

PRESENT – MEMBERS

Councillor P. Williams	(Chairman)	Cheshire West and Chester Council
Dr J. Andrews		MMO appointee (Marine Environment)
Dr E. Baxter		MMO appointee (Marine Environment)
Mr C. Booth		MMO appointee (Marine Environment)
Mr S. Brown		MMO appointee (Recreation)
Mr R. Graham		MMO appointee (Commercial)
Mr P. Gray		MMO (Officer)
Mr D. Harpley		MMO appointee (Marine Environment)
Mr T. Jones		MMO appointee (Commercial/Aquaculture)
Mr B. Leigh		MMO appointee (Anglers and Recreation)
Councillor A. J. Markley		Cumbria County Council
Mr M. Oddy		MMO appointee (Marine Environment)
Mr K. Thompson		MMO appointee (Commercial/Aquaculture)

IN ATTENDANCE

Mr A. Newlands	MMO (Officer)
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NWIFCA OFFICERS ATTENDING

CEO, Finance Officer, Head of Enforcement, Clerk, Digital Communications Officer, Senior Scientific Officer, Senior Finance & Operational Support Officer, Master of Patrol Vessel, Huw James – Fisheries and Conservation Advisor, Elliot Waltho – IFCO

APOLOGIES FOR ABSENCE

Councillor P. Brightmore	Wirral Council
Mr D. Clarke	MMO appointee (Fishing Industry – Cumbria)
Mr B. Crawford	MMO appointee (Anglers and Recreation)
Mr M. Johnston	Natural England
Councillor K. Little	Cumbria County Council
Mr S. J. Manning	MMO appointee (Commercial)
Miss C. Salthouse	MMO appointee (Marine Environment)
Councillor B. Woolfall	Halton Council
Mr C. Clayton	Wirral Council (Officer)
Mr P. Wright	Halton Council (Officer)

174 CHAIRMAN'S ANNOUNCEMENTS (Agenda Item 1)

1. The Chairman welcomed new MMO appointee Mr Steven Brown, Messrs Andy Newlands and Patrick Gray (MMO Officers) and visitors.
2. The Chairman reported that Mr Mark Johnston (Natural England) is taking a 6 month career break in 2018. It was agreed that members' thanks to Mr Johnston be recorded for his contributions to the Authority in recent years. NE intends to have a replacement officer to attend Authority meetings and provide advice.
3. Due to financial and time constraints Halton Council has advised that the Council will not be represented at NWIFCA meetings.
4. A report on Preesall Gas Storage Development and Brine Discharge (Agenda Item 10) has been tabled.
5. Hard copies of the revised Constitution are available. Any comments or corrections should be sent to the Clerk.

6. All members should have received emailed copies of a Supplementary Report to Agenda Item 8 (CEO Report) and the Agenda and papers for AIFCA Members' Forum held on 5<sup>th</sup> December. Hard copies are available if required.

175 DECLARATIONS OF INTEREST (Agenda Item 2)

Agenda Item 9 (Report on TSB Committee meeting held on 31<sup>st</sup> October 2017). Mr R. Graham, Mr T. Jones  
Agenda Item 10 (Science Report). Mr R. Graham, Mr T. Jones

176 TO RECEIVE MINUTES OF NWIFCA MEETING HELD ON 15<sup>TH</sup> SEPTEMBER 2017 (Agenda Item 3)

RESOLVED

The minutes of the NWIFCA meeting held on 15<sup>th</sup> September 2017 be approved and signed as a correct record.

177 MATTERS ARISING (Agenda Item 4)

Minute 162 (Standing Orders and Scheme of Delegation). Mr Leigh said that page 4, point 2 should have Standing Orders will be an Agenda item at each AGM. There is provision built-in to Standing Orders to review them annually. There is also provision in the Constitution to suspend certain Standing Orders. Members agreed to amend the minute accordingly.

Minute 163 (Patrol and Enforcement Report). Mr Jones said the content of the minute is rather light. The Byelaw Review referred to in the TSB Summary Report was a very substantial item regarding introduction of the buyers' permit which was addressed by the TSB. The Chairman said this matter has not yet been resolved by TSB. Mr Jones agreed to raise the matter again under Agenda Item 9.

