

PRESENT

Councillor P. Williams	(Chairman)	Cheshire West and Chester Council
Mr D. Bedworth		Environment Agency
Mr D. Clarke		MMO appointee (Fishing Industry – Cumbria)
Mr B. Crawford		MMO appointee (Anglers and Recreation)
Mr R. Graham		MMO appointee (Commercial)
Mr D. Harpley		MMO appointee (Marine Environment)
Mr M. Johnston		Natural England
Mr T. Jones		MMO appointee (Commercial/Aquaculture)
Mr B. Leigh		MMO appointee (Anglers and Recreation)
Mr S. Manning		MMO appointee (Commercial)
Councillor A. J. Markley		Cumbria County Council
Mr M. Oddy		MMO appointee (Marine Environment)
Miss C. Salthouse		MMO appointee (Marine Environment)
Mr K. Thompson		MMO appointee (Commercial/Aquaculture)

IN ATTENDANCE

Mr A. Newlands	MMO (Officer)
Mr G. White	Sefton Council (Officer)

NWIFCA OFFICERS ATTENDING

CEO, Finance Officer, Head of Enforcement, Clerk, Digital Communications Officer, Senior Scientific Officer, IFCO J. Moulton, Senior Finance & Operational Support Officer, Master of Patrol Vessel

APOLOGIES FOR ABSENCE

Dr J. Andrews	MMO appointee (Marine Environment)
Dr E. Baxter	MMO appointee (Marine Environment)
Councillor L. Beavers	Lancashire County Council
Mr C. Booth	MMO appointee (Marine Environment)
Councillor P. Brightmore	Wirral Council)
Councillor J. Elmes	Blackpool Council
Councillor A. Gardiner	Lancashire County Council
Councillor K. Little	Cumbria County Council
Councillor B. Woolfall	Halton Council
Mr I. Hesketh	Cheshire West & Chester Council (Officer)
Mr C. Clayton	Wirral Council (Officer)
Mr P. Wright	Halton Council (Officer)

157 CHAIRMAN'S ANNOUNCEMENTS (Agenda Item 1)

1. The Chairman welcomed Mr A. Newlands, Mr G. White and visitors.
2. An update on cockle fishery activity from 1st September 2017 (Agenda Item 7) was tabled.
3. Dr Baxter sent thanks to the Authority for the card and good wishes for her marriage on 16th September.

158 DECLARATIONS OF INTEREST (Agenda Item 2)

Agenda Item 7. Patrol and Enforcement. Mr S. Manning
 Agenda Item 9. Science Report. Mr T. Jones, Mr S. Manning

Agenda Item 10. Report on TSB Committee meeting held on 8th August 2017. Mr T. Jones, Mr S. Manning.

159 TO RECEIVE MINUTES OF NWIFCA ANNUAL MEETING HELD ON 16TH JUNE 2017 (Agenda Item 3)

Proposed Miss C. Salthouse, Seconded, Mr M. Oddy

RESOLVED

The minutes of the NWIFCA Annual Meeting held on 16th June 2017 be approved and signed as a correct record.

160 MATTERS ARISING (Agenda Item 4)

Minute 146 (Standing Orders). Mr Graham said his comments at the June meeting on whether the recruitment policy needed revision were not reflected in the minutes. The Chairman's Committee had agreed in March 2016 that a more robust policy should be introduced. CEO said the recruitment policy was reviewed each year and was circulated to members following the June meeting as Chairman requested. The Chairman offered to liaise with Mr Graham outside the meeting and report to the Authority.

Minute No. 155 (Any Other Business). Miss Salthouse reported the workshop on EU funding and project development for the Atlantic Area due to be held on 12th July had been postponed. No information is yet available on when this will now be held.

RESOLVED

Chairman and Vice-Chairman to discuss review of Recruitment Policy.

161 FINANCIAL REPORT (Agenda Item 5)

1. Budget Review for the year ended 31st March 2017. This was checked at audit by Moore & Smalley on 12th July 2017.

RESOLVED

The Audited Budget Review for the year ended 31st March 2017 be approved. Proposed Mr B. Leigh, Seconded, Mr B. Crawford

2. Internal Audit Report for year ended 31st March 2017 by Moore & Smalley.

RESOLVED

The Internal Audit Report for year ended 31st March 2017 be approved. Proposed Councillor A. J. Markley, Seconded Miss C. Salthouse.

