

NWIFCA Quarterly Meeting
15th September 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. IFCA Member recruitment has commenced. Details are on MMO and NWIFCA websites. Interviews are scheduled to be held in the Carnforth Office 10-11th October. NWIFCA has 3 vacancies. Members are requested to help disseminate this information and encourage potential candidates to apply. In accordance with the new appointment procedure, Chief Officers are asked to assist appointment panels for an IFCA other than their own. NWIFCA CEO will therefore assist with the NEIFCA appointments and CEO Northumberland IFCA will attend interviews for NWIFCA appointments.
2. Head of Enforcement, Andy Deary, resigned in June to take up a senior post with MMO managing fisheries in marine protected areas of the UK overseas territories. We congratulate Andy on his appointment and extend thanks for 5 years' service with this Authority. Andy has trained and built up the North Western IFCO team across the District, creating a much stronger enforcement presence particularly at weekends. This has been essential to meet changing patterns of fishing and increased recreational activity. He has also worked extensively with IFCA, MMO and other agency colleagues to develop partnership working and standardised accredited training for IFCOS. Andy's last day of work for NWIFCA is today, 15th September.
3. IFCO Nick Walters (South Morecambe Bay and Fylde area) resigned in July to take up an offer to join the police. Thanks to Nick for 3 years' service. We wish him every success in his new career.
4. Two officers based in Cumbria continue on long term sick leave. We wish them rapid recovery.
5. In order to mitigate resignations and absences, three posts were advertised as reported to members by email in July:
 - a. The Deputy Chief Officer and Head of Enforcement
 - b. The IFCO for the south of the District to be based in Liverpool or Carnforth
 - c. A 1 year fixed term appointment (FTA) Fisheries Assistant/IFCO for Cumbria.

The closing date for applications is 31st August. Interviews will be held as soon as possible.

6. Immediate support for the patrol vessel in Cumbria and the Wirral cockle fishery is also required so 3 month FTA Fisheries Assistant posts have been appointed September – November in each area. If these appointments prove successful the posts may be extended.
7. 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.

II. Communications

8. The Communications Officer has been almost fully engaged this quarter on the issue of various sets of permits and dealing with queries arising. A number of representations regarding Byelaw 3 permit entitlements and the handling of applications have been resolved. Byelaw 3 has been found to be robust and all complaints were found to be invalid but are time consuming to investigate.
9. There have been no reportable complaints, or requests under information legislation.
10. The following is a summary of other communications work completed and ongoing
 - Improved the documents section of the website by changing layout and ordering.
 - Drafted a dredge permit application form to be used once the dredge byelaw is in place.
 - Redesigned the Byelaw 3 forms for permit applications, renewals and waiting list.
 - Ongoing work with IT provider Lake District National Park to provide guidance on scheduled improvements to the permit database - including a new returns and inspections system which will increase detection of non-compliance.
 - Pursuing service provider regarding a separate events calendar on the website.
 - Implemented a website change log for non-event/news articles on the 31/08/2017 work since the log has been implemented can be seen in the table below.

Website Change Log		
Date	Change Made	By
31/08/17	Added details regarding the opening cockle fisheries in the fisheries section	AG
01/09/17	Changed Leasowe, Pilling and Leven sands/Flookburgh to open	AG
01/09/17	Advertised Vacancies removed	AG
05/09/17	Corrected formatting error causing transparency to appear black on the .pdf version of the Byelaw 3 renewal form and added the waiting list application form. Updated statement about waiting list length to over 70.	AG

III Association of IFCA

11. Reports of the AIFCA-MMO workshop 5 June and AIFCA – stakeholder meeting 6th June were discussed at the NWIFCA June meeting. Members had concerns about the facilitator report of the 5th June AIFCA/MMO workshop.

12. Other IFCA's had similar concerns which resulted in an additional AIFCA meeting attended by Chairmen and Chief Officers on 20th July. The main purpose was to consider options for joint working with MMO following the 5th June workshop. Annex B is report of the meeting and a briefing note by the AIFCA CEO.
13. The next quarterly AIFCA meeting is 26th September.

