

**NWIFCA Quarterly Meeting  
8 December 2017: 11.00 a.m.**

**AGENDA  
ITEM  
8**

**CHIEF EXECUTIVE REPORT**

**Purpose of Report: Information**

**Recommendation: Receive the report**

**This report covers:**

- I. Personnel, Health & Safety**
- II. Communication & engagement**
- III. Association of IFCA**
- IV. Vessel procurement**
- V. Byelaws**

**I. Personnel, Health and Safety, complaints**

1. *Outcome of interviews for NWIFCA members:* We are pleased to welcome Mr. Steve Brown from Fleetwood as an MMO appointee to the Authority. Steve has extensive experience as a commercial fisherman before serving as IFCO for many years and retiring in 2016.
2. Member interviews were held by MMO in the Carnforth Office on 10<sup>th</sup> October. The number of applicants for NWIFCA was disappointing. All 4 applicants were interviewed for 3 vacancies. 1 appointment was announced. MMO reported that the interview panel found that other candidates did not provide the range of geographical spread, skills and experience required to create a balanced membership for the NWIFCA. A further recruitment will be held as soon as possible. Members are invited to nominate potentially suitable members and encourage submission of applications. All applicants must submit a full application and be interviewed. MMO will set up further interviews as soon as possible.
3. NWIFCA was not represented at the member interviews in accordance with the new MMO recruitment procedure. CEO of Northumberland IFCA attended to represent IFCA interests. NWIFCA CEO attended NEIFC interviews on 24<sup>th</sup> October.
4. *Officer changes:* Science Officer Ms Abi Carroll resigned in September to take a post with the Annan River Trust. Abi moved to join her partner in Carlisle in 2016 and has combined travelling to Carnforth with working at home 1 day per week. However, the new job will greatly reduce her travel and provide experience of work in another environment. We thank Abi for 2 years' service with NWIFCA and wish her well in her new post.
5. Four applicants were interviewed for the Head of Enforcement post on 27<sup>th</sup> October. The interview panel of Chairman, CEO and Head of Finance and HR was pleased to be able to appoint an internal candidate, IFCO Mr. Joe Moulton to the post. Joe was acting HOE since departure of Mr. Andy Deary and immediately took up the HOE post.
6. Interviews for officers on 1<sup>st</sup> November resulted in the following appointments:
  - Mr. Mark Taylor will be IFCO based in Liverpool strengthening the team led by IFCO Mr. Andy Brownrigg. Mark was appointed on a 3 month part time contract in August to assist with the Wirral Cockle fishery. He now moves to a permanent post

replacing Nick Walters. With IFCO Mr. Phil Capper (also part time), the Authority now has 2 full time equivalent officers in the Liverpool area to deliver the increasing workload in that part of the District.

- Mr. Elliott Waltho will commence work as IFCO on 28<sup>th</sup> November based in Carnforth, filling the post vacated by promotion of Joe Moulton.
- Mr. Huw James will start as Science Officer in December in Carnforth replacing Abi Carroll

7. Two officers based in Cumbria continue on long term sick leave. One is expected back on light duties on a phased return to work in December. The other is expected back in the New Year after surgery.
8. There have been no reportable H&S incidents this quarter. Further updates and improvements to the H&S policy are underway following the advice of the retained H&S consultant. Further detail is provided in the HOE report.
9. There are no outstanding complaints against the Authority

## II. Communications

10. The Communications Officer has provided website and social media updates, the secretariat for TSB, responses to permit queries and information requests.
11. There has been one request under information legislation. A response requesting further clarification has been sent.
12. The following is a summary of other communications work completed and ongoing
  - Improved the documents section of the website by changing layout and ordering.
  - Worked with Science Team to draft a Recreational Angling Section for the website. The section needs final proofing and additional images before going live.
  - Populating Species Pages with information provided by the science team when time allows.
  - Attended Wader Fest at South Walney Nature Reserve.
  - Redesigned the Byelaw 30 form for permit applications and renewals.
  - New returns and inspection monitoring system launched in October and is developing well. IFCO's are now entering their own inspection data direct to the database.

Website Change Log		
Date	Change Made	By
28/09/17	Updated Members list removed D Ward added A Newlands	AG
28/09/17	Added TSB dates for 2018	AG
16/10/17	Form House Keeping: Archived returns submissions, Byelaw 3 informal consultation results, enquiries and website feedback into .pdf for the year and removed from the server. Cleared the Stakeholder registration form submissions from the server (all details held in DB).	AG
16/11/17	Site put on SSL. Most links died and needed changing (resolved).	AG

## III Association of IFCA

13. Annex A: Draft minutes of the AIFCA meeting on 26<sup>th</sup> September

14. Annex B: Draft AIFCA policy statement on EU exit operational readiness for comment.
15. Annex C: Notes of EU fisheries stakeholder forum, 12<sup>th</sup> October 2017 recorded by Ms Sam Davies, CEO Cornwall IFCA.
16. Annex D: Letter to IFCA from Defra on MMO-IFCA collaborative working.
17. A further meeting of IFCA Chairs and Chief Officers was held with MMO Directors and Board on 8<sup>th</sup> November. This was a follow up to the June 5<sup>th</sup> meeting the outcomes of which as reported by facilitators were found to be unacceptable to IFCAs. The meeting was attended by CEO for NWIFCA. Minutes are not yet available but in the absence of clear direction from Defra on future plans for fisheries it proved difficult to formulate clear outcomes.
18. The next quarterly AIFCA meeting is 5<sup>th</sup> December. Chairman and CEO will attend and report verbally to the NWIFCA meeting on 8<sup>th</sup> December

