



Annual General Meeting

Draft Minutes
16th June 2022

Version Control and Drafting

Version & Date	Comments
Version 0.1 17 June 2022	1st set of draft minutes from 16th of June 2022 OP 1st circulated internally for additions/amendments.
Version 0.2 08 July 2022	Edits and amendments – Version 0.2 of the draft minutes circulated to Members for review/comments
Version 0.3 26 th July 2022	Feedback and comments recognised, and amendments applied. Draft minutes V0.3 published on website.

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Minutes of the Authority Meeting
Held at Newton Abbot Racecourse on the 16th of June 2022

Present:

Chair: Professor Mike Williams

Councillors: Stuart Hughes (Devon County Council), Phillip Twiss (Devon County Council), Ron Peart (Devon County Council), Christine Channon (Devon County Council) deputising for Cllr Paul Crabb (Devon County Council), Nicole Amil (Torbay Council).

General/ Statutory Members: Dr Emma Bean, David Morgan, Felicity Sylvester (joined late at 13:08 hours), Simon Toms (Environment Agency), Wayne Thomas, Jay Boyle (Natural England), Mark Day, Caroline Acton, Rachel Irish (MMO), Natasha Bradshaw, Andrew Wray, Guy Baker.

Officers: Jessica Maunder (Devon County Council Finance), Amy Booth (Devon County Council Finance), Simon Excell (Gloucestershire County Council), Jessica Bishop (Devon County Council), Rob Parsons (Torbay Harbour).

D&S IFCA Officers: Mat Mander (Chief Officer – CO), Sarah Clark (Deputy Chief Officer – DCO), Olga Pepper (Finance & Administration Manager – F&AM).

Public: None.

Welcome

The Chair formally welcomed Authority Members to the meeting and thanked them for their attendance. The Chair asked that all members briefly introduce themselves before moving onto the first Agenda Item.

Action Items:

1. Election of the Chair

The current Chair Prof. Mike Williams handed over this Agenda Item to CO Mat Mander. Cllr Twiss put forward Prof. Mike Williams as a nomination for the Chair of the Authority. CO Mander invited Members to recommend other nominations. There were none. Prof. Mike Williams accepted the nomination.

Cllr Hughes proposed that Prof Mike Williams be elected as the new Chair of the Authority. This was seconded by Cllr Twiss. With no objections or abstentions and all in favour, Prof Mike Williams was elected to serve as a Chair of the Main Authority.

That Prof. Mike Williams is elected as the new Chair of the Authority

Proposed : Cllr Stuart Hughes

Seconded: Cllr Phil Twiss

In favour: 17

Against: 0

Abstain 0

2. Election of the Vice Chair

CO Mander introduced this agenda item. A proposal to change from one to two Vice Chair appointments on the Authority was agreed at the AGM held on 18th June 2015. At the AGM held on 16th July 2021, only one

nomination for Vice Chair was received. CO Mander informed the Authority that no other IFCA operates with two Vice Chairs. D&SIFCA's Officers recommended reverting to one Vice Chair. CO Mander opened the floor for questions and comments. Aside from the Chair highlighting that in past there was a risk of vulnerability due to himself acting as Chair of both the Full Authority and the Byelaw and Permitting Sub-Committee (which is no longer the case), there were no other comments.

That the Authority reverts to appointing one Vice Chair

Proposed: ***Cllr Stuart Hughes*** **Seconded: Cllr Ron Peart**

In favour: ***17***
Abstain ***0***
Against ***0***

Dr Bean nominated Dr Buchan for the role of the Vice Chair. The Chair noted that Dr Buchan had been unable to attend the AGM due to Covid-19 but had communicated to the Chair via email that should she be nominated for the role, she would accept.

