discussion and the reasons behind the decisions and recommendations, which were included in the tabled draft byelaw.

Razor clam project. This project is still under consideration and trials in Liverpool Bay will go ahead as soon as possible.

EU Bass Fishery Management. Bass is not subject to a quota at present but the French interests are lobbying the EU to set a Bass TAC. This would be disadvantageous to the North West bass fishery which is lucrative, sustainable and buoyant and should be protected. The TSB has agreed that European MPs should be invited to meet with the IFCA to gain a better understanding of the inshore fisheries and conservation issues facing their constituents.

Seed Mussel Dredging in Morecambe Bay. Concerns over seed mussel dredging had been raised under Any Other Business. Members were informed that discretionary authorisation had been given to a number of mainly Northern Irish and Welsh vessels, to dredge for seed mussel in Morecambe Bay. Concerns were raised that some vessels had fished outside the designated area and could damage the skear. Mrs Owen asked if authorisations could be limited by requiring applicants to prove a five year track record before authorisation is given. The Senior Scientist pointed out there was no evidence to suggest the activity is damaging the seabed. A variety of conditions had been placed on the authorisations to ensure the NWIFCA was taking the precautionary approach to minimise any risk to the skear. Officers were also in liaison with officials from other agencies both in England and Northern Ireland to monitor the catch. Until the Fishery Order was in place the NWIFCA had no mechanism for restricting authorisations.

Mr Brown (Senior IFCO) said the former North Western and North Wales Sea Fisheries Committee had a policy that in years when stocks of seed mussels were smaller, authorisations were issued to people re-seeding within the District first. He asked if a similar discretionary policy could be put in place to protect local interests. Mr Woods informed members there was little re-laying of seed mussel in England apart from at Barrow.

Mr Graham pointed out that the issue of seed mussel dredging had been raised under AOB with no supporting report. He suggested that if the situation had changed a report should be submitted to the TSB for further discussion. Prof Frid said he supported that suggestion in terms of the specifics and echoed the comments made by Ms Knott about evidence around this particular fishery but that members should not lose sight of the bigger issue that as an IFCA our power to manage shellfisheries are constrained. IFCA should still be pursuing with Defra the ability to discharge its full responsibilities through having effort control as a mechanism we can use for fisheries management.

RESOLVED

1. The report be received.
2. Seed mussel dredging in Morecambe Bay be referred to the Technical, Science and Byelaw Sub-Committee for further discussion.

184 REPORT ON MEETING OF FINANCE SUB-COMMITTEE HELD ON 20TH SEPTEMBER 2013 (Agenda Item 6)

The Chairman of the Finance Sub-Committee, Councillor Markley, presented a verbal report on the meeting of the Finance Sub-Committee held earlier that morning. Items discussed included the preliminary discussion on the levy and budget for 2014-15, purchase of new patrol boat and discussion of insurance claims on a court case. The Sub-Committee had agreed that a pre-budget meeting to discuss the levy was necessary and Officers from the councils should also be invited to attend that meeting to help them gain a better understanding of how the IFCA is financed.

RESOLVED

The report be received.

The Chief Executive stated that the byelaw had been circulated to members 14 days before the meeting to comply with the byelaw making requirements of the Marine and Coastal Access Act. Since that time minor amendments had been made and a new version had been tabled, together with an Addendum. Natural England has provided new data on the distribution of seagrass in the area of Roa Island with a request that the area is included in the proposed byelaw to protect it from damaging activities. Officers recommended that the byelaw be made as drafted with the addition of the new seagrass data. Users had already been informed that the new area had historically contained seagrass so the byelaw guidance was complied with. The byelaw can be reviewed and re-made in 2014/15 if more data is received that indicate more amendments are needed. A further option is to ask Defra for further time to collect data and confirm the areas but it is felt Defra will be reluctant to agree to any delay.

Mrs Owen asked if the word equipment in paragraph (c) could be removed as the use of trailers could be interpreted as being equipment. The use of a trailer is essential for some fisheries. The Chief Executive agreed to check the point again with MMO, also the wording being used in the byelaws being made by the other IFCAS.

Ms Reed raised concerns about the removal of Lune Deep from the byelaw. She asked if there could be a management plan for this particular red risk feature or perhaps a secondary byelaw. The Chairman informed members that the TSB had decided there was not sufficient evidence for bringing in a byelaw at this time.

Mr Lumb thanked officers for the considerable amount of work they had put into this byelaw and provided background to the NE guidance for each of the sites. With the Solway Firth EMS, NE had pulled together available evidence which gave a good indication of the variability of the area. On the basis of the evidence produced the proposal in the byelaw is sensible. With respect to the Morecambe Bay EMS, the Natural History Museum had carried out some work on the seagrass beds some years ago and more recently APEM have carried out work for United Utilities. NE carried out a recent survey of the area, which was also attended by an IFCA science officer. The survey confirmed the bed between Foulney and Roa Island and the proposed boundary covers those areas. It also confirmed the presence of a small but high quality bed on the east side of Foulney Island at Slitch Bay. This was in the original proposals and NE feels strongly it should be included. With respect to the other areas, NE is very supportive of the changes to the Heysham Flat *Sabellaria alveolata* reef and there is no change to the Dee Estuary EMS Hilbre Island proposals. The Shell Flat and Lune Deep SAC reef has been removed from the byelaw. NE provided advice based on its standard guidance for buffers and it is not felt practical to extend that without significantly impacting on the fisheries in the area. A practical management solution has not been found and as a consequence, rather than agreeing something impractical or over-precautionary the IFCA has referred the matter to the Exceptions Board.