#### **IV. Byelaws**

19. **Permit to dredge:** This byelaw remains unconfirmed with Defra. Despite several messages over recent months from Defra that confirmation will take place imminently we are still waiting. There is apparently no specific reason for the delay except pressure of work. Other IFCA are also waiting for byelaws to be confirmed.
20. **Prohibition on foul hooking:** Final details of the Impact Assessment are being agreed with MMO before submission to Defra for confirmation
21. **Review of Cackle and Mussel permit byelaw 3:** A first draft of the byelaw was considered by TSB. Some amendments were suggested. The next draft will be discussed again at TSB before inviting the Authority to make the new byelaw.

#### **V. Vessel procurement**

22. Work by Holyhead Marine Services on modifications to the Cemaes Bay to meet the Authority's specification is continuing as is monitoring of the work by Master Mr. Hugh Thinnesen, Engineer Mr. Trevor Agnew, NWIFCA member Mr. Trevor Jones and Surveyor Mr. Nigel Ling. Annex E is a surveyors' report of a vessel inspection on 8 November.
23. Delivery of the vessel is on schedule and expected in January 2018.
24. Names for the vessel and the boarding RIB are still needed. A web page introducing the vessel with pictures showing the modification work and inviting name suggestions is being prepared and will be posted as soon as possible.
25. Ideas for names can be gleaned from other compliance organisations with vessels. Names are often linked to work areas (Solway, North Western, North Eastern), or duties (Watchful, Protector, Guardian, Aegis). Two IFCAs name patrol vessels after local saints (St Piran, St Oswald).
26. Options for disposal of FPV Solway Protector are being investigated. Cumbria Council has been asked to investigate whether it has any claim on the vessel.

**CEO Main external and internal meetings attended 1<sup>st</sup> September – 1<sup>st</sup> December 2017.**

15-9-17	NWIFCA
26-9-17	AIFCA
10-10-17	NWIFCA MMO appointee interviews Carnforth
17+18-10-17	COG Canterbury
24-10-17	NEIFCA MMO appointee interviews Whitby
27-10-17	Head of Enforcement Interviews
31-10-17	TSB
1-11-17	IFCO and Science officer interviews
8-11-17	MMO-AIFCA Meeting London
13-11-17 to 20-11-17	Compassionate leave. Family bereavement

**CEO  
29<sup>th</sup> November 2017**

### The Association of IFCA's Members Forum Meeting 26<sup>th</sup> September 2017 10:30 – 14:30 Draft Action Minutes

#### Attendance

Chair: John Lamb CEO: Stephen Bolt; Stewart Harper, Elaine Hayes, Dr Stephen Axford, David McCandless, Andrew Guy, Paul Whomersley, Stephen Atkins, Samantha Davis, Paul Williams, Les Weller, Mike Hardy, Will Wright, Julian Gregory, Tim Dapling, Rob Clark

Minutes: Sally Standing

Apologies for absence: Tony Tomlinson, Tim Robbins, Tony Goldson

Defra: Ruth Thirkettle, Rachel Mason, Rebecca Redrup (12:00)

Gangmasters & Labour Abuse Authority: Paul Williams (11:30)

John Lamb opened the meeting by welcoming everyone with housekeeping instructions.

All agreed the minutes from the last meeting (7<sup>th</sup> March 2017).

#### 1. Matters arising not on the agenda:

MMO appointees – SB confirmed that the protocol was issued to all members. Independent Chief Officers are now on the interview panel. However, a few issues have apparently arisen with individual IFCA's. SB asked those that have had issues to discuss with him outside the meeting.

#### Actions from previous meeting (7<sup>th</sup> March 2017)

Action 3: SD confirmed this action has now been superseded

Action 5: MPA Funding - SB confirmed that Rob Matthews has now moved on within Defra and Ruth Thirkettle has taken over as the IFCA main point of contact; SB is still chasing the £45k revenue monies from Defra to fund MPA secondment/fixed term appointment as previously advised. The post cannot be actioned until the money has been confirmed as received.

Action 6: Bi-lateral meetings: The next MMO Board/IFCA Association meeting Wednesday 8<sup>th</sup> November.

Action 7: Annual Plan – Comments in papers

Action 9: Fairer funding: The members have been asked to carry this action forward. SB has asked Les Weller to keep him informed of feedback he receives from his local authority. He also reminded everyone to inform him of any impending meetings as he would like to be involved where practicable. – **Action 1 – All to carry action forward and keep SB informed of any impending meetings and feedback.**

Action 10: SDAAC – SB has been asked to continue to chair the meeting and will circulate minutes once the meetings have taken place. **Action 2 – SB to circulate minutes to the members.**

2. **Outcomes from the Association extraordinary meeting (20<sup>th</sup> July 2017)** – As requested by the Association, the Chief Officers Group (COG) gave a presentation outlining a potential way forward to ongoing joint working between the MMO and IFCA's. Three extra slides will be incorporated to show the IFCA structure and governance, current joint working best practice and how to adopt this more widely and how to take forward the day one readiness which will be presented to the MMO at the November 8<sup>th</sup> meeting. However, SB commented that his perception of Joint working is that the urgency of the work has diminished, partly as a result of the recent Theresa May speech and partly as a result of the importance of first day readiness. SB has been invited onto the Defra Group Exit working group for which JL asked to pass any intelligence onto the Chief Officers so they are aware of any outcomes. SB already attends the Defra EU Exit external advisory group monthly meetings.

