



Authority Meeting

Draft Minutes
16th of March 2023

Version Control and Drafting

Version & Date	Comments
Version 0.1 22/03/2023	1st set of draft minutes from 16 th of March 2023, prepared by F&AM Pepper for internal review.
Version 0.2 31/03/2023	Review and amendments by Officers. Circulated to Members for review.
Version 0.3 17/04/2023	Updated as per comments received. Draft minutes V 0.3 published on website.

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Minutes of the Authority Meeting
Exeter Racecourse 16/03/2023

Present:

Chair: Professor Mike Williams

Councillors: Phil Twiss (Devon County Council), Alistair Dewhirst (Devon County Council)

General/ Statutory Members: Dr Emma Bean, Felicity Sylvester, Wayne Thomas, Rachel Irish (Marine Management Organisation), Dr Pamela Buchan (Vice Chair), David Morgan, Jon Dornom, Guy Baker, Jay Boyle (Natural England), Simon Toms (Environment Agency)

Officers: Jessica Maunder (Devon County Council Finance), Simon Excell (Gloucestershire County Council), Jessica Bishop (Devon County Council)

D&S IFCA Officers: Mat Mander (Chief Officer – CO), Sarah Clark (Deputy Chief Officer – DCO), Olga Pepper (Finance & Administration Manager – F&AM), Neil Townsend (Principal Policy Officer – PPO), Dr James Stewart (Senior Environment Officer), Lauren Parkhouse (Environment Officer)

Presenting Guests: Elaine Hayes (National Marine Park Interim CEO)

Public: None.

Welcome

The Chair formally welcomed all to the meeting and thanked them for their attendance.

Action Items:

1. Apologies for absence

The Chair asked F&AM Pepper to read out the list of apologies. The names called out were as follows: Tom Birbeck, Cllr Nicole Amil, Cllr Mike Murphy, Cllr Bridget Petty, Cllr Alan Preest (unable to attend due to train strikes), Amy Booth, Oliver Longley, Simon Thomas, David Saunders, Cllr Christine Channon (acting as a deputy), Cllr Stuart Hughes, Peter Lappin, Rob Parsons, Mark Day, Kathy Derrick, Stephen Dury, Cllr Ron Peart

2. Declarations of Interest

The Chair invited all to bring forward any declarations of interest. There were none. Members were reminded to review their declarations regularly.

3. To consider and approve the Draft Minutes of the Authority Meeting held on 15th December 2022

The draft minutes from 15th December 2022 were examined page by page. The Chair and Simon Excell suggested amendments to be actioned by F&AM Pepper.

That the minutes from the Authority Meeting held on 15th December 2022 are a true and accurate record.

Proposed: Emma Bean Seconded: David Morgan

<i>In favour:</i>	<i>10</i>
<i>Against</i>	<i>0</i>
<i>Abstain</i>	<i>2</i>

4. Matters Requiring Urgent Attention

The Chair briefly consulted with CO Mander, and it was established that there were no matters that required urgent attention.

(Felicity Sylvester arrived).

5. Questions from the Public

The Chair briefly consulted with CO Mander, and it was established that there were no questions from the Public.

6. To note Budget Monitoring 2022/2023 Month 10

Devon County Council's Finance Officer, Jessica Maunder, introduced the Agenda Item by confirming that the additional funding of £100,000 from Defra (SR21 funding) had been received ahead of the 31/03/2023 deadline. Jessica Maunder outlined the information included in the Officers' Paper. The budget approved in December 2021 agreed to the use of reserves of £65,500 to balance the budget for 2022/23. There have been additional items of expenditure for the year leading to variances against budget and one-off costs were listed as £20,000 being paid back for the EMFF IVMS Grant, £10,000 HR support for the Job Evaluation project, £19,700 in reference to the GIS project as well as on-going pressures of the £30,300 overspend, mainly due to the pay award. The Authority received additional grant funding of £50,000 from Defra in November 2022. Jessica Maunder confirmed that, as a result of receiving the additional funding from Defra, there was a projected contribution to General Reserves of £4,500. Members were informed of any variances over £1000 (mainly staff cost of £26,200 - agreed pay award). As a result of the above, Jessica Maunder confirmed that there was a Net transfer to General Reserve of £4,500, rather than the budgeted transfer from General Reserve of £65,500.