Prof Frid proposed the byelaw be made with the addition of the seagrass bed in the Roa Island area. The byelaw will be reviewed in two years' time and any new evidence for Lune Deep can be addressed at that time. IFCO Brown suggested it be minuted that should there be a significant increase in the use of twin beam trawls in Lune Deep IFCA would review the situation as a matter of importance.

Mr Lumb raised a point from the TSB Sub-Committee report concerning collaboration on a science and research plan. The action from the sub-committee was to get NE and TSB members together to see what science evidence gathering is being done, what the needs are and how to fill the gaps collaboratively. He suggested the IFCA needed to move that action in terms of obtaining evidence needed to inform the IFCA.

The Chairman reminded members of the motion by Prof Frid that the byelaw be made and the proposal was seconded by Mr Lumb. Following a vote the motion was carried unanimously.

RESOLVED

1. The report be received.
2. The Chief Executive be asked to write to Defra with a report on discussions at today's meeting and requesting clarification on wording used by other IFCA's on the interpretation of equipment referred to in paragraph (c) of the byelaw.
3. The Authority 'make' Byelaw 6 as circulated to Members with the Notice and Agenda of this meeting in accordance with sections 155 and 156 of The Marine and Coastal Access Act 2009 with the minor amendments agreed and inclusion of the additional seagrass beds in North Morecambe Bay.
4. The byelaw now 'made' is

NWIFCA BYELAW 6

PROTECTION FOR EUROPEAN MARINE SITE FEATURES

Interpretation

1. In this byelaw:
 - a) 'the Authority' means the North Western Inshore Fisheries and Conservation Authority as defined in articles 2 and 4 of the North Western Inshore Fisheries and Conservation Order 2010 (SI 2010 No. 2200);
 - b) 'the District' means the North Western Inshore Fisheries and Conservation District as defined in articles 2 and 3 of the North Western Inshore Fisheries and Conservation Order 2010 (SI 2010 No. 2200).
 - c) 'specified areas' means the areas defined in the Schedule.
 - d) "bottom towed fishing gear" means any fishing gear or equipment which is capable of being towed, dragged or moved along the seabed including any fishing dredge, beam trawl or otter trawl;
 - e) 'Scientific sampling gear' means any scientific sampling equipment taking samples from the seabed.
2. Co-ordinates used in this byelaw are measured from WGS 84 datum. The WGS 84 means the World Geodetic System revised in 1984 and 2004.

Prohibitions

3. No person shall use any bottom towed gear or scientific sampling gear in the specified areas except with the written permission of and using gear approved by the Authority.
4. Bait collection and hand worked fisheries are prohibited at all times in the Morecambe Bay EMS seagrass beds closed area.

Schedule

'The Solway Firth EMS *Sabellaria alveolata* reef closed area' means the area enclosed a line connecting the following points A,B,C,D, E in order and returning to Point A along the line of MHW, as shown in Figure 1:

Point A 54° 49.01' N 3° 25.69' W
 Point B 54° 49.01' N 3° 27.95' W
 Point C 54° 48.66' N 3° 28.52' W
 Point D 54° 47.00' N 3° 27.42' W
 Point E 54° 47.00' N 3° 25.96' W

'The Morecambe Bay EMS seagrass beds closed areas' means the separate areas enclosed by: a line connecting the following points F, G, H, I in order and returning to Point F along the line of MHW; a line connecting the following points K, L, M, N in order and returning to Point K; and a line connecting the following points O, P, Q, R in order and returning to Point O along the line of MHW, as shown in Figure 2:

Point F 54° 04.46' N 3° 10.39' W
 Point G 54° 04.46' N 3° 10.30' W
 Point H 54° 04.34' N 3° 10.27' W
 Point I 54° 04.42' N 3° 09.82' W

 Point K 54° 04.37' N 3° 12.82' W
 Point L 54° 04.40' N 3° 12.18' W
 Point M 54° 04.08' N 3° 12.14' W
 Point N 54° 04.06' N 3° 12.77' W

 Point O 54° 05.87' N 3° 11.25' W
 Point P 54° 05.45' N 3° 12.34' W
 Point Q 54° 04.79' N 3° 10.72' W
 Point R 54° 04.91' N 3° 10.41' W

'The Morecambe Bay EMS Walney Channel boulder and cobble reef closed area' means the area enclosed by a line connecting the following points A, B, C, D, E in order and returning to Point A, as shown in Figure 2:

Point A 54° 04.97' N 3° 12.28' W
 Point B 54° 04.40' N 3° 10.44' W
 Point C 54° 04.32' N 3° 10.39' W
 Point D 54° 04.20' N 3° 10.56' W
 Point E 54° 04.82' N 3° 12.44' W

'The Morecambe Bay EMS Heysham Flat *Sabellaria alveolata* reef closed area' means the area enclosed by a line connecting the following points A, B, C, D, E in order and returning to Point A, as shown in Figure 3:

Point A 54° 03.43' N 2° 55.23' W
Point B 54° 03.70' N 2° 54.56' W
Point C 54° 03.70' N 2° 54.30' W
Point D 54° 03.19' N 2° 54.30' W
Point E 54° 03.19' N 2° 55.16' W

'The Dee Estuary EMS Hilbre Island *Sabellaria alveolata* reef closed area' means the area enclosed by a line connecting the following points A, B, C, D in order and returning to Point A, as shown in Figure 4:

Point A 53° 22'.94N 3° 13'.87W
Point B 53° 23'.02N 3° 13'.74W
Point C 53° 22'.58N 3° 13'.05W
Point D 53° 22'.52N 3° 13'.14W

Explanatory Note
(This note does not form part of the Byelaw)