The MMO has called a first day readiness meeting with the Association and COG set for 3<sup>rd</sup> October. SB has confirmed that he should receive a letter from Defra setting out their expectations of the IFCA's regarding both first day preparedness and the mid to long term joint working with Defra. Defra however, have made it clear that no major restructures are likely to take place for the short or medium term. However, the IFCA's are being asked to continue to work with the MMO to explore joint working and the long term regulatory.

Discussions followed regarding the budgeting rounds and potential cuts to the new burdens funding. JL asked the members to inform him of any cuts to funding as he will take this up with the ministers as a matter of urgency.

### 3. Updates from External organisations:

- a. Gangmasters & Labour Abuse Authority – Paul Williams joined the meeting and went through his presentation where he explained why the GLAA was formed following the death of 21 cockle workers at Morecambe Bay in 2004. He confirmed that they are able to operate legally, processing and packaging fresh foods. However, 42 crime groups have been identified in the last four years. These groups are run by mafia type organisations. All GLAA staff are enforcement officers who have police powers to make arrests and prosecute with the National Crime Agency now having the authority to board vessels. The point of this meeting is to make a request to all IFCAs to pass on any intelligence in order for these gang masters to be prosecuted. Contact the GLAA via email address and phone number. The presentation will be sent to all members. **Action 3 – SS to send Paul Williams presentation to all members.**
- b. Defra Update – Ruth Thirkettle, Rachel Mason and Rebecca Redrup joined the meeting. Ruth gave an update of the Defra position regarding EU Exit. The Withdrawal Bill from the EU is going through parliament to convert from EU to domestic legislation. Control of foreign vessels and other member states are unlikely to be stopped from coming into the UK waters. However, this will be controlled by the UK and not by the EU; at this point it is still early days. Ruth confirmed that it is not possible to extend the remit for the IFCAs to 12 nautical miles or beyond at present, however, this would remain under consideration. The Government is still committed to publishing the 25-year plan; no date has been given. Defra is awaiting Natural Capital Committee to ensure IFCAs feed into the 25 year plan. Defra is expected to start on MCZ 3<sup>rd</sup> Tranche consultations in the first half of 2018 with designations following thereafter (within one year of the consultation). SB expressed concerns that this meant the T3 designations would coincide with EU Exit and that this could lead to resource problems for the IFCAs. Ruth also confirmed that Defra is committed to start work first quarter of 2018 on the four-yearly report to Parliament as set out in the Marine Act. SB offered support from the Association as given for the first four yearly report.

Rachel Mason gave a Byelaw update, paying attention to Southern, Cornwall, Eastern and North West. Discussions followed regarding the frustrating byelaw making processes and how it is perceived by the IFCAs, with a point made about how the process should have one definitive legal advice rather than multiple legal opinions. RM has confirmed that she will welcome any suggestions on how to improve the processes and to email her with thoughts from the members. **Action 4 – IFCAs to email Rachel Mason via the Association with thoughts on how to improve the Byelaw process.**

Rachel continued with her update informing members that IFCO SI powers will need ministerial approval replacing the powers of pursuit from IFCOs through new domestic controls, but will keep IFCAs informed of any changes. Consultation for this is likely to begin mid-October. MMO first day readiness meeting is arranged for beginning of October, where it is expected for them to give an update on day one assumptions. Any suggestions for this meeting should be passed to SB. RM will also inform her colleagues regarding the role of NIMEG and confirmed that Defra will be writing to IFCAs and MMO thanking all for their support. **Action 5 – All IFCAs to consider suggestions for the first day readiness meeting and send to SB/WW.**

### 4. Finance and Resources

- a. First Quarter Report 2017/18  
SB gave an update on first quarter finance report and confirmed that generally on track but anticipated increase in venue costs for the year potentially leading to an overspend. This is due to losing meeting room space from Nobel House, therefore having to source other venues at a cost. Reserves have also gone up year on year although not significantly following the 2016/17 financial year. SB confirmed the final accounts should be on the website. However, Robert Clark considers the option that the accounts should be approved at the members meetings first.
- b. 2018/19 Indicative budget  
Elaine Hayes enquired where the anticipated budgetary shortfall would be sourced, as she felt that this is therefore not a standstill budget. SB explained that any additional funding could be sourced from the reserve which has grown to over £100k subject to Directors approval. SB also reported that the Association has an additional £45k funding from Defra for one year's secondment. These funds are still in transit. Further updates will be forthcoming. The Association has also been funding part

of the iVMS project and joint intelligence with monies obtained from Defra and MMO. It is likely that there may be some remaining funds c£9k available to facilitate future joint MMO/IFCA working which will remove some of the strain from the Association budget. It is proposed to operate a stand still budget in terms of members fees recognising the likely increase in venue fees as a result of the reduction in the availability of meeting venues at Defra in particular for the Association and COG meetings and also for ongoing insurance of the Association capital equipment which has not been fully accounted for in the £120k Association budget. The members were asked to approve the proposal. **Action 6 – SB to produce a budget report for the December meeting.**

## 5. Matters for Decision

- a. Note: D&S IFCA left the meeting prior to this item: D&SIFCA request for the Association to seek to review Defra new burdens funding.