That Dr Pamela Buchan be appointed D&SIFCA's Vice Chair

Proposed: ***Dr Emma Bean*** **Seconded: Cllr Nicole Amil**

In favour: ***17***
Abstain ***0***
Against ***0***

3. Apologies for Absence

The Chair asked F&AM Pepper to read out the list of apologies and absentees. The names called out were as follows: Cllr Bridget Petty, Cllr Alan Preest, Jon Dornom, Simon Bunn, David Saunders, Peter Lappin, Tom Birbeck, Cllr Richard Bingley, Cllr Keith Burchell, Cllr Paul Crabb (deputised by Cllr Christine Channon), Cllr Alistair Dewhirst, Kathy Derrick, Kat Deeney, Sarah Jackson, PPO Neil Townsend, Somerset Council's new Elected Member has yet to be confirmed, Dr Pamela Buchan. Anthony McDowell was recorded as absent.

4. Declarations of Interest.

The Chair invited all to bring forward any declarations of interest and reminded the General Members that they would be excluded from the vote on Agenda Item 14. Dr Bean enquired about separate Declaration of Interest document which the Members are required to submit, and the Chair confirmed that all Members are to provide and review their Declarations of Interest as needed as per the D&SIFCA "Authority Members' Information to Return" package. There were no further comments.

5. To Consider and Approve the Draft Minutes of the Authority Meeting held on 17th March 2022

The draft minutes from 17th March 2022 were examined page by page. No errors or required changes to the draft minutes were highlighted by members.

Cllr Twiss commented, in reference to his action to arrange for a meeting with a former Member of Parliament, that due to the personnel changes following the recent by-election, this action is currently suspended with updates to follow as soon as possible. There were no further comments.

That the minutes from the Main Authority Meeting held on the 17th March 2022 are a true and accurate record.

Proposed: **Cllr Ron Peart** **Seconded: Cllr Phil Twiss**

In favour: **11**
Abstain **6**
Against **0**

6. Matters Requiring Urgent Attention

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

7. Questions from the Public

The Chair briefly consulted with CO Mander, and it was established that there were no questions from the public that the Members needed to consider.

8. Terms of Reference for the Byelaw and Permitting Sub-Committee

The Chair invited CO Mander to introduce this Agenda Item. CO Mander outlined the function of the Sub-Committee and encouraged the Members to take interest in its work. The Terms of Reference had been set out in the Officers' Paper. The Officers recommended adopting the Terms of Reference as per the Paper due to no amendments having been introduced. The Chair opened the floor for questions and comments. There were none.

That the Terms of Reference for the B&PSC, as set out in this Officers' paper, are agreed by the Authority

Proposed: **Wayne Thomas** **Seconded: Cllr Stuart Hughes**

In favour: **17**
Abstain **0**
Against **0**

9. Appointment of the Byelaw and Permitting Sub-Committee

The Chair invited CO Mander to introduce this Agenda Item. CO Mander provided a brief introduction to the functions of the Byelaw and Permitting Sub-Committee (B&PSC). The B&PSC delivers strategic and administrative actions and can be viewed as the “engine” of the Authority. The B&PSC delivers fisheries and conservation management via Permitting Byelaws and it is open to all General Members who can share their expertise and make decisions. CO Mander advised that all Members should consider joining the B&PSC. Agenda Item 9 contained three recommendations:

1. **That all existing Members of the B&PSC stand for a further twelve months and should therefore be re-appointed *en bloc*.**
2. **That the Authority identifies the Elected Members to serve on the B&PSC.**
3. **That the Authority identifies other General Members to serve on the B&PSC.**

The Chair invited all to put forward comments and questions. Cllr Hughes recommended it would be beneficial to have the presence of the Torbay Council on the Sub-Committee and suggested that Cllr Amil joined the B&PSC. Cllr Amil agreed. The Chair thanked Cllr Amil. Natasha Bradshaw shared her preference that Elected Members from the ‘Severn’ Local Authorities area should also be represented. Cllr Twiss supported this thought on the basis that a higher number of Elected Members would mean higher resilience in reference to deputising at meetings and absences. The Chair noted an Action for him to contact the Severn Local Authorities in this respect.

That all existing Members of the B&PSC stand for a further twelve months and should therefore be re-appointed en bloc.

