

28 AT A MEETING OF THE TECHNICAL, SCIENCE AND BYELAW SUB-COMMITTEE on 1st FEBRUARY 2022 AT TRUCKHAVEN, CARNFORTH, 10.00 AM.

PRESENT – MEMBERS

Dr J. Andrews	Vice Chair	MMO Appointee
Councillor P Williams		Cheshire West & Chester
Mr S. Brown		MMO Appointee
Mr R. Benson		MMO Appointee
Mr S. Manning		MMO Appointee
Mr B. Leigh		MMO Appointee
Mr K. Thompson		MMO Appointee
Mr L. Browning		Natural England

NWIFCA OFFICERS ATTENDING

S Atkins CEO, A Plumeridge Senior Scientist, A Nicholson Clerk

There were 2 members of industry in attendance, Mr S Ward, Mr T Davies. Mr N Baxter (NWIFCA MMO Appointee) also attended.

APOLOGIES FOR ABSENCE

Mr M Taylor (MMO), NWIFCA Head of Enforcement

29 ELECTION OF CHAIR OF TSB

CEO reported that after the agenda had been issued the Authority was notified of the resignation from NWIFCA of Dr Emily Baxter, effective from 26<sup>th</sup> January 2022. Under the constitution TSB must therefore elect a new chair as the first item of business at this meeting. CEO invited nominations for new Chair. Mr Leigh was nominated.

Proposal: TO ELECT MR LEIGH AS CHAIR OF TSB

Proposed: Dr Andrews, Seconded: Councillor Williams, unanimous vote in favour

Mr Leigh took the Chair.

29 CHAIR'S ANNOUNCEMENTS (Agenda Item 1)

The Chair welcomed members to the meeting and proposed that the Authority send a letter expressing their thanks to Dr Baxter for nearly 8 year dedicated service to NWIFCA. Members were reminded to declare any interests on subjects prior to speaking. The usual Covid advice was given and apologies reported.

Proposal: TO SEND A LETTER OF THANKS FROM NWIFCA TO DR BAXTER FOR HER SERVICE TO THE AUTHORITY AND TSB

Proposed: Chair, Seconded Councillor Williams, unanimous vote in favour, motion carried.

30 DECLARATIONS OF INTEREST (Agenda Item 2)

Declaration slips were submitted by S Manning and R Benson for agenda items 6 and 7

31 MINUTES OF THE TSB HELD 2<sup>ND</sup> NOVEMBER 2021 (Agenda Item 3)

Proposal: THE MINUTES ARE AN ACCURATE RECORD OF THE MEETING HELD ON 2<sup>ND</sup> NOVEMBER 2022

Proposed: Chair all in favour, carried.

32 MATTERS ARISING (Agenda Item 4)

Dr Andrews asked Councillor Williams as Chair of the Authority, for an update on the complaint submitted by the TSB in September 2021. Responding, he stated to be waiting for CEO to be able to progress this. CEO reported that to date he had not seen the complaint. Chair asked that this matter be progressed without delay.

Mr Brown sought clarification regarding the backdating of his re-appointment, he was advised to contact MMO for further information.

33 BYELAW REVIEW UPDATE. (Agenda item 5a)

Byelaw 4 Potting: Senior Scientist said this has been returned to MMO following a very minor amendment for ratification as soon as possible.

Whelk Permit applications: Information provided to NWIFCA regarding applications for whelk permits has been collated and is under review. The next stage is for a permit application pack to be sent to applicants. Further information is required from some applicants before permits can be issued.

Information relating to whelk track record appeals is also under review, again further information is required from some applicants. TSB was asked to approve a 3 month timeline for applicants to provide outstanding to end on 3<sup>rd</sup> April 2022.

**Proposal: TO APPROVE THE REPORT AND APPROVE A 3 MONTH TIME LIMIT TO 3 APRIL FOR APPLICANTS TO PROVIDE OUTSTANDING INFORMATION FOR WHELK PERMIT APPLICATIONS AND TRACK RECORD APPEALS**

Proposed: Chair, 6 in favour, 2 abstention, motion carried

BYELAW STRATEGY WORKING GROUP (Agenda item 5b)

Dr Andrews reported that the draft strategy paper had been agreed at the Authority meeting in December, the next meeting of the working group will be held on Wednesday 2<sup>nd</sup> February.