JL explained the background surrounding D&S and their local authority members.

JL continued to state that some D & S local authority are not passing on all the new burdens monies to the IFCA. SB specified that the whole issue of IFCA future funding needs significant effort and remains at the top of the Association agenda. In particular, the local authority “fairer funding” review is likely to have a fundamental impact on both the local government and Defra elements of IFCA spending. It is therefore a difficult and potentially problematic time to seek a review of the new burdens funding formula. SB also reported that informal discussions with Defra had confirmed that they would not wish to start this process at this time. Therefore, he is seeking the support from the members on the recommended approach with D & S IFCA as set out in the papers. However, after long discussions it was agreed that the Association Invites D&SIFCA along with their members to present their cash flow forecast and concerns over funding; All agreed. In addition, the Association will continue to work with D&S Chair and Chief Officer to seek to ensure D&S continued membership of the Association. The Members supported the Association approach with the addition of asking D&S to present at the next Association meeting. **Action 7 –The Association to write to D&SIFCA to ask them to present, in December, their Cash flow forecast and concerns over funding to the Members Forum.**

- b. AIFCA Directors Group

WW explained the background for the action to review the AIFCA HR policy procedures focusing particularly on the appraisal system. His recommendation is to form a Directors Group with an AIFCA chair working with CEO and AIFCA directors which will lead the forming of a standing AIFCA directors HR working group. WW also recommends developing a 360° assessment for which is used regularly in a wide range of equivalent organisations; he is looking for support from the members. This proposal was carried on vote with one abstention.

- c. Annual report WW outlined of proposals for consistent annual reporting. All members in favour.
- d. Developing National Policy

Since the UK voted to leave the EU last year the future management of UK and English fisheries has become a high-level issue. With the future unclear it is as important as ever that IFCA's and the IFCA model of local community management is seen in as positive light as possible and that challenges in the highly localized model, effective national coordination is seen to be progressed by IFCA's. WW has asked all members for recommendations on how to develop a policy position paper with brief bullet point outline including reason, and who would develop policy statement, etc.). A group made up of IFCA officers would then develop the framework and wording of the paper which will be communicated with all IFCA's for discussion. Following the agreement of a draft paper each IFCA would include a copy of the draft policy position paper in their next set of papers for their next Authority meeting and, hopefully each Authority would agree to the proposals in the paper. All in agreement of this proposal.

## 6. Matters for noting

- a. No need to revisit
- b. Annual plan – duly noted
- c. 3 Year strategy plan – duly noted

- d. CEO meeting log – SD asked for a more information to be added to the meeting log. **Action 8 – SB to provide more information on his future meeting log**

Date of next Members forum meeting – 5<sup>th</sup> December 2017 – Venue TBC

Items for Decision

<b>Action</b>	<b>Action</b>	<b>By Whom</b>
1.	Fairer Funding - All to carry action forward and keep SB informed of any impending meetings and feedback.	All
2.	SDAAC - SB to circulate minutes to the members.	SB
3.	Gangmasters & Labour Abuse Authority - SS to send Paul Williams presentation to all members.	SS
4.	Byelaw Update - IFCA's to email Rachel Mason via The Association with thoughts on how to improve the Byelaw process.	All
5.	Exit team meeting - All IFCA's to consider suggestions for the EU Exit advisory group meeting and send to SB/WW	All / SB
6.	2018/19 Indicative budget - SB to produce a budget report.	SB
7.	The Association to write to D&S IFCA asking them to present, in December, their Cash flow forecast and funding issues to the Members Forum.	SB/JL

Items for noting

<b>Action</b>	<b>Action</b>	<b>By whom</b>
8.	Meeting Log - SB to provide more information on his future meeting log	SB



### **AIFCA Draft Policy Statement for EU Exit Operational Readiness**

#### **Background**

After the triggering of Article 50, and issuing a notice of intention to withdraw from the London Fisheries Convention, the UK government has entered negotiations regarding the UK leaving the EU. Although it is not clear exactly where the negotiations will lead, there is the potential for a significant change in relationship, access and management of seas and fisheries for the UK outside the EU. IFCA's, through the Association of IFCA's (AIFCA), have been working with other regulators and DEFRA to help best inform and support this process and to help ensure a smooth and orderly transition as the UK leaves the EU.

Both Defra and the MMO have signalled to the Association of IFCA's the ministerial importance placed on UK's ability for fishery control and enforcement to be robust and appropriate on and following EU exit. The MMO have been specifically charged with developing an operational plan to cover a wide range of scenarios. IFCA's through the Association of IFCA's (AIFCA) have been asked to input into the planning process with a view to possible involvement of IFCA resources, primarily in the form of vessels and officers.

IFCA's understand the challenges faced and as a collective want to express their commitment and support to assist in any way possible. IFCA's have extensive knowledge, experience and skills in planning and carrying out sea based fisheries enforcement and are well placed to help meet possible future fishery control and enforcement requirements.

As fishing changes around the English coast so does the marine enforcement requirement, with the result that the IFCA fleet and resource and availability of resource varies between districts. Maintaining and running vessels constitutes a large proportion of most IFCA's budgets and operational capacity; early engagement with IFCA's through the AIFCA will best help develop and ultimately deliver the most cost effective and efficient plan. In developing such a plan clear engagement with Defra and the MMO regarding expectation as well as the development of a formal operational protocol to cover key areas such as communications and engagement are seen as important next steps.