178 REPORT ON FINANCE AND PERSONNEL SUB-COMITEE MEETING HELD ON 8<sup>TH</sup> DECEMBER 2017 (Agenda Item 5)

The new Chairman of the Finance Committee, Councillor Markley, reported that items discussed included the budget and levy 2018/19 and the replacement vessel. The budget and levy for 2018-19 was agreed.

The Chairman said members of the Finance Committee had expressed their gratitude to Mr Leigh for the work he has done on the Standing Orders.

It was RESOLVED to receive the report.

179 FINANCIAL REPORT (Agenda Item 6)

The Finance Officer presented the report and asked members for their formal approval of the four recommendations.

Dr Andrews asked if there has been a change in the way the audit is carried out. The Finance Officer said the external audit is no longer required and the audit is carried out by independent auditors Moore & Smalley. It is still done in the same format as previously required. The Chairman suggested a representative from Moore & Smalley be invited to attend a future meeting.

Dr Andrews asked if there has been feedback from funding authorities on the budget and levy. The Chairman said Wirral was the only council to respond saying the Council accepted the recommendation for the 2% increase for vessel funding this year, but requested confirmation that no further future levy increases will be made in respect of

patrol vessel replacement. Chairman agreed this was the final year of the vessel funding agreement but said there had been no core increase in the levy for five years and inflationary increases had been absorbed. The Authority is therefore unable to make future commitments about net year's levy.

Mr Leigh pointed out that at the last meeting he had suggested a need to communicate IFCA's vision to local authorities. Concerns have previously been raised on the poor attendance of some local authority representatives and the Chairman suggested a visit to leaders of the contributing authorities during his tour of the district might be useful. CEO reported that a letter had gone to all local authorities explaining the remit of the IFCA and the value of local authorities attending meetings.

Mr Thompson asked if provision has been made in the budget for 2018/19 for sale of "Solway Protector". The Chairman said the value and ownership of the vessel is being investigated by Cumbria County Council. Some expenditure will be incurred to put the vessel into a saleable condition.

The Chairman drew members' attention to the recommendations.

Proposed Mr Oddy, seconded Councillor Markley.

#### RESOLVED

1. The Budget Review to 30<sup>th</sup> September 2017 be approved.
2. The Budget and Levy for 2018/19 be approved.
3. The effectiveness of independent audit be approved and Moore & Smalley LLP appointed as independent auditors.
4. The risk assessment be approved.

#### 180 PATROL AND ENFORCEMENT (Agenda Item 7)

Staff. The new Head of Enforcement, Joe Moulton, reported on changes in staff during the quarter. IFCOs Mark Taylor is based in Liverpool, Callum Sirkett in Whitehaven and Elliott Waltho in Carnforth.

Legislative changes. The national SI prohibition on landing berried lobster and crawfish came into force on 1<sup>st</sup> October.

#### Cockle and Mussel Fisheries

Mussels. Heysham Flat seed mussel fishery only ran for 1½ weeks due to the impending cockle fishery on 1<sup>st</sup> September.

Cockles. Fisheries during the quarter included Pilling where only a small amount of activity has been detected and at Flookburgh which started on 1<sup>st</sup> October with only local fishermen participating. Most activity has centred round the Wirral and Leasowe cockle fishery.

Byelaw 3 Returns. Compliance in September was good at 95% but dropped in October. Gatherers who failed to supply returns in September were issued with advisory or warning letters. Useful statistics from the returns will help to inform management of the fisheries.

Sanctions, Infringements and Court Activity. The Head of Enforcement attended court on 7<sup>th</sup> December in respect of one prosecution for breach of 5kg personal limit and obstruction. The defendant pled not guilty and a trial date has been set for 23<sup>rd</sup> February 2018. Mr Oddy asked about the potential liability on the Authority for costs if the defendant

is found not guilty. The HoE said lengthy investigation is carried out prior to commencement of prosecutions which are not taken until officers are sure the case file is secure. Members were informed that there are costs outstanding to the Authority from a previous case. The Authority's solicitor is pursuing payment.

Bass Regulations. Mr Leigh said an EU report concerning the potential bass regulations for 2018 onwards had been leaked. This report suggests a dramatic reduction in the commercial take for hook and line fishing and a moratorium on all recreational angling for the period 1<sup>st</sup> January to 1<sup>st</sup> July. Such a regulation would make it difficult for officers to enforce. The CEO said the December meeting of the Council of Ministers will be held shortly and more information will become available following that meeting.