Jessica Maunder invited questions and comments. Cllr Dewhirst enquired regarding the reduction of £13,000 in respect of legal fees to seek clarity that this was not an intentional cost saving resulting from a lack of enforcement action and resulting costs. CO Mander responded and explained that the General Reserves can be used for unexpected legal costs and confirmed that the reduction in the expenditure reported is not an indication of an intentional decrease in the number of investigations or prosecutions undertaken, rather it reflected the funding requirement to meet the long-term average cost of legal fees.

Without any further questions or comments, the Chair thanked the Devon County Council Finance Team for their support and moved to the next Agenda Item.

7. To discuss and determine potential locations of Authority & Sub-Committee meetings

The Chair introduced this agenda item. Following an increased level of email communication regarding the locations for Authority meetings, it was deemed that an agenda item was required. In recent years, the Authority has met mainly in two locations: Newton Abbot Racecourse and Exeter Racecourse. The Newton Abbot venue has been reported by the Members as inconvenient due to an increased level of local traffic. The Chair opened the floor to discussion. Wayne Thomas was in favour of Exeter Racecourse due to it being located relatively centrally within D&S IFCA's District, however attending meetings in locations such as Brixham would be a considerable extra distance to travel. Cllr Twiss declared that Devon County Council's representatives are ready to travel to any location. Jon Dornom stated that he was prepared to travel to any locations. Cllr Twiss introduced an idea of an "away day" where members would meet for an entire day and have an opportunity to discuss the agenda items without haste and enjoy the features of a chosen (coastal)

location. This concept was supported by Pamela Buchan with a suggestion of the next meeting – the AGM in June - to be used as trial. The Chair was interested to explore the idea of an “educational visit” and suggested that this was discussed further by the D&S IFCA’s Senior Management Team (SMT).

A discussion about the advantages and disadvantages of various locations followed with the main points noted:

- Meetings should occasionally take place in locations closer to the North of the District.
- Historically hosting the meetings in the North of the District did not improve the attendance of the Elected Members representing the Severn Local Authorities.
- It is important to provide access by train as well as sufficient car parking facilities.
- Members across the board generally agreed that Exeter is a convenient, central location (which helps to reduce the carbon footprint).
- Somerset County (e.g., Taunton) should be considered as a venue.
- Car share should be considered when travelling to meetings.
- Early morning start times for meetings are not preferred.
- There is no one single location which will suit all.

Cllr Twiss suggested that hybrid meetings (in person with a possibility to join online) should be considered. The Chair confirmed that he had recently issued an email to remind all Members, that D&S IFCA is obliged to follow the Local Government Act 1972 and conduct any voting in person. Cllr Twiss pointed out the benefits to the members of the public as well as the voting members who, if unable to travel to meetings, could, at least, contribute to any discussions. An example of Cornwall IFCA, where hybrid meetings are conducted was mentioned by Simon Toms. CO Mander highlighted the administrative burden of maintaining such arrangements but was committed to following the Members preference in this matter. Pamela Buchan reminded all, that after meetings, comprehensive minutes are produced and PPO Townsend warned against the risks of not being quorate, should many members decide to join remotely. The Chair recognised advantages for the public to observe proceedings undertaken in a virtual meeting without the need to attend; however, it was his view that Members attending a virtual meeting with no ability to vote would defeat the object of their attendance. Pamela Buchan wished to remind all that the Elected Members of the Authority have got a statutory duty to attend the meetings or arrange for a deputy. The Chair concluded that no recommendation would be made regarding this Agenda Item however the SMT will take away any comments and discuss further.

There were no further questions or comments.

(Elaine Hayes arrived)

8. To receive and approve the Annual Report for FY 2022/2023

CO Mander introduced this Agenda Item by thanking PPO Townsend and DCO Clark for their contribution. The Annual Report had been prepared in a new format and Officers had modelled large sections of it on the Annual Report prepared by NE IFCA. Comments from Members relating to the Annual Report from 2021/2022 had been recognised by Officers for this edition and the Annual Report included a RAG rating (traffic light system - red, amber, and green). CO Mander welcomed questions and comments regarding the appearance and content of the report. PPO Townsend highlighted that the final version will be amended as per the comments received from the Chair and Emma Bean, before it is sent to Defra. Cllr Dewhirst praised the report. Pamela Buchan wanted to congratulate the Officers and wished to see information about

Members' attendance included. Simon Excel thanked the Officers and asked about any statutory duties which were not fulfilled. CO Mander clarified that D&S IFCA delivered against its Statutory duties, but it was questionable whether the delivery was in line with Members and stakeholders' expectations.