3. Budget Review for first quarter of the current financial year. Mr Jones queried the two budget headings shown for Transport. The Finance Officer said the second heading refers to purchase of the new patrol vessel kept separate from the main Transport heading to clarify costs.

RESOLVED

The Budget Review for first quarter of the current financial year be approved. Proposed Councillor A. J. Markley, Seconded Mr B. Leigh

4. Resolution to add the current Chair of NWIFCA as a bank signatory on NWIFCA NatWest current account. NatWest require approval of the full Authority to the following resolution by NatWest.

RESOLVED

“It was resolved that the authorised signatories in the current mandate, for the accounts detailed in section 2, be changed in accordance with sections 5 and 6 and the current mandate will continue as amended.” Proposed Mr B. Crawford, Seconded Mr. M. Oddy.

162 STANDING ORDERS AND SCHEME OF DELEGATION (Agenda Item 6)

Mr Leigh reported that following the last meeting he had received a number of helpful and constructive responses, the vast majority of which have been included in the latest versions of Standing Orders and Scheme of Delegation. The proposed amendments are summarised in the report.

The Chairman raised concerns about non-attendance of local authority representatives and asked if councils could be reminded of the minimum attendance requirement. CE said local authorities are not required to send a representative. Mr Leigh said the ability to substitute is included in Standing Orders, also provision for the CEO to write to any local authority expressing concerns on the lack of attendance by their representative. It was suggested the CEO should write to local authorities to make them aware of the substitute provision and to remind them of the remit of the Authority relating to their own functions.

Councillor Markley said local councillors should be the main communication point with stakeholders. In Cumbria the fishing community is important and he is happy to take any issues back to the council. Mr Crawford endorsed those comments and offered his thanks to Councillor Markley for the work he has done for the fishing industry both on the NWIFCA and previously Cumbria SFC.

Section 11.3 Finance and Personnel Sub-Committee. Mr Graham felt two separate sub-committees would be logical. The Chairman also queried the joining of personnel and finance in 1 Committee. He suggested he and Mr Graham could consider the issue with Mr Leigh. CEO said that finance and HR policies are closely linked in many organisations.

Mr Leigh raised two points in relation to the Scheme of Delegation:

1. Responses had focused on giving sub-committees the right to delegate to officers in appropriate circumstances. Mr Leigh understood but emphasised that this should only be done in circumstances which would not place officers in a difficult situation.
2. Membership of sub-committees contained provision to co-opt additional expertise where it might assist the work of sub-committees.

Mr Leigh said Standing Orders will be subject to review at the Annual meeting of the Authority.

Mr Jones asked the Chairman if he is content with the role of Authority Chair as defined in the Scheme of Delegations. Chairman said the role is non-executive and will develop with experience. He is meeting with members and officers to improve his knowledge of the work of the Authority.

Councillor Markley said the Authority is fortunate to have Mr Leigh's expertise in carrying out the review of Standing Orders and felt his work should be acknowledged. The Chairman echoed those comments and proposed a formal vote of thanks to Mr Leigh for the excellent work he has done.

Members then voted on the recommendations.

RESOLVED

1. Adoption of revised Standing Orders.

RESOLVED

The revised Standing Orders at Annex A be approved and adopted. Proposed Mr B. Crawford, Seconded Councillor A. Markley. 1 against (Mr K. Thompson).

2. Approval and adoption of the Scheme of Delegation.

RESOLVED

The Scheme of Delegation at Annex B be approved and adopted. Proposed Councillor A. Markley, seconded Miss C. Salthouse. 1 against (Mr K. Thompson)

Mr Thompson voted against recommendations 1 and 2 as he is concerned that issues raised may not be re-visited by the Authority in the future. The Chairman assured members changes or amendments will be taken to the Annual meeting for discussion.

3. Amendments to Standing Orders or other parts of the Constitution.

RESOLVED

1. Standing Orders or other parts of the Constitution of the Authority may be amended in accordance with the provisions of the introductory section of the revised Standing Orders.
2. New Constitution be compiled and issued to members.
3. Thanks to Mr Leigh for his work on the review of Standing Orders. Proposed Councillor A. J. Markley, Seconded Mr B. Crawford. Carried unanimously

163 PATROL AND ENFORCEMENT REPORT (Agenda Item 7)

Byelaw Review – Byelaw 3. A suite of recommendations was taken to the August TSB following the consultation. These are summarised on page 3 of the TSB Summary Report. No submissions have been received on potential apprentice schemes.

