

277 AT A MEETING OF THE NORTH WESTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY held at Morecambe Town Hall on 13th March 2015

PRESENT – MEMBERS

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| Councillor A. J. Markley | (Chairman) | Cumbria County Council |
| Dr E. Baxter | | MMO appointee (Marine Environment) |
| Councillor L. Beavers | | Lancashire County Council |
| Mr R. Benson | | MMO appointee (Fishing Industry – North West) |
| Councillor K. Brown | | Lancashire County Council |
| Councillor M. Byram | | Cheshire West and Chester Council |
| Mr R. Graham | | MMO appointee (Commercial) |
| Mr D. Grunshaw | | MMO appointee (Shellfish aquaculture) |
| Mr D. Harpley | | MMO appointee (Marine Environment) |
| Mr T. Jones | | MMO appointee (Commercial/Aquaculture) |
| Councillor J. J. Kelly | | Sefton Council |
| Mr C. Lumb | | Natural England (Officer) |
| Mr S. J. Manning | | MMO appointee (Commercial) |
| Miss C. Salthouse | | MMO appointee (Marine Environment) |
| Ms P. Taylor | | MMO appointee (Marine Environment) |
| Mr K. Thompson | | MMO appointee (Commercial/Aquaculture) |
| Dr P. Williams | | MMO appointee (Recreation) |

OFFICERS

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| Dr S. M. Atkins | Mr J. Moulton |
| Mrs K. Atkins | Ms A. Leadbeater |
| Mrs I. V. Andrews | Ms S. Temple |
| Mr A. Deary | Mr N. Walters |
| Ms M. Knott | |

IN ATTENDANCE

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| Ms H. Ake | Natural England |
| Mr S. Benson | Lancashire County Council |

APOLOGIES FOR ABSENCE

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| Mr B. Crawford | MMO appointee (Anglers and Recreation) |
| Councillor K. Little | Cumbria County Council |
| Mr A. Maltby | MMO appointee (Fisheries Management) |
| Mr S. Mounsey | Environment Agency (Officer) |
| Mr C. Clayton | Wirral Council |

278 CHAIRMAN'S ANNOUNCEMENTS (Agenda Item 1)

1. Apologies and welcome to visitors.
2. A Supplementary Report on the Boughton estate claim of fishery rights, draft Annual Plan 2015-16, Annual Report and Science Report 2013-14 (agenda item 7) and draft minutes of the TSB Sub-Committee meeting held on 10th February 2015 were tabled.

279 DECLARATIONS OF PECUNIARY AND NON-PECUNIARY INTEREST IN AGENDA ITEMS (Agenda Item 2)

Agenda Item 7. Chief Officer's Report. Messrs R. Benson and K. Thompson.
Agenda Item 10. Report on TSB Sub-Committee meetings held on 16th December 2014 and 10th February 2015. Messrs T. Jones and K. Thompson
Agenda Item 11. Science Report. Mr T. Jones

280 TO RECEIVE MINUTES OF NWIFCA MEETING HELD ON 12TH DECEMBER 2014 (Agenda Item 3)

Mr Graham proposed amendments to Minute 273 (Quarterly Report) which were agreed.

It was agreed that Councillor Byram had given his apologies.

Mr Thompson said that following his statement to the last meeting he was offered a separate meeting. This was not minuted and no meeting was arranged. CEO said a meeting was offered by the Senior Scientist and declined but that a further meeting could be offered.

Councillor Brown proposed approval. Councillor Kelly seconded.

RESOLVED

Following the amendments as above the minutes of the NWIFCA meeting held on 12th December 2014 be approved and signed as a correct record.

281 MATTERS ARISING (Agenda Item 4)

There were no matters arising.

282 FINANCIAL REPORT (Agenda Item 5)

The Finance Officer presented the Financial Report and Budget Review to 31st January 2015. The Budget Review showed a working surplus of £34,338 which could increase slightly at the year end. £73,280 would transfer to Reserves at 31st March for the replacement vessel fund.

3 incidents since the last financial report may lead to possible insurance claims.

Councillor Brown proposed approval, Councillor Kelly seconded

RESOLVED

1. The report be received.
2. The Budget Review to 31st January 2015 be approved.
3. The possible insurance claims are noted.

