

PRESENT – MEMBERS

Councillor A. J. Markley	(Chairman)	Cumbria County Council
Dr E. Baxter		MMO appointee (Marine Environment)
Councillor K. Brown		Lancashire County Council
Councillor J. Elmes		Blackpool Borough Council
Mr R. Graham		MMO appointee (Commercial)
Mr D. Harpley		MMO appointee (Marine Environment)
Mr T. Jones		MMO appointee (Commercial/Aquaculture)
Mr B. Leigh		MMO appointee (Anglers and Recreation)
Mr C. Lumb		Natural England (Officer)
Mr S. Manning		MMO appointee (Commercial)
Mr A. Newlands		MMO (Officer)
Councillor J. Noakes		Liverpool City Council
Miss C. Salthouse		MMO appointee (Marine Environment)

OFFICERS

Dr S. M. Atkins	Mrs C. Dobson
Mrs K. Atkins	Mr J. Moulton
Mrs I. V. Andrews	Ms S. Temple
Mr S. Brown	Mr N. Walters
Mr A. Deary	

COUNCIL OFFICERS ATTENDING

Mr D. McAleavy	Sefton Council
Ms S. Montgomerie	Lancashire County Council

APOLOGIES FOR ABSENCE

Mr C. Booth	MMO appointee (Marine Science/Environment)
Councillor J. J. Kelly	Sefton Council
Councillor K. Little	Cumbria County Council
Councillor B. Mooney	Wirral Council
Ms P. Taylor	MMO appointee (Marine Environment)
Mr K. Thompson	MMO appointee (Commercial/Aquaculture)
Mr D. Ward	MMO (Officer)
Councillor P. Williams	Cheshire West and Chester Council
Mr C. Clayton	Wirral Council

21 CHAIRMAN'S ANNOUNCEMENTS (Agenda Item 2)

1. The Chairman welcomed new members Councillor J. Elmes (Blackpool Borough Council) replacing Councillor G. Coleman and Councillor J. Noakes (Liverpool City Council) replacing Councillor T. Beaumont. Dr P. Williams has decided not to renew his MMO appointment. Thanks to Phill for his contribution to NWIFCA over the past 4 years.
2. The Chairman welcomed visitors and members of the public.
3. A Supplementary Report on NWIFCA Patrol Vessel Procurement and Update from Lancashire County Council (Agenda Item 8) was tabled.

22 DECLARATIONS OF INTEREST (Agenda Item 2)

Agenda Item 11. Science Report and Byelaw Review Update. Mr T. Jones

23 TO RECEIVE MINUTES OF THE NWIFCA ANNUAL MEETING HELD ON 12TH JUNE 2015 (Agenda Item 3)

Reference minute No. 8. NWIFCA Constitution. Mr Jones: He had asked the CEO how the power to amend the Constitution, in particular the quorum, is invested in the Authority. CEO had replied that the Authority itself determines its Standing Orders.

It was **RESOLVED** to approve and sign the minutes of the NWIFCA Annual meeting held on 12th June 2015 as a correct record subject to verification by the Clerk of the comments made by Mr Jones. *(NB After the meeting the Clerk checked the records of 12th June. No further detail added but Standing Orders will be considered later on this Agenda.)*

24 MATTERS ARISING (Agenda Item 4)

Minute No. 17. Report on TSB Committee meeting held on 12th May 2015

The question of private fishery rights was raised and whether correspondence to private land owners has been followed up. Members were informed that Officers had written to both Boughton and Muncaster Estates requesting further evidence on their claims to private fisheries. No responses have been received.

Minute No. 18. Science Report

Mr Manning felt the BMWG had not acted quickly enough in looking at the situation at Leven Island following reports of cockles there. It was pointed out that the area was surveyed three days after it was reported, with two further surveys carried out at later dates due to unsuitable wind conditions.

25 FINANCIAL REPORT (Agenda Item 5)

There were no issues arising from the Audit for the year ended 31st March 2015.

Approval of the recommendations was proposed by Councillor Brown and seconded by Mr Harpley.

It was **RESOLVED** to:

1. Receive the report.
2. Approve the Budget Review to 31st July 2015.
3. Approve the completed Annual Return and Audit for NWIFCA for the year ended 31st March 2015.

26 HEAD OF ENFORCEMENT REPORT (Agenda Item 6)

The Head of Enforcement reported on fishing activity throughout the district during the quarter. There had been moderate landings of nephrops and crab. Heysham opened for hand gathering for seed mussel on 17th August and a large spatfall has been observed in the Duddon. 4 warnings were issued during the quarter for minor breaches. Compliance with the new bass regulations has been good. Low levels of bass fishing have been observed to date but catches are now starting to increase. Byelaw 19 will need amendment to change bass size from 36cm to 42 m to comply with the new landing obligations.