Byelaw 3. 11 permit holders did not renew their permits in 2016-17 and 10 new permits have been issued. 19 individuals were pursued for non-compliance with the requirement for returns. There is one permit suspension in force.

Byelaw 6 “Grandfather” clause. Four vessels held grandfather rights when the byelaw was made. Two of the vessels have since changed ownership and have been removed from the list. Two vessels remain on the list, one of which continues to fish within the District.

Cockle and Mussel Fisheries. A summary of cockle fishing activity within the District since 1st September had been tabled. 20% of the TAC at Leasowe has been taken and there has been no activity at Pilling. Activity at Flookburgh was less than expected and current estimate is that 110 tonnes have been removed.

Mr Manning asked for clarity on Red Snapper, referred to in the activity summary of cockles. CEO said it is an employment agency specialising in enforcement activity. They are not warranted officers but had provided back-up to IFCOs on a temporary basis.

Mr Oddy asked if any headway has been made on recovering costs in the court case reported on a few meetings previously. CEO said the Authority’s prosecuting solicitor has

made enquiries of the court but without success. Small amounts of costs as per the court order are being received.

It was RESOLVED to receive the report. Proposed Mr A. J. Markley, Seconded Mr B. Leigh

164 CEO REPORT (Agenda Item 8)

Vessel Procurement. Mr Thinnesen said several yard visits have been made and modifications are progressing. The work is being carried out to a very high standard. Visits to the yard will continue. Work should be completed by January 2018. The surveyor's report was attached as Annex A to the report. Chairman said there had been a report of ancillary costs associated with the build and asked if funding was available. CEO said these are valid extras and funding will come from reserves. The extra modifications will make a safe working area for crew. Mr Oddy asked if the value of disposal of the existing patrol vessel has been budgeted for within this or the following financial year. CEO said ownership of the boat is unclear at this time and is being investigated. It may be that it is owned by a finance company. The new boat will be the property of NWIFCA as it is being bought outright with no finance involved.

Personnel, Health and Safety, Complaints. MMO recruitment. Mr Oddy asked for clarification on the process for appointing members and involvement of Northumberland IFCA in the appointment panel. Mr Jones felt it is not appropriate for NWIFCA CEO to sit on interview panels for other IFCA and MMO has strict guidelines on the application criteria for recruiting members to IFCA. CEO said it is the new process recently introduced by MMO. NWIFCA may be invited to comment on the shortlist of applicants. It was pointed out MACAA does not set out clearly how members should be appointed and managed. Members raised concerns on the difficulties experienced in recruiting the required number of MMO vacancies to NWIFCA. The vacancies had been advertised on websites and in a number of publications. Mr. Oddy said emails received from MMO state that it continues to have a minimal budget therefore vacancies will not be advertised in national newspapers. MMO can use its contacts to spread the advertisement via sources such as social media. He asked if organisations such as CLA had been used. CEO said North West Coastal Forum has advertised vacancies. CEO said he will ask for the issue of MMO appointments to be placed on the agenda for the next AIFCA meeting.

IFCO vacancies. Mr Oddy asked what response there has been to the advertisements. CEO said six applications for Deputy Chief and Head of Enforcement role had been received, 50 to 60 for IFCO and 40 to 50 for the Whitehaven post. Mr Jones asked whether the personnel on three months' trial will be considered for the post. CEO said they are on three month fixed term appointments to assist with enforcement during staff shortages due to long term sickness and not on three months' trial. Those personnel will have to apply for the posts in competition with other applicants.

Byelaws. CEO updated the Authority on the Permit to Dredge Byelaw 2017. Defra is reconsidering the issue of including AIS. Two versions of the byelaw have been produced, one with AIS provision and one without. The AIS version has been sent to Defra and their comments are awaited.

RESOLVED

1. Chairman to raise IFCA involvement on member appointments at next AIFCA meeting. Proposed Mr B. Crawford, Seconded Councillor A. J. Markley.

165 HEAD OF ENFORCEMENT

The CEO said this was Mr Andy Deary's last day as Head of Enforcement. He thanked Mr Deary for the work he has done for the Authority over the last five years. Mr Deary has trained and built up the IFCO team across the District and his work is appreciated. He was wished all the best in his new employment with the MMO.