283 HEAD OF ENFORCEMENT REPORT FOR THE PERIOD 1ST NOVEMBER 2015 TO 31ST JANUARY 2015 (Agenda Item 6)

There was one staff change during the quarter. Mr Nick Walters replaced Matt Burdekin.

There were two recent successful prosecutions for obstruction. Wayne Wilson and Brian Faulkner were both convicted on two counts of obstruction. Mr Manning said that although fishermen did not object to taking the required courses for a boat endorsement, their frustration was that Fire Fighting training was not essential. Ms Knott said the MCA considered the fishery was dangerous and required full boat training of which Fire Fighting was a part.

RESOLVED

The report be received.

284 CHIEF EXECUTIVE OFFICER REPORT (Agenda Item 7)

Association of IFCA. Meetings were held in December and March. The latest recruitment of NWIFCA members still leaves 4 vacancies so a further recruitment will be needed. IFCA's are awaiting a new statement of priorities from Defra. Further funding possible to help IFCA's achieve the 2016 deadline for EMS work.

Mr. Jones said with a shortage of MMO appointees meetings might fail to be quorate. He asked if IFCA could advertise vacancies and if MMO could start recruitment as early as possible. The Chief Executive reported that advertising of vacancies is an MMO function and representations had been made. Miss Salthouse said the North West Coastal Forum could place advertisements on its website and in its Newsletter. Ms Knott said MMO appointments and the risk to quorate meetings was raised at TAG in March. One major concern she has is that some NWIFCA members have not yet received a proper induction into the workings of IFCA and MACAA on what the Authority is tasked to do. The Chairman noted comments for discussion with MMO.

Procurement of main patrol vessel replacement. Mr. Benson (Lancashire County Council) reported that LCC were drafting a legal agreement for all NWIFCA Councils. Staff time was secured, and a meet with Seafish planned. LCC would provide regular updates for future NWIFCA meetings.

Boughton Estate Claim of Fishing Rights in Morecambe Bay. A large supplementary report was tabled. It was agreed to refer the issue to the TSB.

The Annual Plan 2015-16, Annual Report and Science Report for 2013-14 were tabled. Comments from members would be incorporated.

Consultation on Implementation of Demersal Landing Obligation in England. The Chief Executive reported that meetings would be held in Whitehaven and Fleetwood in the coming week. The introduction of the pelagic landing obligations that came into force on 1st January 2015 had not brought difficulties but the demersal landing obligation would be complicated for Defra, MMO and IFCA. The consultation runs until 31st March. NWIFCA will not respond.

Project Inshore. The final report confirms the project was too ambitious for the timescale and money available. NWIFCA had provided data and information which was not used and Officers did not consider the report useful. The report included the NWIFCA name and logo and members were asked if they wished to endorse that report. The deadline for respond was 16th March. Mr. Jones said he would like to respond.

RESOLVED

The report be received.

285 The Chairman left the meeting at that point. Mr Graham, the Vice-Chairman, became

Chairman.

286 REPORT ON CHAIRMAN'S SUB-COMMITTEE MEETING HELD ON 13TH MARCH 2015 (Agenda Item 8)

The Chairman reported that the meeting had dealt with a confidential personnel matter.

RESOLVED

The report be received.

287 UPDATE ON MARINE PROTECTED AREAS IN THE DISTRICT (Agenda Item 10)

Mr Lumb gave a presentation outlining why MPA are needed to achieve the government's vision for clean, healthy, safe, productive and biologically diverse oceans and seas. The UK has a huge diversity of underwater habitats and species, some of international importance and some providing good examples of habitats. The government will deliver its duty to protect habitats and species by an ecologically coherent network of MPAs. MPAs help protect and recover diversity and ecosystem services from the marine environment. European Marine Sites consist of Special Areas of Conservation under the Habitats Directive to protect habitats and species, Special Protection Areas to protect birds under the Wild Birds Directive and Marine Conservation Zones which are a national designation to help conserve diversity of nationally rare and representative habitats and species. MCZ can take account of social and economic factors but EMS, SAC and SPA are identified and designated on the basis of science alone. SSSI protect national sites of scientific importance, and RAMSAR sites protect internationally important wetlands. Those are the suites of sites for which NWIFCA has responsibility for helping to manage. All major estuaries in the North West are SPA and RAMSAR sites. NE is leading a proposal to combine and extend the existing Morecambe Bay and Duddon SPAs. JNCC has been commissioned to carry out work on Little Terns in the UK and have made recommendations to identify foraging areas at Foulney Island. NE is doing further work on that to refine its understanding of the northern limit of the foraging areas along the Cumbria coast. Formal consultation on that work would be brought in later in the year. Mr. Lumb concluded by saying MPAs are of local, national and international importance. IFCA's have legal duties to help achieve conservation objectives for those sites and to do that NWIFCA needs to work in partnership with NE, research institutes, voluntary bodies and stakeholders.