Mr Deary drew attention to the national intelligence management pilot project to be run in conjunction with North Eastern and Northumberland IFCAs and MMO. Members' approval to NWIFCA participation in this project is sought. Mr Lumb pointed out that Natural England is not actually involved in the project.

It was **RESOLVED** to:

1. Receive the report.
2. Approve NWIFCA participation in the Intelligence Management Pilot Project.

27 DEFRA AMENDMENTS TO NWIFCA BYELAWS (Agenda Item 7)

The demersal landing obligation will come into force from January 2016 which will require all catches of relevant species to be retained and landed, subject to some exemptions. A requirement to land all pelagic fish caught is already in force. Officers and Defra have identified byelaws where there are potential conflicts. For these the Secretary of State will use MACAA powers to amend IFCA byelaws by means of an SI. A list of byelaws to be amended by the SI was given at Annex A. The Authority is asked to approve its preferred option on the wording for EA Byelaw 6 concerning Foul Hooking of Fish. EA has subsequently requested the Authority to approve option b) to ensure that EA and NWIFCA byelaws comply in the same format. Defra require confirmation that the proposed amendments have been approved by the Authority.

Mr Leigh supported the position as tabled but suggested there is a need for commercial fishermen to be helped to understand the landing obligations. Fishermen should not be put in a position where they are not fully informed as to their legal obligations. HoE stated that NWIFCA will be monitoring this.

It was **RESOLVED** to:

1. Receive the report.
2. Approve amendments to NWIFCA Byelaws as in Annex A.
3. Approve option 'b' for amending EA Byelaw 6.

28 CHIEF OFFICER'S REPORT (Agenda Item 8)

Defra. The question of future funding of NWIFCA is unlikely to be resolved until the outcome of the government spending review is announced in October or November. Any cut in funding will have serious implications for NWIFCA Officers.

AIFCA. Draft minutes of the Members' Forum were given in the report. The next meeting will be held on 23rd September.

Officer and Member Changes. A list of potential MMO appointees has been received from MMO. Interviews will be held on 24th September.

Procurement of main patrol vessel replacement. The Chief Executive drew attention to the Supplementary Report and asked Ms Sharon Montgomerie, Lancashire County Council (LCC) to provide an update on progress.

Ms Montgomerie reported that before LCC legal and procurement teams can proceed they need formal agreement from all constituent authorities and NWIFCA on the type of vessel to be procured, that all parties agree on the specification needed, the vessel is fit for purpose, and whether it is affordable within the available budget of £1.3M to £1.45M. The

report asks for members' support for LCC to produce a realistic specification and funding mechanism for members and constituent authorities to approve against the available budget. The Chairman said his understanding is that constituent authorities have all agreed to the proposals. Ms Montgomerie reiterated that LCC requires independent confirmation of the specification and budget from a marine surveyor followed by agreement from constituent councils.

A query was raised about purchasing a used vessel and modifying it to meet the Authority's requirements. Ms Montgomerie confirmed this could be considered. Seafish could advise on the budget against the specification. Fees would be part of the procurement cost. Ms Montgomerie agreed to seek Seafish advice on specification, budget and the vessel procurement market.

Ms Montgomerie recommended setting up a procurement steering group comprising LCC and NWIFCA officers which would report back to members regularly.

It was **RESOLVED** to

1. Receive the report.
2. Ask LCC to seek specification, budget and vessel market advice from Seafish.
3. Agree that LCC should establish a vessel procurement steering committee comprising LCC and NWIFCA officers to progress procurement

29 STANDING ORDERS (Agenda Item 9)

A new version of Standing Orders prepared by the CEO was circulated for this meeting based on discussions from the June meeting of the Authority and comments from members. Proposals to make the quorum flexible according to the number of Authority members in post and to make the TSB closed meetings had been dropped.

Concerns were raised about the scale of the changes. The Chief Executive requested authorisation to continue with amendments. Mr Lumb proposed that the Authority should retain the 2013 version of Standing Orders for the time being and set a mechanism in place for agreeing a more substantive revision to bring them up to date. The proposal was seconded by Dr Baxter. CEO stated that Standing Orders would be further reviewed by the Chairman's Committee.

It was **RESOLVED** to

1. Receive the report.
2. Ask the Chairman's Committee to review Standing Orders.

30 REPORT ON TSB MEETING HELD ON 11TH AUGUST 2015 (Agenda Item 10)

The Chairman of the TSB Committee, Mr Graham, reported on discussions that had taken place at the 11th August meeting.