#### **Association of IFCA Policy Statement**

The Association and its consistent IFCA's agree in principle to contribute to preparations for EU exit. To this end the Chief Officers Group have been asked to work in conjunction with the MMO in developing operational capability and plans.

Given the level of uncertainty on what will be required upon and following EU exit the Association believes that efforts should concentrate on ensuring that the requisite operational capability is in place to enable both the IFCA's and the MMO to develop and implement operational plans as the post EU exit position becomes clearer. It is suggested that these should include, but may not be limited to:

- Delivery of accredited training to IFCO's and MEO's to ensure that enforcement officers have the skills required to deal with both technical conservation and control regulations.
- Review of powers and policy in conjunction with the previous point to determine to what extent IFCO's can be cross-warranted as MEO's and the policy to be applied if cross warranting is required.
- Development of the shared intelligence system between IFCA's and the MMO to ensure that there is sufficient processing and analytical capacity to deal with increased volumes of Intelligence Reports. This should include delivery of the new intelligence system under the EMFF control funded project.

- Embedding joint working protocols between IFCA and the MMO to ensure that processes (e.g. TCG), policy (e.g. compliance directions) and working practices are sufficiently advanced to enable routine joint operations on land and at sea.
- Enhancement of capacity for joint operations at sea. This is likely to include enhanced seagoing capacity amongst MEOs and the development of a programme of joint training and patrols to prepare operational assets for potential post EU exit requirements. Co-ordination of seagoing assets is an important factor and this may be addressed by the development of JMOCC.
- Developing a framework to facilitate joint operational planning and associated budgetary issues when the post EU exit position becomes clearer

## Limitations

It should be acknowledged that whilst collectively the IFCA have significant capacity in terms of vessels and officers, each individual IFCA is a small organisation (typically around a dozen officers with the largest having 24 officers) with substantial workloads and duties to manage inshore fisheries and to protect the environment in MPAs.

The following are the key factors to be taken into consideration in relation to IFCA participation in any EU exit related operational activity:

- Budgetary implications – circa 75% of IFCA funding is provided by Local Authorities, which reflects the requirement to deliver local priorities. All IFCA operate on relatively small budgets with little leeway to absorb additional costs such as training, increased vessel usage etc.
- Inshore Fishery and Conservation Officers (IFCOs) are not currently trained or warranted to enforce control regulations
- The size, design and capability of IFCA vessels varies around the coast although it is understood that all can provide some 'at sea' presence in the 6nm to 12nm sector
- Implications (reputational, budgetary, legally etc) of diverting resources from local to national priorities

## Conclusion

The IFCA recognise that there is a political imperative that, as a public service, we will be expected to assist in EU exit control and enforcement. As such the IFCA would wish to assist and engage in EU exit preparation and to continue to engage with Defra and Defra group on this and other matters.

### Note

The workstream to deliver first day readiness is separate to the mid to long term initiative set in place by the Marine Review and latterly by the Defra transformation programme to look at joint working between the MMO and the IFCA. This work remains of high importance but to a longer timescale to that expected for the first day readiness outlined above.

## ANNEX C

AIFCA Briefing note 13 Oct 2017  
Sam Davis, Cornwall IFCA (Attended for AIFCA)

### EU Exit Fisheries Stakeholder Forum

12 October 2017, Nobel House 1400 – 1730

**Attendees:** national reps of catching sector (NFFO, CFPO, SWFPO, SFF, NUTFA), Fishing for Leave, academics (fishing/economic/marine science), eNGOs (Greenpeace, RSPB, Pew Foundation, MCS, Angling Trust, Blue Marine), reps from seafood sector.

#### **Purpose of meeting:**

For Defra (Nigel Gooding, Anne Freeman and Neil Hornby) to engage with key UK stakeholders from the following sectors: commercial catching (both PO and non-PO), fishermen's associations, retail, eNGOs, academics (economic, fisheries), to listen to and discuss individual and shared visions and aspirations for a post-Brexit fisheries management regime. Key participants had been asked to prepare statements in advance and were asked in turn to offer their contributions. Particular emphasis was placed upon the debate in the last hour of the meeting between the merits of an effort based vs a quota based management system, which was conducted in front of Michael Gove.

I attended as the AIFCA representative and was asked to sit away from the main tables, alongside CEO of Seafish, Chief Scientist of Cefas and an MMO rep (I think – did not know his name and he wasn't on attendance list). Our brief was to be in listening mode and to answer technical questions if required. They were not required. Other Defra staff were in the room taking notes but no introductions provided. Notes of the meeting will be circulated by Defra.

The afternoon was then broken down into the following sections as per the agenda:

#### **1. Update on progress** (Neil Hornby (NH)/Nigel Gooding (NG) /Anne Freeman (AF))

NG set out **current UK position** based on manifesto commitments for the UK to remain in UNCLOS (UN Convention on the Law of the Sea) as an independent coastal state which would negotiate new access and fishing opportunities with the EU and bilaterally other countries (Norway. Faroes etc.). UK would fully control access to the 6-12nm band so new arrangements would be necessary for Ireland, France, Belgium and Germany. Negotiations between UK and EU will be annual.