It was RESOLVED to receive the report.

#### 181 CHIEF OFFICER REPORT (Agenda Item 8)

The outcome of the interviews for MMO appointees was disappointing. Four applicants were interviewed but only one appointment made, Mr Steve Brown. Mr Newlands (MMO) said the remaining two vacancies will be advertised in mid-January with a view to conducting new interviews in February. Members were invited to nominate potentially suitable members and encourage submission of applications. Mr Graham said the application for MMO membership can be difficult for those who are not IT literate. Mr Brown said the MMO will accept hand-written applications for those finding difficulty in applying online.

Members discussed the requisite criteria for members in terms of skills, experience and geographical spread. Two former members of the Authority had applied and their skills and experience are unlikely to be less than had been the case during their previous membership. Mr Newlands agreed to feed members' comments back to MMO and to investigate whether applications will be considered from previously unsuccessful candidates.

Association of IFCA. The papers and notes from the 5<sup>th</sup> December meeting had been circulated for members' information. Dr Andrews asked what the issue is with Devon & Severn IFCA. The CEO said some local authorities in the Devon & Severn district object to membership of AIFCA as they have little coastline. Devon & Severn have asked for the new burdens funding to be revisited but Defra has indicated it does not have resources.

Vessel Procurement. The CEO reported the work is on schedule with an expected delivery of January 2018. The name proposed for the new vessel is "North Western Protector". The suggestion of schools being invited to propose names had not been followed up as this may lead to an obligation to accept an unsuitable name. A webpage for the vessel has been set up which contains photographs of the work in progress to date.

Proposed Councillor Markley, seconded Mr Brown.

RESOLVED. The replacement vessel be named "North Western Protector".

The CEO said a naming ceremony will be held to take possession and commission the vessel for the Authority. A new name will also be required for the RIB. It was agreed invitations to name the RIB should be placed on the webpage.

Members discussed whether the right to fly the defaced ensign on the Authority's vessels should be continued. Mr Brown provided background to the long history relating to the granting of the ensign. This was granted to the Lancashire and Western Sea Fisheries and its subsequent successor organisations by Royal Warrant in 1901. The North Western and Eastern IFCAs are the only two IFCAs to have been granted the right to fly the defaced ensign.

Proposed Councillor Markley, seconded Chairman.

RESOLVED. The Authority continues to exercise the right to fly the defaced ensign on its vessels.

An additional IFCA has been appointed at Whitehaven to provide additional crew for the new vessel.

Mr Oddy queried an item in the report from the Marine Surveyor on the RIB design identifying further work and suggesting this is compensated for by reducing the resilient seating from 4 to 2. Mr Thinnesen said there will still be four seats, two resilient or suspension seats and two non-suspension seats.

Byelaws. The CEO reported that the Permit to Dredge and Prohibition of Foul Hooking byelaws are with Defra for confirmation.

It was RESOLVED to receive the report.

182 REPORT ON TECHNICAL, SCIENCE AND BYELAW SUB-COMMITTEE MEETING HELD ON 31<sup>ST</sup> OCTOBER 2017

The Chairman of TSB, Mr R. Graham, reported.

Matters Arising. (a) Concern about a bright light at Heysham Port was raised by Mr Manning. Bright lights in SSSI are a matter for Natural England as they may impact behaviour and wellbeing of wildlife. Mr Johnston (NE) was asked to investigate but has not so far been successful and may be unavailable in 2018. Science team will write again to NE to express the Authority's concern.

(b) Razor clam fishing. Research on the approaches taken by other authorities to manage this fishery is being investigated and will be discussed at a future meeting of the TSB.

Science Report. Marine Conservation Zones. Notification has been received of an informal consultation on the management of West of Walney MCZ. The deadline for comment on the proposals is 12<sup>th</sup> January.

St Bees Head Netting Voluntary Code of Conduct. An amended Code allowing flexibility over closure dates was given approval for implementation in 2018 with monitoring and reporting of compliance levels.

Monitoring and Control Plans. Members agreed continuation of the work. It will be reviewed each year to make sure it complies with the Defra guidelines.

Cockle and Mussel Report. Effort at Leasowe has reduced and it was agreed to amend the closure date from 2<sup>nd</sup> December to 17<sup>th</sup> February. The activity will be monitored.

Byelaw Review. The permit to dredge byelaw is with Defra for confirmation.