Proposed: David Morgan **Seconded:** Cllr Ron Peart

In favour:	17
Abstain	0
Against	0

The Chair asked if any other present General Members would wish to join the B&PSC. Mark Day declared so. Questions from other new members were raised.

Caroline Acton accepted the invitation to join the B&PSC and Guy Baker wanted a bit more time to consider whether to join. The Chair reminded all Members about opportunities to join the B&PSC meetings in the role of an observer to understand how this sub-committee functions. CO Mander noted, that as per the D&SIFCA Standing Orders in reference to the B&PCS membership, Members can come forward to join the B&PSC during any Main Authority meeting.

10. Terms of Reference for the Finance & General Purposes Sub-Committee

Felicity Sylvester arrived at the meeting at 13:08hrs

The Chair introduced this Agenda Item. In terms of the Finance and General Purposes Sub-Committee (F&GPSC), changes are ahead. Unlike the B&PSC, the F&GPSC is not often utilised. The time required to prepare the meeting papers and other resources involved in running of the F&GPSC meetings are difficult to

justify. F&GPSC has no delegated powers hence low attendance at the meetings. The revised Terms of Reference sought to create a balance of eight Elected Members and eight General Members – this was not achieved. In July 2021 the number of Members required to be quorate was changed from four to six. The last F&GPSC meeting held on the 11th November 2021 was not quorate. The main role of the Sub-Committee is to consider the proposal for the Revenue Budget for the following tax year, by reviewing the Chief Officer's and the Treasurer's recommendations. Results of the discussions can then be used as feedback delivered by the Elected Members to their Councils and provide recommendations to the Full Authority to consider.

A further paper on this subject will be available in September, however the Officers recommended that the number of Members required to be quorate should be decreased to four. The Chair suggested that the next step was to review and identify any members who would like to join the Sub-Committee. The Chair opened the floor to comments and questions. Cllr Twiss deemed the Officers' Paper helpful. He was the only Elected Member present in the F&GPSC meeting in November 2021. Devon County Council Elected Members were under the impression that only one member from that Council can sit on the Sub-Committee. Reducing the Quorum number from six to four is a good solution and the F&GPSC's meetings are important and useful. Cllr Twiss was happy to propose the Officers' Recommendation as per the Paper. Natasha Bradshaw agreed, under the provision that the Severn Local Authorities are represented. Simon Excell also agreed and added a comment that it was disappointing to see low attendance at F&GPSC's meetings.

That the Terms of Reference for the F&GPSC, as set out in this Officers' paper, are agreed by the Authority (by this point, General Member Felicity Sylvester joined the Meeting)

Proposed:	Cllr Phil Twiss	Seconded: Rachel Irish
In favour:	18	
Abstain	0	
Against	0	

Simon Excell recommended that communication should be issued to all Members highlighting the absence of the 'Severn' Local Authorities in the Meetings. The Chair confirmed he would be writing to all.

11. Appointment of the Finance & General Purposes Sub-Committee

The Chair introduced this Agenda Item. It was the Officers' Recommendation to identify any members who wish to serve on the F&GPSC. As per the Paper, currently all the Elected Members have been automatically enrolled as well as a Statutory Member Simon Toms from Environment Agency, the Chair Prof. Mike Williams and Rachel Irish, the Marine Management Organisation's representative. The Chair noted that since the preparation of the Paper, Cllr Terry Napper (Somerset County Council) had left the Authority. Since Cllr Napper had been a long-standing Member, the Chair suggested that the minutes should reflect the Authority's thanks for his service to D&S IFCA having been on the committee since it started and the Chair would write to him as well. The Chair invited all to join the F&GPSC. Natasha Bradshaw put her name forward. There were no further questions or comments.