UK aims to become a member of **regional management organisations** e.g. NE Atlantic Fisheries Commission as an independent contracting party, also looking at Sustainable Fisheries Partnership Agreements (e.g. with Greenland) and also membership of ICCAT (International Commission for the Conservation of Atlantic Tunas) – this may be important as tuna become more prevalent in the SW. These other regional arrangements are of low value when compared to our trade with EU but may be of more importance in the future as opportunities change.

**New UK legislation:** we need a workable legislative framework which will consist of the Fisheries Bill and the Withdrawal Bill. **Fisheries Bill** will be short and will only focus on aspects needed for EU-Exit – ie Day 1 Readiness – (i) access arrangements and (ii) fishing opportunities (quota/days at sea). A Fisheries White Paper will be published before Xmas which will '*set out a long term vision and will put the scope of the Fisheries Bill into context*'. The Bill itself will be published early in 2018. When questioned about timeframes for the **formal consultation on the Fisheries White**

**Paper** in the following session, AF said that *'the opportunity for comment was very, very short'* and that Defra felt that they had done lots of engagement over the summer via visits to the coast (e.g. Newlyn) and that this meeting also constituted stakeholder input. Also when asked, this White Paper will cover environmental policy considerations.

## **2. Q&A session (N Hornby/N Gooding)**

This session covered a range of questions/areas which I will try and summarise the main questions by theme but it may be useful to be aware that this meeting followed Theresa May speaking publicly about the CFP and the UK's role in negotiations, which had been followed by a press release that morning from Fishing For Leave (FFL) criticising this statement.

### **Q (from FFL). When do we leave the CFP?**

A. On 29 March 2019 we will leave the CFP when we leave the EU.

SFF made the point that the reset of the regime should sit alongside Brexit. This was accepted by Defra and that the Withdrawal Bill would take across some of the existing legislation as not all rules needed to change and time would be needed to assess the impacts of a changing regime. A lack of reference to sustainability in the Defra update was mentioned and NG emphasised that UK remains committed to achieving MSY and to the Landing Obligation. A question was also raised about the legal status of UK fisheries products during the transition period but work on this issue has not yet been started although there is obviously a wish to maintain trading arrangements and to forge new ones with both EU and other parties further afield, reflecting importance of imports from Pacific, Indian Ocean etc. Defra was keen to understand the need of the seafood industry beyond Day 1.

### **Q. Is there a timetable for the forthcoming changes in arrangements for quota and access?**

Defra (NG) were questioned about legal position regarding the EU losing access to our waters and reassurance was given that UK would negotiate as an independent state under UNCLOS. Relative stability would no longer apply once we leave the CFP but there would need to be a period of negotiation from the existing sharing agreement to new arrangements. UK is working on the zonal attachment of stocks in order to develop UK case for negotiating future fishing opportunities and working through UNCLOS, there is a clear obligation to co-operate with other partners.

An associated question was raised about the future of existing technical regulations –these will be rolled over into UK legislation now and then their future effectiveness would be examined once we are out of EU.

When asked if future legislative change would be enacted through an Acts, another Fisheries Bill or SIs, NG said that Defra is keen to learn from the experiences of the lack of flexibility in the CFP and would like to have a system which was more responsive to changes in economics and science, in a shorter timeframe than now.

### **Q. What progress has been made with respect to the role of the devolved administrations?**

Fisheries is currently devolved through the CFP but when this ends in our waters, decisions will need to be made as to which aspects can be centralised at a UK level and which can be devolved, whilst maintaining consistency over the management of a common resource.

## **3. Session on topic 1: Vision and Access**

This followed the format of a number of people being invited by NH/NG to speak in turn, to offer their vision for UK fisheries in 10 years, as per questions raised in the agenda for the meeting – what do you want the fishing sector and wider marine environment to look like? During this

session, the themes regarding the existing quota based regime and its failings as perceived by some parties began to emerge and steadily become more forthrightly expressed.

There were some interesting debates starting with one eNGO's view that in a post-Brexit world, we should aim to rewind the clock back to fisheries stock levels last seen in 1945, and for others listening and who spoke afterwards, the unlikelihood of achieving that aim. There was recognition that Brexit presents us all with opportunities but that they in turn have often unforeseen consequences and that the fundamental issue at the heart of the debate is one of finding a replacement for a system based upon relative stability and a principle of common access.

From the eNGO perspective, the desirability of setting TACs for all species at <MSY, the use of harvest control rules and trigger points to drive change, the need for greater transparency in management, setting quota to deliver against what society wants from fisheries in terms of their economic, environmental and social goals to achieve truly sustainable fisheries, were all common points raised. Reference was made to an aspiration for the UK to have a reputation for world-class seafood traded globally, based upon policies which respect natural capital.

A question was raised about whether the UK was attempting to attempt an ecosystem approach and if so, MaCAA and the Fisheries Bill should be integrated to make sure that this happened. This did not elicit a response from Defra as I think that the points had been covered earlier about the need to streamline the Fisheries Bill as time is of the essence.

Defra then led discussion around impacts on and role of **coastal communities**, which led onto wider debate led by FFL about the need for policy to maximise fisheries resources, protect habitats and have positive socio-economic outcomes. This in turn led to a presentation of FFL's vision for the next 10 years, highlighting their views about the flaws in the current quota system including its bias towards existing players, the need it creates for quota rental and FFL's desire for a more inclusive, effort based system to replace it, using real time data.