IV. Byelaws

14. **Permit to dredge:** Application to MMO for confirmation was made in June. In July Defra raised two issues which created significant delay and meant the Byelaw could not be confirmed by the end of July. The provision for AIS (Automatic Ship identification System) on vessels in IFCA byelaws was questioned. Also the Regulatory Impact Assessment (RIA) had to be transferred to a new template recently introduced for all Government Departments. MMO also made a number of further comments on the Byelaw and RIA.
15. The byelaw and RIA were amended as requested and resubmitted to MMO. The Authority made a submission to Defra stating that AIS is an important global enforcement tool and requesting provision for AIS in the byelaw. Defra agreed to consider the byelaw for confirmation including AIS. The present position is that two versions of the byelaw and RIA (one not including AIS) are available to Defra for confirmation.
16. **Prohibition on foul hooking:** Application to MMO for confirmation of the byelaw was made in June. The RIA must also be transferred to the new template and other minor comments from MMO addressed before the byelaw proceeds to Defra for signature.
17. **Review of Cockle and Mussel permit byelaw 3:** Responses to the consultation on measures to be included in the revised byelaw were considered by TSB in August. Details are in the TSB report at agenda item 10. There was broad agreement among TSB members on proceeding to a draft byelaw as soon as possible.

V. Vessel procurement

18. The contract with Holyhead Marine Services to purchase and modify MV Cemaes Bay was agreed and signed by the Chairman on 20th July.
19. Work on modification to meet the Authority's specification has begun and is being monitored by the group of experts including Master Hugh Thinnesen, Engineer Trevor Agnew, member Trevor Jones and Surveyor Nigel Ling. Inspections were carried out on 17th and 30th August and will continue at approximately 2 week intervals or as required. Reports of the 30th August inspection are at Annex A.
20. The modification work by HMS is expected to take 6 months. Delivery of the vessel is therefore expected in January 2018.
21. A new name for the vessel should be considered as she is taken into the ownership of the Authority and given new duties. Members are invited to propose suitable names as soon as possible. There is no naming convention to follow. If more than one name is proposed, a vote will be taken.
22. Ideas for names can be gleaned from other compliance organisations with vessels. Names are often linked work areas (Solway, North Western, North Eastern), or duties (Watchful, Protector, Guardian, Aegis). Two IFCA's name patrol vessels after local saints (St Piran, St Oswald).
23. Options for disposal of FPV Solway Protector will be investigated

CEO External and main internal meetings attended June to September 2017.

16 th June	NWIFCA
28 th June	Audit at Carnforth Office
6 th July	Chairman's visit to Carnforth Office
19 th July	Chief officers group London
20 th July	AIFCA Extraordinary meeting. Vessel contract signed
7 th August	GLA New officers visit to NWIFCA Carnforth
8 th August	TSB
15 th August	FTA posts interviews
24 th August	Meeting all IFCOs

**CEO
4th September 2017**

Annex A

Reports of vessel work inspection 30-8-17

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

Notes relating to a visit to CEMAES BAY at Holyhead on 30th August 2017.

1. The vessel was blocked up inside the boatshed.
2. Work was underway on the structural repairs. All shell repairs had been completed with the exception of the two distorted bulwark stanchions immediately above the anchor roller. It is understood that repairs here will be combined with the construction of a new locker
3. The lifted paint around areas of electrolytic action had been ground off. The electrolytic action is mainly due to the presence of uninsulated stainless steel fittings or fastenings. If no effort is made to insulate these the problem will redevelop.
4. The provision of a new after working deck was discussed. The proposal is that the deck be extended above the jet shields at the same level as the main deck and the insert over the RIB trough. Although no measurements were carried out, the impression is that the provision of such an extension will double the size of the after working deck, which otherwise will be cramped. Additionally it provides some degree of extra safety when working with gear and wires - there is simply more free space to escape to if something parts, whips or just goes tight. It is appreciated that this will involve extra expense but this will be less at this stage than retro-fitting later. A deck platform with alloy frame and rails and grating deck will be light and have no effect on the vessel's performance. Indeed, she may benefit from a small amount of weight aft to compensate for the fitting of the crane forward.
5. The vessel has a forward facing door. The cill for that is the required minimum height of 300mm (just). The adjacent drain was small. Forward facing doors are often less than successful. The provision of an additional cill may prove necessary if the vessel is wet forward, but this is easily and cheaply carried out after delivery in the light of operational experience.
6. Discussions were carried out regarding the black water tank and the discharge arrangements. The suggestion was made that a lock should be fitted on either the Y valve or the seacock, so that inadvertent discharge overboard cannot be carried out. The key can be kept in the wheelhouse and logged in and out so that any sea discharge can be recorded.
7. It was noted that construction of the internal stair was well under way, and that the accommodation work was about to commence. The details of the accommodation should comply with the Maritime Labour Convention to prevent any future difficulties. As Cat 2 the vessel would not require a certificate, but would require one for Cat 1 and would also

require her to have an MLC certificate before she could visit Eire or the Isle of Man. At this stage it is just as easy to comply as not to comply.