Members questions included impacts of wind farms on MPAs, in particular the Walney wind farm development, and whether this had been detrimental to the work being carried out by NE. Mr. Lumb said the West of Walney wind farm has been a particularly contentious site in the Irish Sea Conservation Zone project. NE has carried out a lot of work in trying to understand the impacts of the offshore wind farms on the sediments themselves. There is the potential for huge amounts of research to be carried on in the Irish Sea in terms of understanding management of fisheries and of mud habitats. Mr Lumb said NWIFCA needs to try to make fisheries in the North West District sustainable in a way that meets MPA conservation objectives.

Mr. Manning said he had recently seen a report about a proposed tidal barrage project from Silloth to Workington. Mr. Lumb said this was a project from Tidal Lagoon Power who had just submitted an application to the Planning Inspectorate for a tidal lagoon in Swansea. NE is in discussions with Tidal Lagoon Power who will have to demonstrate the legal processes in terms of EMS, MCZ have been carried out.

The Chairman thanked Mr. Lumb suggesting members might find regular updates useful Mr. Lumb said he would be happy to provide.

RESOLVED

Mr Lumb be thanked for his presentation on Marine Protected Areas.

288 ADJOURNMENT OF MEETING

The Chairman proposed an adjournment for lunch and this was agreed.

289 MEETING RE-CONVENED AT 1315 HOURS

290 REPORT ON TSB MEETINGS 16TH DECEMBER 2014 AND 10TH FEBRUARY 2015

The TSB Chairman reported verbally. Members had received draft minutes for information. Preparation of TSB minutes in time for Authority meetings was difficult so in future only a summary report on the TSB would be provided for Authority meetings, with the full minutes being presented at the relevant TSB Sub-Committee meeting.

TSB 10th December 2014. This meeting was called to consider whether NWIFCA should pursue the Morecambe Bay Hybrid Fishery Order or give priority to the alternative of using byelaws for managing mussel fisheries in Morecambe Bay. A number of invited guest speakers provided their experiences in managing Fishery Orders in their areas. TSB agreed to progress future management of shellfisheries in Morecambe Bay and the North West District under byelaw.

TSB 10th February 2015

Matters arising from TSB 13th October 2014. The question of NWIFCA policy and legacy rights on hand gathering of intertidal shellfish was discussed. TSB agreed the proposed Shellfish Working Group would help to manage the resource in future years.

Science Summary Report. Items covered included Mussel Fisheries within the District, Solway Firth cockle fishery, National Grid developments in Morecambe Bay, management of bass and review of Byelaws 2 (Vessel and Gear Restrictions) and 8 (Prohibition of Foul Hooking).

There was a lengthy discussion on the Foulney and Morecambe Bay mussel fisheries and the request from hand gatherers to open an area for taking undersized mussels where the mussel becomes stunted once it reached a certain size. Mr. Manning had voiced concerns that thousands of tonnes of mussels in the Foulney/Roosebeck area had been wasted. In 2012 Officers had been given delegated powers to make decisions on authorising seed mussel activity and nothing had been done. Ms Knott said the reason for lack of progress had been explained in previous reports. Mr. Lumb suggested that a management plan to identify how those fisheries need to be managed in terms of spawning biomass and recruitment of seed population was needed. Members had agreed the officers' recommendation not to authorise the activity and had also agreed that the Shellfish Working Group should be asked to look at management of the Morecambe Bay mussel resource in future years.

Shellfish Working Group. Following departure of the Chariman, Vice-Chairman, Mr. Jones took over. Members agreed to change the title of the Group to Bivalve Mollusc Working Group and had approved the Terms of Reference following some amendments.