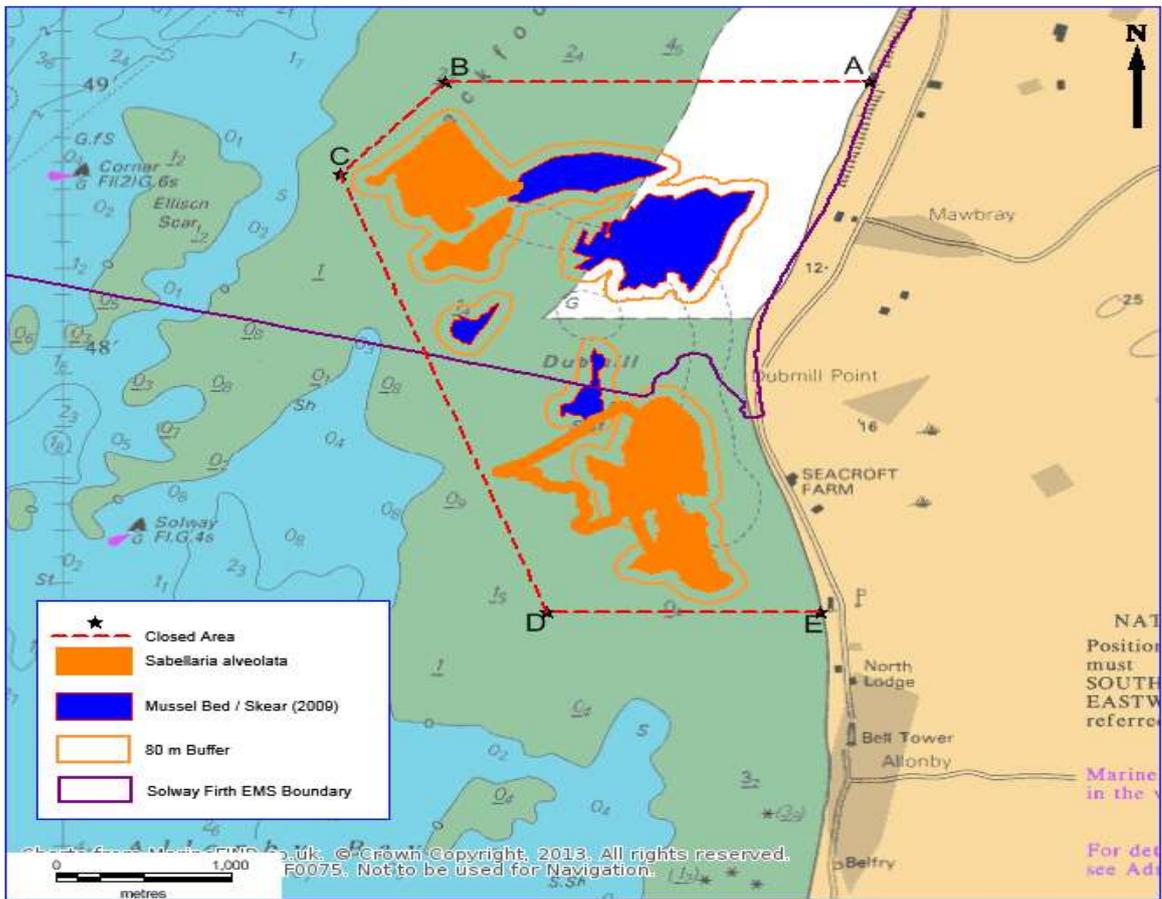
This byelaw prohibits the use without written consent from the NWIFCA of all towed fishing gear or scientific sampling equipment in parts of European Marine Sites (EMS) in the NWIFCA District which contain features of conservation importance. Protection is required to ensure compliance with the Habitats Directive.

The specified areas closed by this byelaw are defined in the Schedule to this byelaw.

The specified areas are identified, for illustrative purposes only, on the maps in Figures 1-4.

North Western Inshore Fisheries and Conservation Authority
 Byelaw 6 Protection for European Marine Site Features