The conversation was then led by Defra onto **trade**, balance of imports vs. exports and potential changes and their impacts. Seafood industry reps reflected on the asymmetry of seafood products but made the point that change was usually driven by consumer demand, not by a change in the nature of the supply, for e.g. a different mix of species or changes in the quantities of raw materials available. Their concerns were that the shore side industry was enabled financially to be able to adapt to different demands, but that in the main, the trade in fisheries products is driven by the global desire for a relatively few product formats, ie fish fingers (which are mainly made in Bremerhaven). When asked about where further investment could come from to affect change, it was hoped that uplift in the supply of fish from UK vessels could help processors with a decline in imports but there would need to be additional funding for new technology and innovation for companies as most of them are SMEs.

The reference to funding led to a discussion about the need for **sustainable funding** for fisheries management, the role of local communities/fleets in science and data capture and the importance of maintaining a diverse and profitable fleet respecting regional differences. The point was made that the costs of managing fisheries should be assessed against its value to the UK/society – who is willing to pay for it and why? Emphasis was also made from catching sector about the need for investment in ports/shore side facilities and the continuation of initiatives/funding such as Fisheries Science Partnerships, to involve fishermen in data collection in return for improved fishing opportunities.

As this session continued, it became very clear that the real issue of the day was the central debate regarding the question of whether or not the quota system should be replaced by an effort based system. This formed the focus of the second session of the day.

#### **4. Session on topic 2: Quota vs effort management**

Michael Gove arrived and introduced his aims for this session, in that he wanted to see the arguments on both sides played out whilst he listened.

FFL set out their arguments for an **effort based system** which in their view would provide sufficient management control whilst minimising discards and not creating a race to fish which characterises most effort based control systems globally. Their version centres around being able to land what you catch, based upon an allocation of days at sea using all demersal species aggregated together. The actual allocation would be linked to a version of the FQA system where these would be exchanged for time, although the specifics of the actual allocation process were not defined. It appeared to be contingent upon another layer of decision making, called a flexible catch composition. The example given was that if a vessel catches £10k of cod, it could keep all the fish but would have to lose an amount of time equivalent to that value of cod. The system hinges on access to real time data to track fishing time used but FFL believe that it would be more targeted, cause far less discarding and reduce its impacts on the environment, as well as eliminating the need to rent quota and to provide a more widely accessible, less adversarial system. It was a very eloquent presentation but equally, made some very pointed criticisms of the current quota system and those involved in its management, who in turn, defended their position. It's rare to see such unguarded debate, particularly given the audience.

In response to this proposal, NFFO/SFF/SWFPO acknowledged the problems with the existing quota system but made the points that there had been significant improvements and disputed strongly that there was wholesale discarding, which FFL had stated was the case. They also raised caution about a wholly new system design at such a critical time although conceded that a trial could be useful, something that FFL also called for. My sense of watching Defra react at that point was that this could be a possibility.

Other attendees also criticised effort based management systems from environmental and economic grounds, as well as questioning the practicalities of obtaining and analysing real time data in order to make the system operational. The rest of the session continued in this vein and again, the Defra reaction was interesting. I will reflect on this when I see you all.

In conclusion, it was a very interesting afternoon and useful to attend but it raised as many questions as it answered. It was an insight into the public face of the more detailed discussions that have been underway between the catching sector and Defra regarding the key issues of quota and access, which hitherto have not been central to our remit.



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Phil Haslam, Director of Operations, MMO  
Dr Stephen Bolt, CEO of the Association of IFCA's  
John Lamb, Chair of the Association of IFCA's  
Tim Robbins, Chair IFCA Chief Officers Group  
IFCA Chairs  
IFCA Chief Officers

By email only

26 October 2017

Dear Colleague,

#### **COLLABORATIVE WORKING BETWEEN IFCA's AND THE MMO**

Sam Evans wrote to you on 12 May 2015 to initiate a review of collaboration and joint working between IFCA's and the MMO. As a result of that review the MMO and IFCA's identified, amongst others, opportunities for better integrated working between the organisations including opportunities for joint control and enforcement operations.

As we prepare for our exit from the European Union it is more important than ever that IFCA's and the MMO continue your close collaborative working and build on the progress already made. The outcome may bring with it many opportunities and challenges which will continue long after day 1.

I would therefore be grateful if the IFCA Association, the IFCA Chief Officers and the MMO Chief Executive and Senior Executive Team could identify and develop a strategy for dealing with those aspects of the EU Exit that will benefit from joint working. The work should cover both day 1 readiness issues and the longer term. As with the 2015 review, this work will help contribute to the main recommendations of the MMO Triennial Review and the IFCA four year report in relation to joint working.

A copy of this letter has been sent to John Tuckett, CEO of the MMO; Phil Haslam, Director of Operations, MMO; Stephen Bolt in his capacity as CEO of the Association of IFCA's; John Lamb in his capacity as Chair of the Association of IFCA's; Tim Robbins in his capacity as Chair of the Chief Officers Group; and all IFCA Chairs and Chiefs.