RESOLVED

The report be received.

The Senior Scientist presented the report on the work of the Science Team for the period 22nd November 2014 to 27th February 2015.

Bivalve Mollusc Working Group. The priority of that group would be to develop and agree a management plan for mussel fisheries in Morecambe Bay. Mr. Lumb raised concerns on the wording of Objective 2 in the Terms of Reference and officers would carry out further work on that to make sure it clearly states the group's remit. Invitations had been circulated to stakeholders in the various sectors to put forward their representatives.

Consultations in which NWIFCA are involved are as follows.

Marine Strategy Framework Directive consultation which was running concurrently with the MCZ consultation. The consultation covered a programme of measures to achieve or maintain good environmental status measures against 11 different descriptors listed in the consultation. Officers would be providing a consultation response.

River Basin Management Plan consultation relates to the Water Framework Directive which looked at management plans for each of the river basin districts and tied in with the Marine Strategy Framework Directive.

Crown Estate Tidal Energy Stakeholder Engagement. The West Cumbria Tidal Lagoon Project which Mr Manning referred to earlier was one of two projects within the North West District that officers were aware of. The developers had identified six areas within the North West District where they would be looking for tidal lagoon potential and are looking to identify areas suitable for energy generation. Ms Knott said she had registered an interest in order to keep up to date with the developments.

Defra Review of Fishing Activities in EMS. The review is ongoing Defra recognise the pressure that IFCAs are under to meet the 2016 deadline and funding might be available for staffing to help achieve that deadline.

EU Bass Management Measures. This was an ongoing situation which seemed to be continually changing. Members would be kept up to date on the situation.

Dr. Atkins said the bass consultation had suggested the creation of more bass nursery areas. Members were asked to make the Chief Executive aware of any areas they considered to be suitable for the creation of new bass nursery areas within the District.

North West Coastal Connections - National Grid Proposal for a Tunnel under Morecambe Bay. The proposals for routing round the Duddon Estuary had received a number of objections and NWCC would be reviewing the preferred option. The Senior Scientist had facilitated a meeting between NG and boat fishermen in February and a good discussion had been held. Ms Knott would keep members informed on developments with the proposals.

West Cumbria Tidal Lagoon Project. Ms Knott reported that she had met with Roger Woods of Tidal Lagoon Power. Officers would be involved in future discussions talking to fishermen for their views on what they think the effects would be. At present there was a big drive for energy generation alternatives and officers would need to be kept aware of those developments.

Solway Energy Gateway was a smaller project which potentially could go ahead. The developers were seeking funding to undertake a feasibility study and the Authority would have more input when the actual impacts of those proposals were known.

Survey and Fisheries Work

Heysham Flat Seed Mussel. Stock on the bottom skears which were only accessible on big tides had persisted through the winter. It was now reaching size and could potentially be a size mussel fishery.

Solway cockle fishery. Ms Leadbeater had carried out work on the impacts of suction dredging. Further surveys would be needed before a fishery can commence and officers are talking with industry about possible dates

RESOLVED

The report be received.

292 ANY OTHER BUSINESS (Agenda Item 12)

Mr Jones suggested that the Authority should not proceed with the Bivalve Mollusc Working Group as proposed and more discussion was needed. His concern was that to proceed would take the Authority down a route which was easier dealt with by the TSB Sub-Committee. Mr Jones proposed that the Authority either not proceed with the proposals or that it is modified.

Mr. Manning said the group requested comprising NE, scientists and fishermen could make decisions and implement them quickly. Mr. Lumb said the Authority should engage with all stakeholders in making sure any management plan set principles by which the fishery could be managed to enable good expeditious decisions to be made.

The Chief Executive suggested that the proposal to overturn the TSB decision was out of order as Standing Orders do not allow for decisions to be rescinded within six months.

Dr Baxter suggested that some of the issues the group discussed might help the Science Team with other work priorities. Ms Knott agreed with those comments.

Following further discussion members agreed to proceed with the establishment of the Bivalve Mollusc Working Group.

RESOLVED

That decision of the TSB that officers proceed to facilitate the establishment of a Bivalve Mollusc Working Group be endorsed.

There being no further business the Chairman thanked members for attending and declared the meeting closed at 1450 hours.