Figure 1. The Solway Firth EMS *Sabellaria alveolata* reef closed area



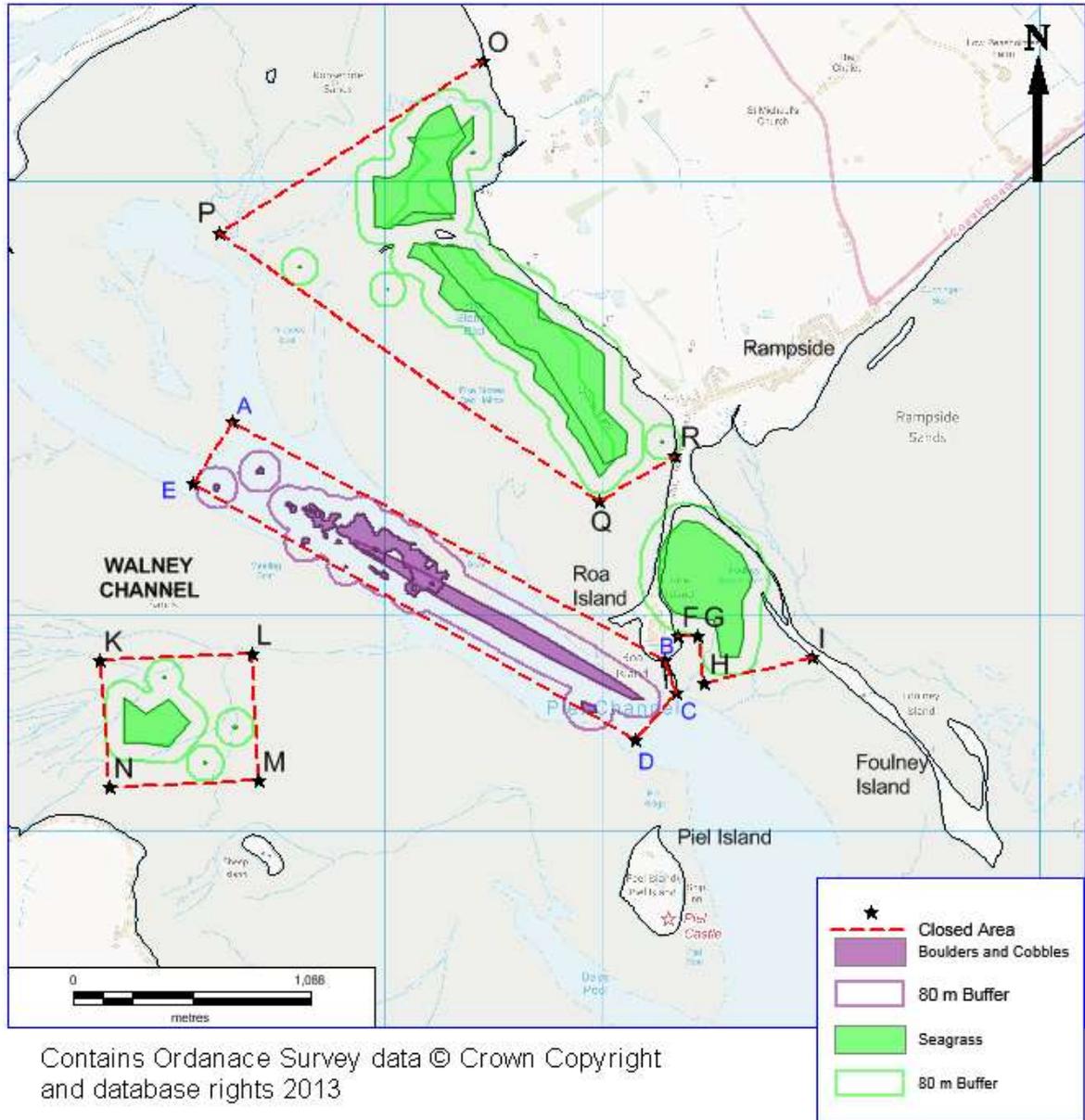
Coordinates

A	54° 49.01' N	3° 25.69' W
B	54° 49.01' N	3° 27.95' W
C	54° 48.66' N	3° 28.52' W
D	54° 47.00' N	3° 27.42' W
E	54° 47.00' N	3° 25.96' W

This map is for illustrative purposes only
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North Western Inshore Fisheries and Conservation Authority
 Byelaw 6 Protection for European Marine Site Features

Figure 2. The Morecambe Bay EMS seagrass beds closed area and Walney Channel boulder and cobble reef closed area