34 SURVEY AND INSPECTION REPORT (Agenda Item 6)

Senior Scientist reported that Duddon estuary Mussel Fishery was HRA compliant and now open.

Leasowe was resurveyed as per TSB resolution November 2021. No significant change from the previous survey was found therefore Leasowe remains closed to fishing. A revised HRA was submitted to Natural England for Newbiggin, again no significant change was detected so this fishery also remains closed.

The survey schedule for 2022 is to be finalised shortly and officers sought agreement that the long standing schedule which was in place prior to 2021 be reverted to.

Mr Benson remarked that the dynamics of the industry had changed due to Brexit and consequently the marketplace for live cockles. Mr Benson commented that we need to work with nature and change the dates of the open season to when cockles are at their most valuable. The Chair said there needs to be balance of sustainability and that of supporting fishing communities, which is the purpose of IFCAs. The Chair reminded members of the requirement to declare any interest prior to speaking on an item.

Mr Brown also felt that the closed season could be moved. Mr Davies stated that there was now a small but increasing market in the UK due to more purification tanks being available and changing the season dates could be beneficial.

Senior Scientist agreed to relook at the schedule and consult with members, industry and Natural England. The Chair stated that the sub-committee has the ability under the constitution to vote on any matter via email, and suggested we did so in order to expedite the process.

CEO recommended further research on the changing market and the use of purification tanks and the effect on managing the fisheries. Mr Brown concurred.

Mr Manning reported viable cockles have been found at Flookburgh, and requested that Newbiggin be looked at again. Mr Browning stated that this fishery had been surveyed twice and there was insufficient evidence to warrant the fishery being opened. The Chair suggested that the HRA process be published in part enabling commercial fishers to better understand the reasoning behind such decisions. Mr Browning agreed to look at this.

Mr Benson, sought clarification on the survey areas, stating that because data is only taken from set points a substantial amount of cockles are potentially being missed over a wider area. There is a need for a bigger overview. Senior Scientist agreed to revisit this and provide the data as requested. Mr Brown suggested that industry and officers feed such information back to the team, but was told this already happens.

Dr Andrews stated that this was a long standing issue and that a cockle management plan was essential, Senior Scientist stated that early discussions with NE had already taken place.

Mr Manning requested that reports submitted to the Authority be signed by the author and not generically by NWIFCA. CEO explained that this was being done to protect individual officers from any possible harassment, and ultimately as CEO he was accountable for all reports. The Chair commented that procedures existed to deal with any harassment. Whilst there was no reference to any individual, all members of the Authority were bound by the code of conduct in their interactions with officers. Chair requested that the CEO sign future reports in his capacity as head of the paid service of the Authority..

**Proposal: TO ACCEPT THE REPORT**

Proposed: Chair, 6 in favour, 2 abstentions, motion carried

**Proposal: SENIOR SCIENTIST TO REVISIT THE SURVEY SCHEDULE AND REPORT BACK TO TSB VIA EMAIL**

Proposed: Mr Brown, Seconded: Mr Leigh, 4 in favour, 1 against, 3 abstentions, motion carried

35 **SCIENCE REPORT (Agenda Item 7)**

Senior Scientist presented the report for information.

The Chair enquired as to any adverse impact on working within the science team due to Covid 19. Senior Scientist stated the science team were all working separately but meet 2 days a week for full discussions

CEO remarked that it had been difficult working with partner organisations with many not functioning properly.

Mr Thompson sought information on dispensation requests. CEO said these are mostly for Byelaw 1 applications to fish for scientific purposes.

Mr Brown raised a point previously raised by Mr Pidduck regarding whelk maturity and the new byelaw structure regarding minimum sizes. Senior Scientist said this was still on the agenda, but other work has taken priority.

**Proposal: TO RECEIVE THE REPORT**

Proposed: Chair, all in favour, motion carried.

36 **ANY OTHER BUSINESS (Agenda Item 8)**

Mr Thompson asked about TSB membership and a replacement for Dr Baxter. CEO said a new member should be elected onto the committee at the full Authority meeting in March.

Mr Manning asked about Bass fishing and the ongoing problems with current regulations in relation to bycatch. CEO reported that he was due to hold a meeting with DEFRA regarding this later in the week to seek a way to resolve this. He will report back in due course.

Chair thanked all attending, the meeting closed at 11.35 AM