12. To approve the Outturn Statement of Accounts Report 2021/2022

Devon County Council's Financial Officer Jessica Maunder presented this Agenda Item by setting out the key points in the joint report by the CO Mander and the Treasurer. The report set out that during 2021/22, the Authority underspent its budget by £31,705, which was predominately due to 'Employees' (Payroll Costs) seeing an underspend for the salary costs of a fixed term post within the team. This was offset by the saving in the transfer from General Reserve. Transport underspend is due to COVID restrictions, which has resulted in less travel required or possible. Research saw an underspend due to there being no internship costs. Comms support was not required for the year. Although there was an overall underspend there were areas where expenditure and income were higher than originally budgeted. Boat costs saw an overspend, mainly due to an increase in service costs and AIS installation on RIB David Rowe. Supplies and services have seen an overspend due to the purchase of new laptops and enforcement equipment. This has been partially offset by the underspend on advertising costs and a reduction in telephone costs. The higher income is mainly due to boat charter of RIB David Rowe, as well income from work towards HPMA (Highly Protected Marine Areas) Assessment. Any variances over £1,000 were listed within the Paper.

General Reserve Balance at 31st March 2022 was £531,717. Transfer from General Reserves in tax year 2021/2022 was £29,000. Jessica invited any questions and comments. CO Mander wished to highlight that although savings had been made, this was due to a high level of income which is not a regular occurrence and cannot be relied upon. Based on the level of Levies from the Local Authorities, the underspend can be read as much lower, and the Authority was £2,700 away from utilising the levied element of the Revenue Budget and if the level of income, approximately £20,000, had not been realised then D&S IFCA would have had to rely on General Reserves to balance the Revenue Budget for 2021/22. CO Mander urged the Members to acknowledge a need for change in the way the Budget is approached as per Agenda Item 13.

Cllr Channon enquired if assessment had been made regarding implications of the current increase in fuel prices. CO Mander answered, yes, it is monitored. Without large assets the use of fuel is relatively low compared to other IFCAs, but it was noted that D&S IFCA had a very small operational budget of £25,800. Simon Excell wished to clarify a paragraph from Officer Paper regarding Agenda Item 13 - "for 2022-2025, Defra has indicated that further funding will be set aside to support IFCAs' role with a number of key projects". CO Mander recommended this to be considered when Agenda Item 13 is under discussion. The Chair opened the floor for questions and comments. There were none.

That Members approve the Statement of Accounts for 2021/22

Proposed:	Cllr Phil Twiss	Seconded: Wayne Thomas
In favour:	18	
Abstain	0	
Against	0	

13. Structural Review of D&S IFCA's funding

The Chair provided the background to this paper. Devon & Severn IFCA was formed in 2011 to replace Devon Sea Fisheries Committee and the Severn Local Authorities were included for the first time. The Devon And Seven Inshore Fisheries and Conservation Order 2010 sets out the percentage Levy for each of the Local Authorities. The funding formula was met with a significant degree of disapproval by the Severn Local Authorities and has remained a cause for concern ever since, which has created the financial crisis faced by D&S IFCA. In 2018 the Chair initiated discussions with Defra. A series of meetings with Rachel Muckle of

Defra Strategy and Evidence Management and Tim Robbins of Defra Marine Operating System Innovation and Workforce Planning have been convened. In the most recent meeting in May 2022, Defra confirmed that a parliamentary slot had been secured to allow amendments to the Statutory Instruments (Orders) for a number of IFCA's, potentially including D&S IFCA.

Defra requested that a meeting was held between D&SIFCA and its Funding Local Authorities. The CO has started to prepare for the meeting and Elected Members and Finance Directors for each of the Local Authorities will be invited to attend. If the Local Authorities cannot agree a change to the funding formula Defra would need to consider introducing new funding arrangements which would be imposed on the Local Authorities.

The Chair confirmed that Tim Robbins (Defra) has accepted an invitation to attend the meeting as an observer. The Chair confirmed that alongside any new approach, Defra will continue to fund any New Burdens on Local Authorities when identified. £3M New Burden Funds will be made available across all the IFCA's and further financial support will be provided to recognise the new duties on IFCA's resulting from the Fisheries Act 2020 and the Environment Act 2021. All the funds will be allocated via Spending Reviews and settlements agreed annually so there is no guarantee that the funding levels would remain unchanged.