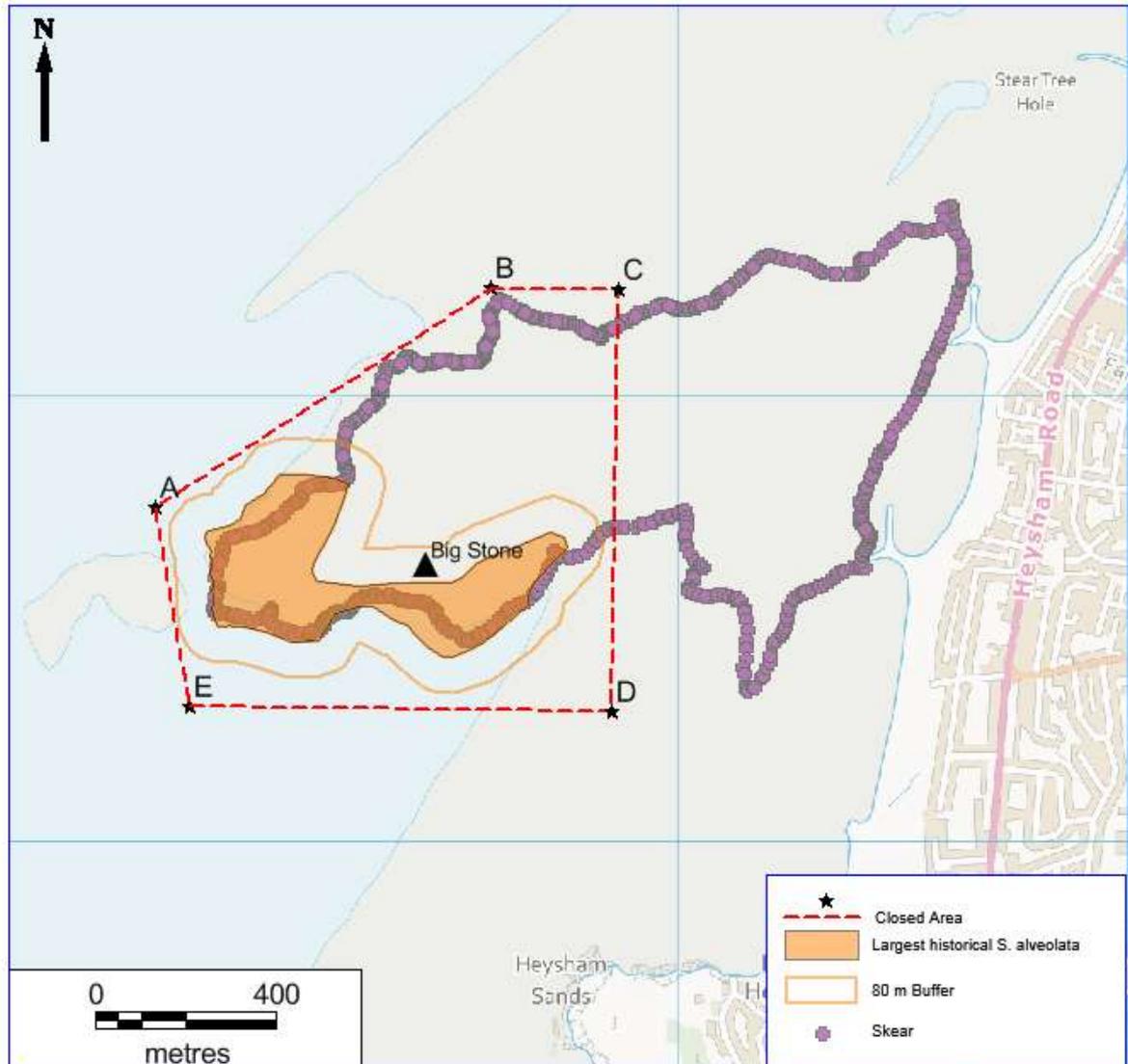


Coordinates	
A 54°04.97'N 3°12.28'W	K 54°04.37'N 3°12.82'W
B 54°04.40'N 3°10.44'W	L 54°04.40'N 3°12.18'W
C 54°04.32'N 3°10.39'W	M 54°04.08'N 3°12.14'W
D 54°04.20'N 3°10.56'W	N 54°04.06'N 3°12.77'W
E 54°04.82'N 3°12.44'W	
F 54°04.46'N 3°10.39'W	O 54°05.87'N 3°11.25'W
G 54°04.46'N 3°10.30'W	P 54°05.45'N 3°12.34'W
H 54°04.34'N 3°10.27'W	Q 54°04.79'N 3°10.72'W
I 54°04.42'N 3°09.82'W	R 54°04.91'N 3°10.41'W

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North Western Inshore Fisheries and Conservation Authority
 Byelaw 6 Protection for European Marine Site Features

Figure 3. The Morecambe Bay EMS Heysham Flat *Sabellaria alveolata* reef closed area



Contains Ordnance Survey data © Crown Copyright and database rights 2013

Coordinates

A	54° 03.43' N	2° 55.23' W
B	54° 03.70' N	2° 54.56' W
C	54° 03.70' N	2° 54.30' W
D	54° 03.19' N	2° 54.30' W
E	54° 03.19' N	2° 55.16' W

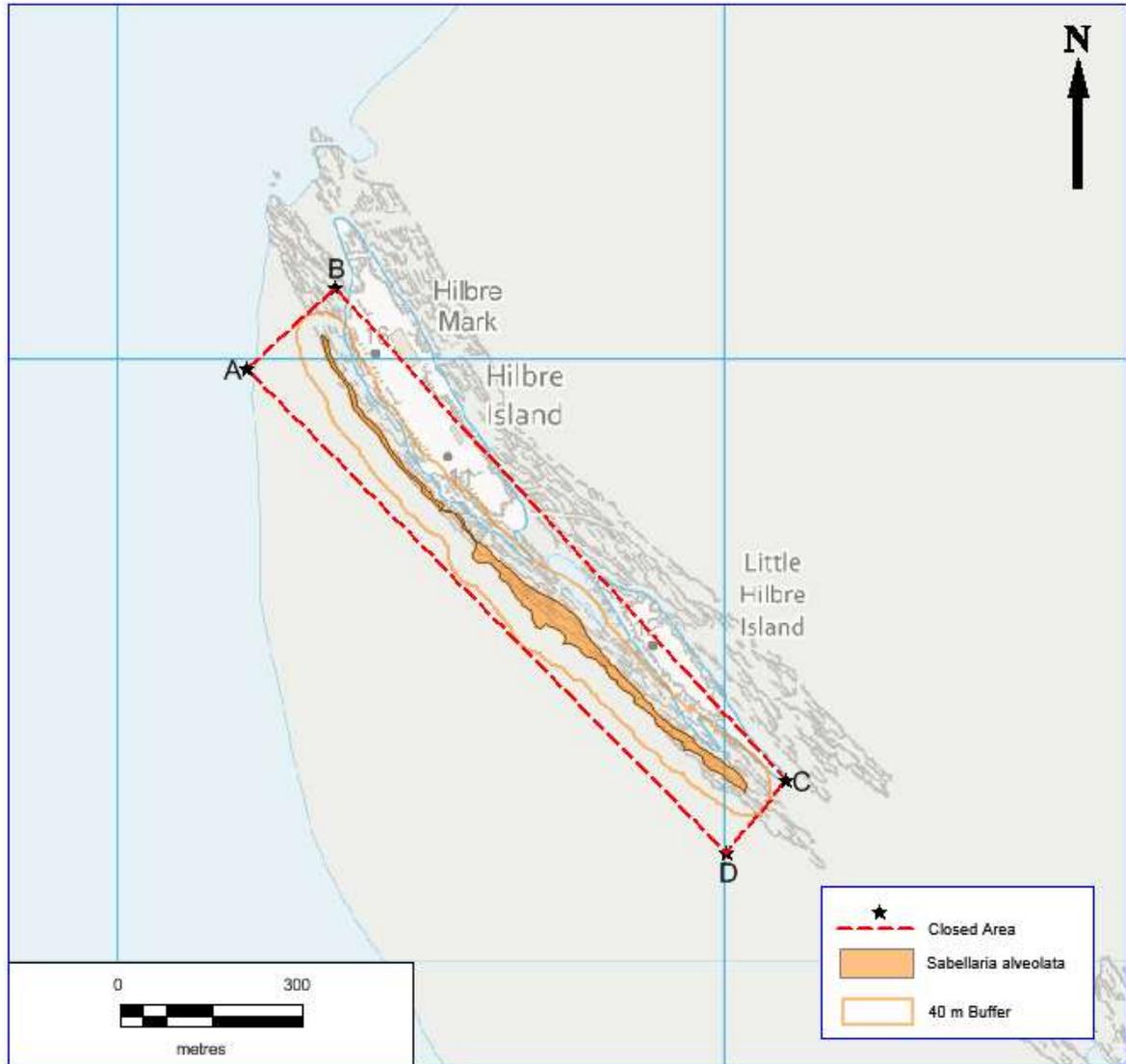
This map is for illustrative purposes only