Yours sincerely,

**Anne Freeman**  
Deputy Director - Domestic Fisheries and Reform  
Defra Marine and Fisheries



## ANNEX E

### NWIFCA new vessel conversion Site visit 22-11-2017

H.Thinnesen and T.Agneu attended Holyhead Marine Services

1. Accommodation area was nearing completion. Flooring was being laid throughout, seating/cushions being fitted and finishing being completed.
2. The outside area for sampling has sink installed and wet locker completed with grid floor and heating installed.
3. The superstructure wheelhouse and deck (outer stern) was being painted. Wiper housings were still to complete and the superstructure base and deck to be painted.
4. Arrangements for the stern had caused a slight delay. This was resolved with rib and ramp final design approved. The davit was near completion and should be in situ for next visit.
5. The kit for rib was expected imminently allowing fabrication to be carried out. The stern ramp awaits fabrication.



6. Science officers attended the boatyard on 22.11.17. The dry lab work is progressing, with work surfaces and storage space almost completed. Officers are communicating with them over requirements for running electronics from wheelhouse to lab eg. GPS feed.



7. Further pictures of the work in progress can be found at <https://www.nw-ifca.gov.uk/np1/>. Any questions about the work can be addressed to the Master by email at [H.Thinnesen@nw-ifca.gov.uk](mailto:H.Thinnesen@nw-ifca.gov.uk).



## P. N. LING Marine Surveyor

Loss and claim investigations. 3 Clough Garth,  
Salvage and recovery. Hedon,  
Small Commercial Vessels. HU12 8LS  
Naval architect and superintendent. Tel. 01482 897466/07713 508408

### Stage visit to CEMAES BAY, Holyhead.

A further stage visit was made to Holyhead on 8<sup>th</sup> November 2017.

At first sight there appeared to be little progress since the previous visit. However, much of the progress had been in detail:-

1. A detailed discussion took place regarding the design and construction of the RIB. This involved technical discussions regarding the use of CAD and the appropriate Lloyds design rules. The vessel is expected to be in build during the December visit. Drawings and calculations were supplied as part of the coding process.

Items that require comment from the Owners for transmission to the builders about the RIB as suggestions/instructions are enclosed on a separate document (below). The undersigned has not passed this latter document to the builders.

2. New rails had been fitted around the bridge deck. These are of excellent quality and provide a safe area which can be used for operational purposes or for stowage bins to be fitted. Additionally, a very good flat runged ladder has been fitted forward of the liferaft stowage rack. This means that it is not essential to fit remote launching facilities, but when the external lighting is reconfigured it must be arranged that this ladder has adequate emergency lighting.

3. The stern well has been closed up but the work on the stern is far from complete and is understood to await finalising of the RIB dimensions(which I believe is now done). The support pillars under the winch had not been moved.

4. The distorted forward bulwark stanchion has not yet been repaired.

5. The drying area immediately outside the after door has been extended and with the provision of a background heater will be an excellent space and should prevent the interior of the vessel becoming contaminated by wet gear, a situation that is currently unavoidable on the existing vessel.

6. The accommodation areas were well underway. The lighting in the cabin appears to be inadequate, but this should be re-assessed when the bunk lights are fitted. It may simply be a case of a larger light fitting being required. Simple battery operated smoke alarms should be fitted in the new cabins.

7. Handrails and grabrails in the accommodation were discussed and arrangements outlined to suit the sea staff.

8. Discussions were held with the yard management regarding coding of the two boats. They will require separate coding, and therefore will need two different names. The vessel has previously been coded to MGN 280 and it will be better to continue to use that standard rather than apply the new, unratified, workboat code and similarly to use MGN280 for the RIB. This allows more

flexibility on a vessel that is bespoke to the parent vessel and may require the allowance of equivalent arrangements as is often the case with RIBs . As the RIB has only a single engine it can only be Coded to Cat 4.

#### NW IFCA RIB.

Following the visit to Holyhead on 8<sup>th</sup> November 2017 discussions were held with IFCA staff regarding “fine tuning” the design.

1. The provision of lifting eyes is essential as the craft will, from time to time, be lifted onto the foredeck of the parent vessel.
2. Upstands on the gunwhale in the boarding area are not acceptable. These would be a serious hazard during this operation. There is no difficulty with upstands aft of the boarding area. However, the top of the collar/bulwark must be flat.
3. a. As the main function of the vessel is to act as a boarding craft, this function must take priority over all other features, with particular regard to enhancing the safety of the operation.  
c. The boarding area should be designated as the area forward of the console but aft of the anchor locker. As the sheer has commenced in this area there would appear to be no difficulty with omitting the upstand here.  
c . Two suspension seats could be omitted and a bench seat fitted across the transom. It may be possible to fit this in three sections, I.e. over P and S fuel tanks with space for a centreline locker.  
d. Two suspension seats fitted side by side forward of this bench, located such that the backs of these seats provide hand holds.  
e. A double console for helmsman and mate immediately forward of the two suspension seats.  
f. A small bench seat with locker under to be fitted at the forward end of the console as part of the structure of the console. This is to provide a safe area for those involved in the boarding operation, not as permanent seating, although it can be used in fine weather to help trim the boat.  
g. The space between the console and the anchor locker to be designated as the boarding area.  
h. The liferaft to be located forward at the break of the anchor locker. This is where it should be in that it is as far away as possible from the fuel and sources of ignition, and together with the anchors will help with the trim and compensate from the aftward movement of the console.
4. It is believed that there is little more work in this configuration than there is in the original proposal, and if there is extra work it is compensated by the reduction in resilient seating from 4 to 2.

P. N. LING.