Byelaw 3. A lengthy discussion took place on the revised draft of the byelaw presented to the October TSB meeting. The August meeting considered whether trading permits should form part of the byelaw. A transcript of the meeting was requested to clarify the outcome.

Permits for younger people and apprenticeships were requested. Mr Leigh is looking at an alternative wording to allow young people on the Byelaw 3 waiting list.

It was RESOLVED to receive the report.

183 ADJOURNMENT OF MEETING until 1315 hours was agreed.

184 MEETING RECONVENED AT 1315 HOURS

185 SCIENCE REPORT (Agenda Item 10)

The Senior Scientist introduced the new Science Officer, Huw James.

#### Cockle and Mussel Fisheries

Cockles. Leasowe. Low commercial density stock remains. Activity is monitored regularly. Beds will be resurveyed in the spring.

The Penfold North bed at Southport has been resurveyed. Cockles are high density but slow growing. The area will be resurveyed in the spring.

The Flookburgh and Leven Sands fishery is working effectively with cockles remaining. Few oystercatchers have been seen. They may be feeding on mussels rather than cockles.

Mussels. There is a dense area of mussel on the English side of the Dee Estuary which is open to Byelaw 3 permit holders and those with Dee transitional permits to take size mussel. There is no vehicular access to the beds which are fished using boats.

The Chairman asked about the reported presence of non-native invasive species in the Dee Estuary. Ms Knott said Chinese Mitten Crab have been seen requiring consideration if the mussel is to go for relaying. A Code of Good Practice and Advice has been issued to mussel buyers and gatherers. There is a gap in the legislation regarding non-native invasive species. Defra and Cefas are considering action required.

Marine Conservation Zones. The documents relating to the informal consultation from MMO on the proposed management measures for the West of Walney MCZ will be forwarded to members.

St Bees Head SSSI – Netting and Bird Entanglement and Disturbance. Compliance with the Voluntary Code of Conduct will be monitored. NWIFCA, NE and RSPB will agree the start date for closure in 2018, the first year of implementation.

Preesall Gas Storage and Brine Discharge (tabled report containing a summary of the extended background to this development). Concerns were previously raised over the lack of engagement and consultation with fishing associations and individual fishers. The office has received enquiries and concerns over the announcement that the construction of a pipeline is imminent and the perception is that IFCA has not done enough to represent their interests. A note on the website will show the time and effort by the Authority to ensure consultation with industry. The Authority is trying to ensure full monitoring of the brine discharge is carried out. Halite and EA have been asked for contact details which can be passed on to concerned parties.

MMO Marine Licence and other consultations this quarter. Mr Oddy asked if there is any scope to charge for some or all the consultation work. It was pointed out IFCA is a statutory consultee and responds to MMO and not the applicant. It was suggested a charge could be made under Byelaw 1 dispensations and members agreed this should be investigated and a draft policy be brought to a future meeting for discussion.

It was RESOLVED to receive the report.

186 ANNUAL PLAN – first draft (Agenda Item 11)

Extra columns are added to the Defra performance monitoring table so progress against indicators can be assessed by quarter. A lead officer for each indicator has been identified.

Mr Leigh said that whilst the prime audience is Defra the Authority should use the Annual Plan as a regular reporting tool to monitor success against prescribed outputs.

RESOLVED

Comments on the Annual Plan to be submitted to the CEO by 31<sup>st</sup> January 2018 with a view to a complete plan being approved at the March meeting.

187 DATES OF MEETINGS 2018 (Agenda Item 12)

There is a proposed change to the date of the Annual Meeting 2018. The date proposed coincides with the date of the Cumbria County Council meeting. It is proposed to hold the meeting the following week, 28<sup>th</sup> June.

One change to the TSB Sub-Committee dates is proposed. The Strathmore Hotel is unable to accommodate the meeting scheduled for 15<sup>th</sup> May. It is proposed the meeting be held the previous week, 8<sup>th</sup> May. Members agreed to leave the date as the 15<sup>th</sup> and an alternative venue be found for that meeting.

RESOLVED

1. NWIFCA Quarterly meeting dates in the report be agreed.
2. The date of the May TSB Sub-Committee remains at the 15<sup>th</sup> and a change of venue investigated for that meeting.

The Chairman closed the meeting by wishing members compliments of the season.

Meeting ended 1415 hours.