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North Western Inshore Fisheries and Conservation Authority
 Byelaw 6 Protection for European Marine Site Features

Figure 4. The Dee Estuary EMS Hilbre Island *Sabellaria alveolata* reef closed area



Contains Ordnance Survey data © Crown Copyright and database rights 2013

Coordinates

A	53° 22.94' N	3° 13.87' W
B	53° 23.02' N	3° 13.74' W
C	53° 22.58' N	3° 13.05' W
D	53° 22.52' N	3° 13'.14' W

This map is for illustrative purposes only

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The Finance Officer took Members through the 3 items in the report, all of which needed a minute recorded for audit purposes.

Budget Review to 31st July 2013. Overall spending is within budget, the only item of overspend being under Support Services due to legal fees for an ongoing case. Approval of the Budget Review was proposed by Councillor Markley and seconded by Councillor Kelly.

RESOLVED

The budget review to 31st July 2013 be approved.

Annual Return for NWIFCA for the year ended 31st March 2013. In the Audit for the year ended 31st March 2013 the Auditor has raised an issue that the IFCA did not minute the Risk Assessment as being reviewed within the financial year. The Auditor has been informed this was because the March meeting had been cancelled due to adverse weather conditions and the Risk Assessment had been minuted at the re-scheduled meeting in April but the Auditor has recorded this as a failure to comply with requirements. The Finance Officer has drawn up an Action Plan to review the Risk Assessment at the December meeting each year to avoid this issue arising in future. Approval of the completed Annual Return for NWIFCA for the year ended 31st March 2013, the Issues Arising Report for NWIFCA Audit for the year ended 31st March 2013 and Action Plan were moved by Councillor Markley and seconded by Mrs Owen.

RESOLVED

1. The completed Annual Return for NWIFCA for the year ended 31st March 2013 be approved and accepted.
2. The Issues Arising Report for NWIFCA Audit for the year ended 31st March 2013 be noted and the Action Plan approved.

Insurance Claims. Mrs Atkins reported that the only insurance claim related to an ongoing case. Any member wishing to know further details should speak to the Chief Executive privately after the meeting.

RESOLVED

The Insurance Claims be noted.

Mr Woods raised a query on the Financial Report under Income from Byelaw 3 permit fees and asked about the situation regarding the number of permits issued. The IFCA had never addressed the level at which the number of permits would be set and Mr Woods asked how low the number of permits renewed would be allowed to reduce before a threshold would be set. The Chief Executive said the number had not been fixed. Permit holders had a year in which to renew their permit. Mrs Owen suggested it was not reducing through natural wastage and pointed out that older, long term fishermen feel they have been forgotten and penalised and many of them have not taken out or renewed their permits because they consider they're getting nothing in return. She was under the impression the permit fee had been introduced to help make the fishery sustainable and did not feel that IFCA should rely on the income from permit fees. Councillor Markley said it is a difficult issue which had been highlighted at the Finance Sub-Committee and which will need to be addressed.

Mr Brown (Senior IFCO) suggested that although Byelaw 3 has addressed many of the problems the best way forward is for some aspects of the byelaw to be reviewed by the TSB. Dr Atkins said it is hoped to review the byelaw in 2014 in conjunction with the

Morecambe Bay Fishery Order. There were a number of improvements to the byelaw which would need to be addressed.

RESOLVED

1. The report be received.
2. The TSB be asked to carry out a review of Byelaw 3 in 2014.

187 CHANGE IN ORDER OF AGENDA

The Chairman announced a change in the order of Agenda to take Items 10 and 15 next and this was agreed.

188 QUARTERLY REPORT (Agenda Item 10)

The Head of Enforcement reported that major enforcement issues during the quarter were the opening of the Foulnaze cockle bed, Foulney mussel fishery, the Heysham Bass Nursery area and shellfish gathering issues at Leasowe.

Mrs Owen raised concerns about the mussel fishery at Heysham and allocation of permits for quadbikes by Lancaster City Council. Local fishermen applying for permits had been told all permits had been issued to Welsh fishermen and local fishermen could not work the bed. She pointed out there was a multi-agency group for Foulnaze and suggested Lancaster should form part of such group. The Senior Scientist informed Members that Lancaster is already part of a multi-agency group but this did not meet in the same way as the Foulnaze group. Officers have had a lot of representation from fishermen over this issue and it was suggested that the fishermen should liaise with the council on this.

Mr Graham raised a point on the comments in page 2 of the report under netting concerning clarification with the industry as to the responsibility of enforcing UK licensed vessels and Registered Buyers and Sellers. He was unsure what the problem was with interpretation of that point. Mr Deary said the problem was with where the responsibility for enforcing different legislation lies. Members agreed that this issue should be referred for discussion by the TSB along with the review of netting byelaws.

RESOLVED

1. The report be received.
2. The issue of enforcement of local and national legislation in connection with buyers and sellers regulations be referred to the TSB for further discussion.

189 ANY OTHER BUSINESS (Agenda Item 15)

NWIFCA PATROL VESSEL PROCUREMENT

The Chief Executive reminded members of the report tabled in respect of this item. Lancashire County Council has agreed to purchase the vessel on behalf of the council and lease it back to the NWIFCA. The procurement is of a size that must comply with EU tender standards and the council has appointed a Procurement Officer to deal with the tender process. Dr Atkins took members through the proposed timescale for the tender which gives a commencement date for the contract of 1st March 2014. Completion of the build is anticipated by spring 2016. Lancashire will set up a lease purchase scheme which will be funded by constituent councils according to their percentage of the levy.