Simon Toms observed the lack of Sea Angling related work and wished to explore the D&S IFCA's strategy. CO Mander used this matter as an example of the area which does not get enough attention due to the lack of resources and not dissimilar to the subject of hand gathering and crab tiling, it would be given more attention if more of the Officers' time was available. Another requirement is that of Torbay Council's expectation of D&S IFCA to manage angling activities in the Hopes Nose area – the Authority has no resources to offer. CO Mander did remind Members that the prohibition of netting in estuaries was introduced in part to seek development opportunities for the recreational sea angling sector and the netting review would be an opportunity to determine if this had been achieved.

CO Mander stated that IFCAs, in his opinion, had not delivered much management that was directly driven by seeking to balance the needs of recreational sea anglers with the other interests such as the commercial catching sectors. Wayne Thomas highlighted the need to find the best way to engage with the anglers, who as a community are not easy to reach out to, as the recent online sessions with the Marine Management Organisation showed. They were not well attended by the anglers who appear to only engage when there is a threat of restrictions. Jon Dornom shared this view. Simon Toms was of the opinion that IFCAs and the MMO should be responsible for introduction and enforcement of Byelaws regulating angling. Rachel Irish clarified that the MMO only has legislation that applies to recreational fishers fishing for Bass. CO Mander suggested that D&S IFCA's engagement methods should be discussed by the Governance Working Group (GWG) as part of the communication strategy review work and reminded Members that all were welcome to join the GWG. Wayne Thomas suggested reaching out to Angling Clubs rather than the Angling Trust as not many Anglers are members of the Trust. DCO Clark commented that D&S IFCA does reach out to the Angling Trust and Clubs within the District, for instance in 2022 Officers endeavoured to engage with the recreational angling sector in relation to the Skerries Bank Angling Zone, but unfortunately did not have a great response to questions asked. The Officers found the angling community difficult to reach and the response rate was low (12 responses).

Cllr Twiss praised the Report as he found that it helped him realise the value of the D&S IFCA. He quoted the work delivered in reference to scallop diving research as well as the Officers' involvement in the Hinkley Nuclear Point C Consultations. He thought the RAG system worked very well. Cllr Twiss felt it was clear to see the importance of the IFCAs, and he expressed the wish to be able to increase its funding in general terms.

With no further comments, the Chair reminded that the Report requires an approval of the Authority and invited all to vote on the motion that:

That the Annual Report 2022/2023, subject to any amendments identified by Members at the Authority meeting, is finalised, published, and sent to the Secretary of State.

Proposed Cllr Twiss Seconded Jon Dornom

In favour: 13

Against: 0

Abstain: 0

9. To receive and approve the Annual Plan for FY 2023/2024

CO Mander introduced this agenda Item. In terms of design, the Plan's format underwent changes similar to the Annual Report. All actions relating to the development of the Annual Reports and Annual Plans had been undertaken by the Officers. The Chair mentioned the ongoing financial concerns which must be resolved in the next financial year 2023/24 and reminded Members that a vast amount of his and the SMT's time is being spent considering funding issues. The Members could see this by looking at reports produced using data from time recording sheets. D&S IFCA's budget currently relies strongly on the £150,000 grant received from Defra via the 2021/2022 Spending Review. These funds may not be available past the next financial year 2023/2024. Currently, 60% of D&S IFCA's monies are received from central funding (for other IFCA's this is on average 25%-30%). The Chair stated that it is important for the Members to bear in mind that the £150,000 from Defra comes with certain expectations of work to be delivered and the Annual Plan sets out how this can be achieved. The work will be heavily nationally focused, which means that local issues will receive limited resource. Because D&S IFCA has been under resourced for a long time, certain local issues have already suffered. CO Mander highlighted that it is for the Members to choose the work they wish to be delivered, however it is to be understood that any additional tasks will come at a cost to existing commitments. An example can be seen in the instance of the hand gathering management work, which will not be going ahead, whereas Fisheries Management Plans and marine licensing, managed by D&S IFCA's Marine Development Officer Nadine Hanlon, will be prioritised as both workstreams have received additional funding from Defra. CO Mander invited questions and comments.