166 ADJOURNMENT OF MEETING until 1300 hours was agreed.

167 MEETING RECONVENED AT 1300 HOURS

168 SCIENCE REPORT (Agenda Item 9)

The Senior Scientist reported that TSB had agreed to open certain cockle fisheries from 1st September following the end of the closed season. Members are asked to approve and confirm that decision. Three beds which had sufficient stock and were HRA compliant were Flookburgh/Leven, Pilling and Leasowe. The fisheries have been well managed and the multi-agency approach to management of the Leasowe fishery seems to work well. Other beds within the District with insufficient stock to allow commercial fishing remain closed under Byelaw 13A for the Southern part of the District and under Byelaw 18 in the North of the District. There is still potential for another fishery at Penfold North on the Ribble Estuary. Cockles there have been very slow growing and have not yet reached size. Officers will keep TSB updated on the situation there.

RESOLVED. TSB to open the cockle fisheries at Leasowe, Pilling and Flookburgh/Leven Sands from 1st September. Proposed Mr B. Crawford, Seconded Mr S. Manning.

Marine Conservation Zones: Tranche 2, West of Walney. The site extends from 4.3 nautical miles to beyond 12 including much of the West of Walney Wind Farm. It is the first site within the District with a recover objective so there will be management issues to address. Defra and MMO have now confirmed the Authority recommendation for a single set of measures from 0-12 miles. MMO are leading. The Authority will provide activity information and enforcement 0-6. MMO will carry out the MCZ Assessment and recommend management measures required.

St Bees Head SSSI – Netting, Bird Entanglement and Disturbance was discussed at August TSB. Two meetings were held with commercial and unlicensed fisheries stakeholder sectors to discuss concerns over the issue of entanglement of birds in nets at certain times of the year. A proposal was made for a voluntary code of conduct for both sectors. TSB had suggested further work needed for next meeting with hope it can be in place in time for spring 2018. Mr Graham said the area around St Bees Head was sensitive and he felt the voluntary code would be welcomed rather than bringing in a byelaw. The Senior Scientist said the fishermen had supported the voluntary code of conduct approach but NWIFCA would need to monitor the compliance.

Unlicensed fishing: Mr Oddy asked for clarification on who has the onus to prove a fisherman is fishing for their own consumption. Mr Graham said NWIFCA has a byelaw which limits the catch allowed each day. Mr Newlands (MMO) said primary legislation clarifies that fishing for profit is the main difference between leisure and commercial fishing. Mr Clarke asked with regard to concerns on unlicensed netting and byelaws why the two separate sets of byelaws for the north and south of the district cannot be amalgamated to give a clear definition of what people are allowed to take. CEO said work has started on amalgamating the hobby potting byelaw. Netting byelaws are complex and getting agreement on measures in a single district wide byelaw was difficult. Netting byelaws involve two different sets of SFC byelaws and netting restrictions within estuaries. Chairman suggested the question of netting and byelaw priorities is referred to the TSB.

Bait Collection Habitats Regulation Assessments. The Senior Scientist raised the issue of bait collection within EMS at the June TAG meeting to see how other IFCA are dealing with this. It was clear from that meeting there was a difference of interpretation. TAG had drafted a letter to Natural England/Defra to gain clarity. Senior Scientist to again raise it at next TAG meeting.

C-Bass Tagging Project. The Cefas scientist deployed 34 data storage tags in June with assistance from science and MMO officers. The data collected if tags are returned should

assist modelling bass movements. Planned to deploy remaining 26 storage tags in the next few weeks.

West Cumbria Mine. Mr Oddy said this company mines a particular type of coal for the steel industry. Mr Graham said he had attended the meeting in Whitehaven with MMO and IFCA officers. The weather impacts on when the drilling can take place and there is a request for 12 hour drilling to be extended to 24. He thought all at the meeting had been in favour of that proposal. Ms Knott said officers raised concerns on the original consultation for 12 hours drilling a day because of the lack of evidence there will be no significant impact on the marine environment. No substantial evidence on impact seems to be available and officers will continue to raise concerns.

Oil Spill Response. The Chairman asked if the oil spill from the Douglas Complex installation was significant. Members were informed the spill consisted 30 tonnes of oil. There was no loss of bird life; the oil sank very quickly.