Councillor Markley pointed out that the present vessel is 23 years old and not fit for purpose. With the IFCA looking a 2 to 2½ year built a decision was needed on arrangements for a vessel in the interim.

Mr H. Thinnesen (Master of the patrol vessel) said the patrol boat is a specialist vessel and it would not be easy to hire a suitable alternative. Members were reminded that the EA presentation to be given later in the meeting may provide some help with that process.

RESOLVED

1. The report be received.

190 ADJOURNMENT OF MEETING

The Chairman proposed an adjournment until 1330 hours and this was agreed.

191 MEETING RECONVENED AT 1330 HOURS

192 ENVIRONMENT AGENCY VESSEL PROCUREMENT AND MANAGEMENT (Agenda Item 9)

The Chairman introduced Mr Roger Proudfoot who would be providing members with a presentation on EAs vessel procurement and management processes.

Mr Proudfoot began by giving some background to his role and outlining the way that EA reviewed their contract arrangements for the vessels they use. A copy of the EA presentation is available from the Clerk.

Following the presentation there was an opportunity for questions.

Councillor Markley pointed out the Authority had made a decision on the type and size of vessel to replace 'Solway Protector'. He asked for confirmation that the Authority should move forward with continuing purchase of the agreed vessel. Councillor Markley suggested that the Chief Executive be asked to set up a small sub-group to investigate possible options available to lease or hire a vessel for the interim period until the new vessel is available and this was agreed. A report on the findings should be submitted to the Finance Sub-Committee for discussion. Any such investigations should include input from the Master of the 'Solway Protector'.

Prof Frid said the EA had reviewed its management processes and was offering collaborative working with the Authority which the IFCA should consider taking up. The Chairman suggested that while the IFCA appreciated the EA presentation on its procurement process and management policies, the IFCA needed to be reassured that any boat it uses in the interim period is suitable for its work. Mr Thinnesen said the EA catamaran is a purpose-built science boat and not suitable for patrolling out to 6 miles. Ms Knott pointed out that any replacement vessel will also need to be suitable for carrying out scientific work and she would be interested in investigating options for such vessels with EA.

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

RESOLVED

1. The report be received.
2. Members thanks to Mr Proudfoot for his presentation be recorded.

193 CHIEF OFFICER'S REPORT (Agenda Item 11)

The Chief Executive reported that a number of the items in the report had been covered elsewhere in the Agenda.

Current Policy Environment. The last year of New Burdens funding from Defra is due to end in 2014-15. This has provided 30% of IFCA funding over the last 4 years and IFCA's are discussing with Defra the possibility of their continuing this funding.

The Minister is under great pressure to get management in place for EMS and MCZ once designated and IFCA's feel there is a strong case for asking Defra to continue the funding. Defra budgets have not yet been set but an announcement is expected in October.

Other Byelaws. The Heysham Bass Nursery Areas (Byelaw 5) is now in force and generally compliance has been good. Work is continuing on a review of the netting byelaws.

Staff Changes. The Science and Communications Officer, Alasdair Lindop, left NWIFCA at the end of August and IFCO Joe Moulton is taking over the communications role. Interviews for the positions of Inshore Fisheries and Conservation Officer and Scientific Officer will be held next week.

RESOLVED

The report be received

194 SCIENCE REPORT (Agenda Item 12)

The Senior Scientist reported that a number of the items were covered under other items on the Agenda.

Survey and Fisheries Work

Cockles. Officers have been involved with facilitating and attending meetings on a regular basis to agree how the Foulnaze cockle fishery will be managed. There is some stock left on the bed and Officers have been approached by industry in different ways as to how to progress the fishery during the winter. All cockle beds are closed under Byelaw 13A, with the exception of Foulnaze which was closed and re-opened under derogation. The Science Team have not been able to survey all the cockle beds within the District. Following a report from the local officer of cockles around Roosebeck a survey of the area was carried out yesterday. A patch of cockles was found but which was not felt to be a commercial stock.

Morecambe Bay Mussel Beds

Heysham Flat Seed Mussels. Changes have taken place on this bed. Mussels have taken over and covered all the *Sabellaria alveolata* there. Officers will follow up the issues around beach access referred to earlier to see if some headway can be made on this for next year.

South America seed mussel dredging. Following agreement with industry a charge, based on vessel length, was introduced this year in line with proposals in the Morecambe Bay Fishery Order Management Plan. It was suggested that the TSB should be asked to discuss options for using the money generated from this fishery

Walney Channel mussel relaying trial. This is an ongoing relaying trial in an area of Walney Channel called Barrow 1. Mussels from the South America bed were relayed here in 2011 and a derogation has been issued to the operators to dredge for mussels in that area. The operators should provide a full report on the trial to the NWIFCA.

Project Work

Morecambe Bay Fishery Order. A further draft of the Order is awaited from Defra. Officers will chase this up next week. Officers met with representatives of Boughton Estate and Natural England earlier in the year to try to establish areas of common ground to take the

Order forward. A report on progress with the Order will be presented to the TSB Sub-Committee.

Communications. A stakeholder meeting was held on Walney Island in relation to EMS work. The meeting was well attended but IFCA received some criticism over the way it was organised. Officers have taken on board comments made in order to improve organisation of any future meetings.

In response to a request for an update on the Rossall sea defences work, Ms Knott informed members that MMO has issued the marine licence but they have requested that the IFCA agree to change the conditions it asked to be put into the marine licence around the use of limestone. Ms Knott has responded asking for the conditions to be left as they are as it is felt they are reasonable.