8. There was general discussion, without conclusions, on coating, colours (the possible use of vinyl to prevent painting was pointed out) and on the possible safe working load of the gantry.
9. A general discussion also took place on the dangers of electrolytic corrosion on aluminium vessels.
10. It is noted that the proposed stern platform, anodes, engine servicing and jet servicing is extra to contract.

P. N. LING.

Report of visit on 30th August Master Hugh Thinnesen

1. The work is progressing well. The staircase from accommodation to the bridge is now installed and we expect the bridge alterations to be complete on our next visit. We are in the process of taking electronic equipment out of Solway Protector to be installed on the new vessel which we will take down on our next visit as arranged with HMS.
2. The stern section has now been cut out ready for the RHIB launch and recovery system to be installed. The bow platform and steps have also been removed freeing up extra deck space.
3. The HYAB crane is on site awaiting installation. We expect the bulkheads in the accommodation for cabins etc. to be fitted by our next visit.
4. The super structure has been prepped ready to take paint.
5. HMS has asked us if we have had any thoughts on the vessel's new name (so they can order the transfers to cover the vessels old signage). This should be discussed with committee members.
6. I will attach photos and description.

Annex B.

Report of AIFCA Extraordinary Meeting 20th July 2017 and AIFCA CEO briefing note July 2017

Purpose of 20-7-17 meeting: To consider outcomes from the MMO/IFCA workshop 5th June 2017

Attendance: Chair: John Lamb; CEO: Stephen Bolt ; Samantha Davis (CEO Cornwall); Julian Gregory (CEO Eastern), Robert Clark (CEO Southern), John Humphreys, Elaine Hayes (Chair Devon & Severn), Andy Guy, Les Weller (Chair Northumberland), Mike Hardy (CEO Northumberland), Tony Tomlinson (Chair Cornwall), Stewart Harper, David McCandless (CO North Eastern), Will Wright (CEO Kent & Essex), Paul Williams (Chair NW), Stephen Atkins (CEO NW), Paul Whomersley (Scillies)

Apologies: Tim Dapling, Tim Robbins, David McCandless, Tony Goldson

1. John Lamb reported recent telephone call with John Tuckett (CEO MMO) who emphasized importance of first day readiness as Government priority.
2. Stephen Bolt reported little progress on Defra transformation or Brexit. His presentation is available from the Clerk.
3. Will Wright, COG Chair outlined a potential way forward for ongoing joint working between the MMO and IFCA's involving alignment of corporate objectives.
4. There was concern regarding objections from the majority of IFCA's to the 5th June report by the facilitators.
5. Devon and Severn and Northumberland IFCA had reservations regarding the previous agreement to offer extending the IFCA remit to the 12 mile limit. It was agreed that this extension could not take place without additional resources.
6. As a result of the discussion 3 slides will be added to the COG presentation:
 - a. IFCA structure and governance
 - b. Current joint working best practice and how to adopt this more widely.
 - c. Proposals for day one readiness operational matters.
7. Dependent on the amendments being agreed, there was consensus on using the presentation as a basis for future working with the MMO.
8. PM: Breakout sessions compared IFCA success criteria and MMO corporate objectives and how they could be aligned.
9. The following actions were agreed:
 - a. COG Chair and AIFCA CEO to incorporate comments into slides and produce revised slides for a second MMO/IFCA workshop on joint working.
 - b. SB/JL to set up workshop (October?) and agree agenda with MMO
 - c. SB to draft short briefing/position note for Members.
 - d. COG and MMO to discuss operational plan for first day readiness.

SA comments:

1. The alignment of corporate plans did not work well. While there are some parallels the exercise highlighted that MMO and IFCA have different statutory duties and functions. There is less overlap than might have been expected.

2. We have no indication that MMO or Defra would be willing to redraft their corporate objectives to align MMO and IFCA. A lot of potentially unproductive work would be required.

Unconfirmed notes: Stephen Atkins
August 2017.

July 2017 Briefing note: MMO/IFCA joint working

Background to change

In March 2015, the Secretary of State reported to Parliament on the Conduct and Operation 2010-2014 as set out in the marine Act. One of the recommendations sought to recommend “further opportunities should be explored and developed” in joint use of resources and co-operation with Defra Group agencies.