The Chair and CO Mander will attend any meetings to support the decision-making processes. CO Mander will provide the background financial information and possible options for change. The Chair concluded that the meeting with the Local Authorities' Elected Members and Finance Directors should be set up without delay and opened the floor to questions and comments.

Simon Excell thanked the Chair and CO Mander for their work on this matter in the last four years and expressed disappointment at the absence of a representative from the other Severn Local Authorities at the AGM. Mr Excell agreed that the funding formula was flawed and has caused animosities amongst the Local Authorities. In his opinion, several errors were made when establishing the funding formula regarding the Gloucestershire Council's area and its characteristics resulting in the Council being the third highest contributor to the levy. The Local Authorities' contribution percentages should be reviewed. Gloucestershire would welcome the suggestions as per the Officer Paper and requested an update regarding the contribution percentages' review. Mr Excell highlighted the importance of the fact, that if no agreement is reached between the funding Authorities, Defra will impose a solution.

Cllr Twiss welcomed the engagement with Defra and would look forward to receiving reports but urged to act without delay.

Natasha Bradshaw recommended a decision to be made on who will chair the meeting, who will assume the role of facilitator and that the Agenda and Papers should be given appropriate thought so that the meeting is utilised to its highest potential. The meeting Papers should be made available to the General Members. The Chair confirmed that he had been scheduled to chair the meeting and that he and CO Mander would feedback to the members any updates on preparations of the Papers.

David Morgan felt encouraged by the movement and supported the Local Authorities deciding on the percentage contributions, however he was interested to find out what exactly the level of budget would be, moving forward. CO Mander responded by reminding Members of the Officers' Paper in September 2021 that set out what he believed was the minimum staff structure to deliver D&S IFCA's Statutory Duties

The Chair concluded by urging all the Local Authorities and respective Finance Directors to attend the meeting.

Felicity Sylvester suggested considering opting for the meeting's location closer to the Northern part of the District as opposed to the Southern areas where D&SIFCA's meetings are usually held. The Chair was supportive of this. The Chair closed Agenda 13 Item by highlighting that D&SIFCA would prepare Papers prior to the meeting but that the meeting itself was to be viewed as a starting point in the conversation between the Local Authorities to identify an alternative funding formula. The Chair thanked CO Mander for his hard work. There were no further questions or comments.

14. Review of Members' Allowances and Expenses

The Chair introduced this Agenda Item. D&S IFCA's General Members are entitled to allowances including up to a £100 claim per meeting attended to compensate for potential loss of income, travel expense claims and a Chair (£4000 per annum) and a Vice Chair (£400 per annum) allowance. The Chair of the Byelaw and Permitting Sub-Committee also receives an allowance (£400 per annum). The Chair recommended the General Members declared interest regarding this Agenda Item and reminded that they would be able to contribute to the discussions but not to vote. CO Mander indicated that the officers' paper provided comparison against other IFCA's arrangements for allowances and expenses. CO Mander thanked DCO Clark for obtaining the information from other IFCA's. General Members allowance and expense schemes vary amongst the IFCA's.. CO Mander opened the floor for discussion. Points noted were:

The Chair does not deem an increase in the Chair's allowance necessary however he finds the difference between the Chair and Vice Chair and B&PSC's Chair's allowances disproportionate.

CO Mander confirmed that the Elected Members (Councillors) do not have the opportunity to claim allowances from D&S IFCA.

Rachel Irish suggested the Chair and Vice Chair/ B&PSC Chair's allowance to be balanced. David Morgan was supportive of this. Natasha Bradshaw agreed and stated that the allowance received by the Chair of the Main Authority seemed appropriate. Natasha wished to explore the "loss of earnings" aspect of the claims and find out if all the current General Members claim. The Chair clarified that not all members claim the reimbursement of the cost of earnings, however the Revenue Budget is based on all Members claiming the attendance allowance.