The Chairman brought the discussion to a close saying she would like to record Members' thanks to all Officers and staff of NWIFCA who have been under tremendous pressures to meet Defra deadlines and for the additional enforcement required. Members valued the way Officers work together as a team.

RESOLVED

1. The report be received.
2. Members' thanks be conveyed to all NWIFCA Officers for the additional work they needed to carry out in order to meet the Defra deadlines.

195 WIND FARMS IN THE DISTRICT (Agenda Item 13)

The Scientific Officer provided members with an update on wind farms within the District.

Burbo Bank. The proposed extension to this wind farm is now with the Planning Inspectorate, the next step being a public meeting to discuss the procedure for the plans. The IFCA will keep a watching brief and will submit a response at the appropriate time.

Walney Extension. Plans are currently with the Planning Inspectorate and a request for expressions of interest in the proposals closes today. NWIFCA has submitted an expression of interest but not registering such interest does not preclude a response being made at a later date.

Rhiannon. This proposal is further back in the process and is likely to go to the Planning Inspectorate sometime next year.

National Grid: North West Coast Connections. National Grid public consultation planned for September has been put back. NuGen is working on producing more detailed proposals and the consultation needs to wait for this work to be done. Officers are fully engaged in regular meetings and will deliver a full response at the appropriate time.

Mr Graham suggested when looking at wind farm developments in the Eastern sea board as far as the Irish Sea the IFCA should also look at developments in Scotland that could impact on the NWIFCA District. An extension to the Robin Rigg wind farm is proposed further north. Boats from the west coast fish the south west of Scotland and the proposed extension could have implications for those boats.

The Chairman asked the science officers to circulate members with details of consultations when preparing responses and this was agreed.

Councillor Markley raised concerns over fracking and suggested a report to a future meeting of the IFCA would be relevant in order for the Authority to understand what is happening with that issue. The Chairman said the Angling Trust and RSPB are calling for EA to become more closely involved in the regulations rather than the HSE because of

potential damage by that activity to water supplies. Mr Darbyshire (EA) was asked if he would be willing to make a presentation to the NWIFCA on the subject. The Chairman said she had a presentation prepared for a local group which could perhaps be combined with one from the EA.

Councillor Brown informed members that the drilling company Cuadrillo Resources is making a presentation at County Hall, Preston on 8th October. Further information can be obtained from that company if any member is interested in attending.

RESOLVED

1. The report be received.
2. A report on fracking be submitted to a future meeting of the NWIFCA.
3. The Environment Agency be asked to make a presentation on fracking.
4. Science Officers to circulate members with responses to consultations in future.

196 CFP FUTURE: DEFRA PRESENTATION AND DISCUSSION (Agenda Item 14)

Mr Neil Robinson (MMO) provided a presentation and update on the future of the Common Fisheries Policy. Key changes in the reformed CFP include firm dates to ban fish discards, a new process of decentralised decision making which will allow countries to work together regionally, and a commitment to fish at sustainable levels. Many of the issues and discussion points from the presentation are included in the extract from the latest issue of Fishing Focus attached to the minutes.

Following the presentation there was an opportunity for questions.

Mr Graham raised questions on the EMFF and on discards. Indications are that EMFF will not come on stream at the suggested date and it is not yet known who will receive the money. FLAG wish to handle the second tranche. On the question of discards Mr Graham provided information on allocation of quotas and what the discard ban would mean for fishermen. He felt there was still a lot of detail which was not yet available.

Mr Robinson said the EFF will carry over into next year, but projects will stop before the end of 2013. There will be a cross-over period and the new fund will start in a year's time. He agreed there is still a lot of work to be done on discarding in the next two years.

Mr Graham said FLAG has been talking to Cefas about the possibility of working with Cefas to run trials with specialist gear developed by Cefas that did not catch the unwanted species and which could avoid the problem of discards.

Mr Darbyshire asked with regard to the EMFF if there was any advantage in working together with Scotland and Wales to try and obtain more income for research and science. Mr Robinson said he didn't know how much was in the fund or how it would be allocated but thought it was intended mostly for fisheries. The IFCA could apply to the EMFF for funding for the patrol vessel. Ms Taylor said she would be very keen to support cross border collaboration and there would be more opportunities with the EMFF in future.

The Chairman thanked Mr Robinson on behalf of the NWIFCA for his presentation. She suggested that once further information has emerged, the reform of the CFP would be brought to the TSB Sub-Committee for discussion.

RESOLVED

1. The report be received.
2. Members' thanks to Mr Robinson for his presentation be recorded.

197 ANY OTHER BUSINESS

1. EA North West Challenges and Choices consultation. Mr Darbyshire (EA) had circulated a response form and information on this consultation which is to help inform and develop the draft River Basin Management Plan. The EA is seeking the views of people in the North West and Members' responses and comments will be incorporated in the consultation.

The Chairman informed members she is a member of the EA North West River Basin Liaison Panel advising on Water Framework Directive. The next meeting of the panel is 7th October. Dr Clark said she represents the views of NWIFCA at that meeting but if members have any specific views they would like raised they should send them to her.

2. Mr Lumb said NE has statutory duty to produce conservation advice for EMS, marine SACs and SPAs. For most of the sites in the District that advice is out of date and with input from IFCA's and others the advice has been reviewed. On 23rd September NE nationally will be consulting on an operational standard and 3 pilots which are works in progress. There is an opportunity for the IFCA to comment on that consultation to help NE produce advice for IFCA's and MMO in the future.

Members were informed that the TSB would be asked to look at that consultation in more detail before the IFCA makes a response.

There being no further business the Chairman thanked members for attending and declared the meeting closed at 1515 hours.