Science Summary Report.

Bivalve Mollusc Working Group July meeting: The Morecambe Bay Management Plan and management of mussel resources in Morecambe Bay for the coming year were discussed.

Byelaw Review: No changes to be made to Byelaw 9 (Shrimp) pending further investigations. Byelaw 10 (Lobster protection). Clarification on the deeming clause is awaited from Defra and MMO.

Byelaw 2. Proposed measures to be included in the byelaw had been discussed and a further draft will be prepared as soon as possible.

Bass Update. Recent changes in legislation were reported. The bass MLS changed from 36cm to 42cm on 1st September.

Presentation from Ms S. Kochalski: Findings of her PhD project on the sustainability of fisheries in the North West.

Wind farms: A question was raised on how much they affect the fishing industry in the North West. Mr Graham stated that wind farm development has a significant effect on fishing and other industries such as drift mining north of St. Bees Head, the proposed Moorside Power Station and tidal lagoon power could also affect fishing activity.

It was **RESOLVED** to receive the report.

31 ADJOURNMENT OF MEETING until 1330 hours was agreed

32 MEETING RECONVENED AT 1330 HOURS

33 SCIENCE REPORT AND BYELAW REVIEW UPDATE (Agenda Item 11)

Cockle and Mussel Fisheries in the District. No reports received of significant settlement of cockles in the district.

Fleetwood Mussels. Surveyed in early August and will be resurveyed on the next set of big tides. Further information and photos of the Fleetwood beds were shown in the report.

Heysham Flat Mussels. Authorisations were issued for hand gathering of mussels on 17th August. Conditions included a demarcated zone of no access to protect the historical main reef area of Honeycomb Worm.

South America and North Morecambe Bay. An inspection was carried out of the area in July. The area looked to be sanding and not suitable for mussel settlement. The Falklands bed was surveyed in early September and size mussel found which was quite hard in.

Duddon Estuary. The mussel bed at Hardacre has been fished for size mussel and has received a heavy late spatfall.

Lytham Mussels. There is ongoing fishing for size mussel. The area to the east has been monitored to see if the area will scour out or persist.

Mersey Mussels. Two mussel dredge vessels were authorised to dredge an area of juvenile mussel prior to Peel Ports carrying out capital dredging. Inspections of the area showed quantities were not of levels suitable to dredge. A subtidal dredge fishery off New Brighton has been authorised where there is an area of highly unstable seed mussel present which is not likely to persist.

Leven Cockles. The area was surveyed for the third time in July. Stocks were not found in sufficient quantities for a commercial fishery.

Bivalve Mollusc Working Group. Notes of the July meeting were included at Annex A. The meeting discussed the Morecambe Bay Mussel Management Plan and management of current mussel resources in the Bay.

Assessment of Fishing Activities in European Marine Sites. Continuing on track.

Biosecurity Two reports received of non-native species American lobster being caught in the district. NWIFCA will continue to raise industry awareness of the importance of reporting these to IFCA. Officers recommend the lobsters be destroyed. All sizes may be consumed but must not be returned to the sea to protect indigenous species.

North West Coast Connections - National Grid. The preferred route option was confirmed in June. NG will hold events to share information and progress.

Moorside Power Station. Meetings are continuing. Officers will update members.

Halite – Gas Storage in Salt Caverns at Preesall near Fleetwood. Were granted planning consent in July. Members will be kept up to date on the proposals.

Shaft access for the proposed tunnel under Morecambe Bay The effect it will have on the Bay was queried. Mr Lumb said NE anticipates the work may have no long term impact.

Mr Manning mentioned an area of seed mussel at the end of the slipway at Lytham. Fishermen request extension of the seed mussel authorisations to be extended. Ms Temple said that Science Officers would investigate further.

Mr Jones referred to a comment in the Science Report presented to the last TSB relating to eider ducks and their relationship with mussels. NERC has funding available for a PhD project and industry and organisations are welcome to participate in the study. The Senior Scientist, Mr Lumb, Mr Booth and possible representatives from the wildlife trusts are interested in the project. Ms Knott drafted a project proposal. A signed proposal needs to be submitted to NERC by the end of September

It was **RESOLVED** to receive the report

34 DATES OF MEETINGS 2016 (Agenda Item 12)

It was **RESOLVED** to:

1. Receive the report.
2. Agree proposed dates of meetings for 2016 as outlined in the report.

There being no further business the Chairman thanked members for attending and declared the meeting closed at 1400 hours.