<http://www.association-ifca.org.uk/about-us/ifcas-conduct-and-operations-2010-2014>

In May 2015, Defra wrote to IFCAs and MMO seeking to develop joint working. A joint working group was set up and reported good progress by the deadline indicated. The working group identified a series of work streams included joint enforcement, joint use of vessels, training, intelligence and shared accommodation.

Following on from this and in parallel, Defra set up a Marine review and the outcomes of the working group were fed into this group. The Marine review concluded that the current regulatory system as set out in the marine Act was essentially working well although potentially at risk from lack of resources. However, they also recommended carrying forward the areas under development between the MMO and IFCAs as “fertile areas”. The findings of the review were never published or finalized.

Defra then set up the Defra transformation programme which adopted the recommendations from the marine Review. The transformation programme sought to work towards a “Target operating model” (TOM) for Defra group bodies. This has led to some confusion as to the role of the IFCAs who are out of scope for the TOM but clearly still considered part of any solution going forward. The Association has continued to engage with all Defra programmes and ensure that we are engaged in the change process.

Following Brexit and the snap election, it would appear that the transformation programme has now been subsumed within the wider Brexit programme and recent developments might suggest longer term radical changes would be unlikely until after we leave the EU and the marine landscape becomes clearer. However, with the appointment of a “heavy hitter” Environment Secretary of State nothing can be ruled out.

Drivers for change:

Clearly the rapidly changing political and financial landscape has led to a confusion of change drivers which appear to have overlapped and in some cases conflicted each other:

- Austerity: long before elections, the referendum and Brexit, the financial crash led to an extended period of austerity and each subsequent spending review resulted in significant stringent financial targets imposed on Government departments and in particular Defra. In parallel, Local Government also faces major financial challenges. Future funding for the IFCAs remains a key challenge as we are potentially caught between these two areas.
- Better regulation: Combined with the downward financial projections, successive governments have sought a more efficient and customer “friendly” regulatory system. Often concluding that the current system is over complex and confusing. However, as stated in the marine review the current system as set out in the Marine Act would appear to be working well.
- Brexit: First day readiness: With Brexit fast approaching and the rescinding of the London Convention following shortly after, the clear current priority would seem to be developing an action plan that can respond to a wide range of potential outcomes from Brexit. This would appear to reduce the resource available to develop any long-term changes that are necessary but instead focus on the operational challenges to best address the short-term needs.
- Long term regulatory landscape. It is an almost certainty that post Brexit the UK, acting as an independent coastal state will have a very different set of requirements from pre-Brexit. The IFCAs and the MMO will continue to look at different scenarios that may be needed to accommodate such changes – and this will also have to incorporate all the other drivers outlined above as appropriate.

The IFCA position and the way forward:

Currently the Chief Officers and the Association have developed a “futures paper” which has been widely circulated: <http://www.association-ifca.org.uk/Upload/IFCA%20future-management-Final%20.pdf>

This document sets out some principles amongst which are:

1. The IFCAs strongly support the continued local decision-making model with independent IFCAs working with stakeholders and partner organisations to deliver UK Marine policy as appropriate

2. The IFCA's recognise the need to strengthen our national cohesion and develop common positions and a consistent approach subject to local considerations
3. The IFCA's would be able, subject to appropriate funding, to extend our areas of responsibility to the 12 nautical mile zone to increase opportunities, cost effectiveness and consistency of approach for the inshore fleet post Brexit.

Following the MMO/IFCA workshop, the IFCA stakeholder workshop and COG and Association meetings it is recommended that a twin track approach is needed:

- The IFCA's work with urgency with the MMO and other bodies to address the imminent operational challenges for first day readiness and beyond
- The IFCA's continue to work with the MMO to develop longer term synergies and efficiencies developing:
 - Shared objectives/success criteria where appropriate
 - Capturing best practice and rolling out more widely
 - Develop further and explore other areas of added value other than enforcement (Communications, back room operations if appropriate, training, intelligence, shared office space etc)
 - Develop the COG recommendations with the Association and adopt for a second IFCA/MMO meeting
 - Continue to explore the IFCA governance and structures.

Conclusion:

It is now widely recognized by Defra and others that the IFCA's represent effective and efficient organisations. As a direct result of this it is highly likely that the IFCA's will be part of short, medium and long term solutions adopted by the UK to deliver marine policy.

However, it has proved more problematic to promote the IFCA's as cohesive and consistent at a national level. This is, in part, due the way we are set up in the marine act.

Given the rapidly changing landscape and driven by potentially conflicting drivers, the Association believes that it has never been more important to agree a way forward and to engage with individual IFCA committees.

Dr. Stephen Bolt
CEO, Association of IFCA's