NWIFCA New Vessel. Chairman said names for the vessel and RIB were needed. An approach to local schools to see if they would be interested in running a competition to suggest names was suggested. Mrs Dobson asked if officers could also have input. Mr Leigh felt it would be good to involve schools as it could link into the national curriculum. The children could be asked to demonstrate an understanding of environmental issues, depending on the age group targeted. CEO suggested the Digital Communications Office be asked to investigate this.

RESOLVED

1. Refer issue of netting and bird entanglement and disturbance at St Bees Head for further discussion at the next TSB Sub-Committee.
2. Refer the issue of byelaw priorities for discussion by the TSB Sub-Committee.
3. Digital Communications Officer to investigate possibility of local schools being invited to propose name for the new patrol vessel and RIB. Input from members and officers to be considered.

169 REPORT ON TSB COMMITTEE MEETING HELD ON 8TH AUGUST 2017 (Agenda Item 10)

The Vice-Chairman of TSB Mr T. Jones had chaired the meeting in the absence of the Chairman.

Razor clams. Mr Jones asked if the Science Officer involved in this study has approached Irish and Dutch regulators for information. The Senior Scientist confirmed this has been done. Mr Jones said the species in the Authority's District, *Ensis ensis* recruit and grows very quickly and is susceptible to big storm damage. The fishery would be dependent on intense monitoring and data collection. Mr Jones asked if there are any science partnership opportunities available for this work. Ms Knott said Ms Aitken has been directed to look into this and a report on the work will be produced and taken to the TSB for further discussion.

Pink Salmon Alert. The Chairman said over 200 pink salmon have been caught in British waters this season. Underwater observations indicate they are making efforts to breed. This poses potential competition for the Atlantic salmon, which is itself already under threat".

Byelaw 3. Mr Manning referred to the summary of measures proposed for the review of this byelaw, and suggestions for an apprentice scheme. He suggested a Byelaw 3 permit holder could have a permit to allow a child to accompany them. TSB Chair said TSB had requested written submissions on suggested measures to be submitted. The Chairman suggested the matter is referred back to TSB.

RESOLVED

Refer question of apprenticeship scheme to the TSB Sub-Committee for further discussion.

170 ANNUAL PLAN 2017-18 (Agenda Item 11)

CEO informed members no comments have been received on the Annual Plan. A first draft of the 2018-19 Plan should be available at the December meeting including a monitoring template. Members agreed the 2018-19 Plan should include monitoring of Key Performance Indicators (KPI). Any comments for that Plan should be submitted to the CEO by 15th November 2017.

RESOLVED

The 2018-19 Annual Plan to include monitoring of Performance Indicators.

171 DATES OF MEETINGS 2018 (Agenda Item 12)

The Chairman suggested the need for a Finance Committee meeting prior to each quarterly meeting should be considered. CEO said this could be done with the call for meeting agenda items. TSB dates were agreed.

With respect to the proposed dates for quarterly meetings members suggested a change of day for quarterly meetings from Friday. Mr. Clarke said it could be difficult for him to get time off to attend meetings if the day was changed from a Friday. Following discussion members agreed to keep the December meeting date unchanged but to investigate a change to Thursday from 2018 onwards.

RESOLVED

1. TSB Committee meeting dates in 2018 as outlined in the report be agreed.
2. NWIFCA Quarterly meeting date of 8th December 2017 to remain unchanged.
3. Change of day for NWIFCA quarterly meetings to Thursday from 2018 onwards be investigated.

Proposed Mr M. Oddy, Seconded Mr B Leigh. 1 against (Mr D. Clarke).

172 ANY OTHER BUSINESS (Agenda Item 13)

1. Miss Salthouse informed members the SIMCelt final conference will take place in Liverpool on 28th and 29th November. Details are on the North West Coastal Forum website. Miss Salthouse will email members with details.
2. Bass Consultation. Mr Crawford asked the situation with regard to this consultation which closes today. CEO said members' responses indicate they are happy with his comments. Mr Graham said NFFO will be meeting with Defra on 18th and 19th September to discuss the bass situation. The Senior Scientist pointed out these are EU measures brought in by Defra. The Authority has made Defra aware of a loophole with regard to beach netting and they have drafted a new measure to take back to the EU.
3. Acronyms. Chairman said he is unfamiliar with many of the acronyms used in NWIFCA reports. CEO agreed to produce a list for members' information.

It was RESOLVED that a list of acronyms used in reports be produced for members.

Meeting ended at 1430 hours