Cllr Twiss highlighted the sensitivity of the issue. He was appreciative of the work that the Chair of B&PSC and the Vice Chair deliver but pointed out that a sudden and significant increase in the allowance amount may be questioned by members of the public. A formula based on a gradual increase in line with the inflation rates or based on employee pay awards may be more appropriate; the latter method having been adopted by the Devon County Council. Mark Day was supportive of this approach. Natasha Bradshaw noted that D&SIFCA is a relatively young organisation, as opposed to the Devon County Council and that although initially allowances had been set up as per Officer Paper, there is a scope for amendments as the amount of work performed by the Chair of B&PCS and Vice Chair of the Authority changes.

DCO Clark reminded Members that D&SIFCA has decreased the number of Vice Chairs of the Full Authority from two to one which freed up funds.

Felicity Sylvester put forward a suggestion that a base level of allowance should be set and then reviewed.

Chair reminded General Members that they would not be able to make a proposal in regard to this agenda item.

Cllr Hughes pointed out the absence of the Authority's Vice Chair at the meeting and wished to explore the potential consequences of moving forward without this role. The Chair clarified the large amount of work delivered by the Vice Chair outside of the meetings.

Cllr Channon recommended an assessment based on hours worked. Following the Chair's suggestion, Cllr Channon agreed that this could take the form of a job evaluation. B&PSC's Chair Dr Emma Bean questioned the value of the results of such evaluation versus the Officers' time required to conduct it and suggested that perhaps the allowances should remain as they are rather than use up valuable Officer time in this way. . David Morgan highlighted the complexity of a potential job evaluation and concluded by stating that he would not deem it necessary.

Natasha Bradshaw suggested that a rough outline of tasks involved in the roles would be welcomed by the General Members.

The question of the differences in the allowances set up amongst other IFCA's was raised by several Members; CO Mander addressed this by explaining that D&S IFCA could not comment on other IFCA's positions.

Based on the discussions Cllr Twiss proposed:

That in terms of the Review of Members' Allowances and Expenses, a current status quo is to be maintained and that the Authority should engage in an assessment of the amount of work performed by the Authority's Vice Chair and the Chair of the Byelaw and Permitting Sub-Committee.

Proposed: Cllr Phil Twiss Seconded: Cllr Stuart Hughes

****Only Elected and Statutory Members were permitted to vote on this proposal***

<i>In favour:</i>	6
<i>Abstain</i>	0
<i>Against</i>	0

15. Verbal Presentation on the Members' Induction Guide

CO Mander presented the main features of the Members' Induction Guide and invited feedback. Dr Bean noted that the decision-making chart is not being followed. It recommends putting forward a motion and then proceed with a debate where in D&SIFCA's meetings this process is reversed. CO Mander welcomed the comment and explained that there was an opportunity to have general debate on the paper before a motion was proposed and then that became the focus of further debate. There was positive feedback regarding the Guide from Felicity Sylvester particularly in reference to its usefulness to any new Members. With no further comments CO Mander concluded the presentation by reminding the Members to visit D&SIFCA's website for more information.

Agenda Items for Information

16. Byelaw and Permitting Sub-Committee - Verbal Report

The Chair noted that a full written report following the recent Byelaw and Permitting Sub-Committee held on the 9th of June 2022 would be available in due course and the purpose of this Agenda Item was for CO Mander to give a brief verbal update. CO Mander provided a verbal report and highlighted the high volume of tasks that the Sub-Committee was currently undertaking.

Natasha Bradshaw wished to share her view on the usefulness of the Any Other Business part of the Agenda and took the opportunity to request the Officers to prepare a Paper providing an update on Hinkley developments including the outcome of the Public Inquiry and the use of acoustic fish deterrents

17. AIFCA Chief Officer's Report Spring 2021/22

The Chair explained that the Officers' paper was for information only and that if Members had questions, they could contact Officers after the meeting and raise issues that may then become future agenda items.

18. Date of Next Meeting

The Chair informed Members that the next Authority meeting would be held on 15th of September 2022 at Exeter Racecourse.

19. Close of Meeting

End