Cllr Dewhirst was appreciative of the presentation of the Annual Plan and respected the Officers' views on what workstreams should be included within it; however, he raised concern on behalf of the Devon County Council's constituents about the omissions of hand gathering management and mussel stock assessment. Simon Excell highlighted that as per the Annual Plan, the budget is reliant on the £150,000 grant which is not guaranteed. Without the additional funds the Authority will need to use the General Reserve which is not sustainable. Defra should be encouraged to continue with the review of the percentage of the Local Authorities' financial contributions. Simon Excell said that he would like to see this noted in the Annual Plan. The Chair agreed and reassured that he and CO Mander intended to continue the discussions with Defra. The Chair agreed that the Annual Plan should reference the work to be undertaken by D&S IFCA to move discussions between Defra and the Local Authorities forward and was happy to include a note to reflect this in the Plan. CO Mander disagreed and reminded Members that Defra had already stated that if the Local Authorities could not resolve the difficulties, Defra would take action to resolve it. Therefore, it was the view of CO Mander that this issue should be left to the Local Authorities and Defra to move forward, and should not be an "Officer" workstream within the Annual Plan. It was acknowledged however that the issue will, obviously, remain part of the Authority's business, and will require Officer input until resolved.

With no further comments, the Chair reminded that the Annual Plan requires approval of the Authority and invited all to vote on the motion that:

That the Annual Plan 2023/2024, subject to any amendments identified by Members at the Authority meeting, is finalised, published, and sent to the Secretary of State.

Proposed Pamela Buchan

Seconded Jon Dornom

In favour: 12

Against: 1

Abstain: 0

10. To note the Report from the Byelaw & Permitting Sub-Committee

CO Mander introduced the Agenda Item by reminding all that the Report from the Byelaw & Permitting Sub-Committee had been moved from the Agenda Items for Information to Agenda Action Items in order to give the Members an opportunity for a discussion (as per the Standing Orders). PPO Townsend talked about the cost of formally advertising two proposed byelaws in newspapers. D&S IFCA is required to publish Public Notices regarding proposed introduction of Byelaws in the local press. In the current tax year this incurred a cost of £8,770 VAT inclusive. The Chair was interested in Defra's opinion regarding this continuing mandatory requirement. PPO Townsend confirmed that D&S IFCA is following Defra Guidance and the MMO requires a proof of advertising during their quality assurance phase. CO Mander, although aware of low benefit vs cost, explained that D&S IFCA would be at risk of non-compliance if it had not advertised using formal notices. PPO Townsend confirmed the Officers produce and manage their own news items and secured a free of charge editorial within the Fishing Daily and Fishing News as well as reaching out directly to all stakeholders, including permit holders, which have subscribed to D&S IFCA's mailing list. Cllr Twiss noted that the topic of the cost relating to printed public notices is currently under discussion by the Local Government Association with an active campaign to make a change to avoid a high cost to Councils. Cllr Dewhirst echoed the concern over the cost incurred in this respect by Devon County Council. Cllr Twiss was happy to update the Authority on any progress. There were no further questions or comments.

Agenda Items for Information:

11. To receive a presentation entitled 'Establishing Plymouth Sound Marine Park – Challenges and Opportunities' from Elaine Hayes National Marine Park interim CEO.

Members watched a presentation delivered by Elaine Hayes.

12. To receive a presentation from Senior Environment Officer Stewart on 'Acoustic monitoring of Bass in the Salcombe Estuary and Bass Survivability'.

Members watched a presentation delivered by Senior Environment Officer Dr James Stewart.

13. To receive a presentation from Principal Policy Officer Townsend on 'Navigating D&S IFCA's Website'.

Members watched a presentation delivered by Principal Policy Officer Neil Townsend. Officers noted as action to update the access password regarding the Members Area within the website.

14. AIFCA Chief Officer's Report.

Members received the AIFCA report as part of the meeting Officer Papers

15. Date of next meeting

The next Authority Meeting is to be held on Thursday the 15th of June 2023 (Annual General Meeting)

End.