



Authority Meeting

Final Minutes from 16th July 2021

Version Control and Drafting

Version & Date	Comments
Version 0.1 27 th July 2021	1 st set of draft minutes circulated internally for additions/amendments.
Version 0.2 3 rd August 2021	Internal edits complete and draft minutes circulated to Members
Version 0.3 6 th August 2021	Amendments applied following feedback from Angela Stirland (04/08/2021).
Version 1.0 (Final) 17 th September 2021	Single word changes suggested by the Chair (pages 8 & 10) at the Authority meeting (16/09/21). Amendments agreed by Members, applied and the minutes finalised.

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Minutes of the Authority Meeting (AGM)

Held at Exeter Racecourse on 16th July 2021 (start at 12.30 hrs)

Present:

Professor Mike Williams (Chair)

Cllrs:

Ron Peart (Devon), Alistair Dewhirst (Devon), Christine Channon* (substitute for Cllr Marcus Hartnell) (Devon), Nick Kelly (Plymouth), Terry Napper (Somerset County Council).

General Members/Statutory Members:

Pam Buchan (Vice Chair), James Marsden, David Murphy, Felicity Sylvester, Andrew Wray, Jim Masters, Rachel Irish, Simon Toms, Dr Emma Bean, Wayne Thomas.

Officers:

Angela Stirland (Devon), Simon Bunn (North Somerset), Kat Deeney (Plymouth).

D&S IFCA:

Mat Mander (Chief Officer - CO), Sarah Clark (Deputy Chief Officer - DCO), Neil Townsend (Principal Policy Officer - PPO) Olga Pepper (Finance & Administration Manager – F&AM).

Public:

None.

Notes:

Cllr Channon joined the meeting at approximately 13.30 hrs.

Welcome

The Chair formally welcomed Authority Members to the Annual General Meeting (AGM) and thanked them for their attendance. It was recognised that this was the first Authority meeting since the ability to hold virtual meetings had been removed by the UK Government and the attendance was lower than previous meetings of the Authority. As several Members were attending their first meeting of the Authority, the Chair asked that each person briefly introduce themselves. Following this, the Chair handed over proceedings to CO Mander as the first agenda item was to elect the Chair of the Authority.

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Action Items:

1. Election of Chair

CO Mander explained that he was the Clerk for the meeting and referred to the Standing Orders to proceed with the process of appointing the Chair of the Authority. It was explained to Members that nominations must be made verbally at the meeting. Several of the Members stated that they had full confidence in the current Chair and thanked him for his work to date. Pam Buchan nominated Professor Mike Williams to stand once again as Chair of the Authority and was supported by Cllr Napper. With no other nominations CO Mander asked if Professor Mike Williams would be prepared to accept the role and he agreed. A vote was taken as follows:

That Professor Mike Williams is to continue in his role as Chair of the Authority

Proposed: **Pam Buchan** **Seconded: Cllr Napper**

In favour: **All (16)**

CO Mander thanked Professor Mike Williams for accepting the role and handed over proceedings.

2. Election of the Vice Chairs

The Chair asked for nominations for the role of Vice Chair. The Chair thanked Pam Buchan for her work to date as one of the Vice Chairs and also for her work as Chair of D&S IFCA's Governance Working Group. The Chair nominated Pam Buchan for the role of Vice Chair which was supported by Cllr Napper. No other nominations were received for the other Vice Chair position. A vote was taken as follows:

That Pam Buchan is to continue in her role as Vice Chair of the Authority

Proposed: **Pam Buchan** **Seconded: Cllr Napper**

In favour: **All (16)**

Cllr Napper added that he had concerns regarding the remuneration for the positions of both Chair and Vice Chair. In his view there should be a higher financial award due to the amount of work that is required. The Chair thanked Cllr Napper and CO Mander added that this matter could become a future agenda item for debate as per the Standing Orders. Cllr Napper agreed and suggested that the matter is addressed at the earliest possible opportunity. CO Mander responded and said it would be included as an Agenda Item for the September Authority meeting.

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3. Declarations of Interest

The Chair asked Members to raise any declarations of interest. The Vice Chair (Pam Buchan) wanted all the Members to be aware that she was still a Councillor with Plymouth City Council; however, she was now a Member of the Authority by appointment of the Marine Management Organisation (MMO), rather than being an Elected Member as a representative of Plymouth City Council. There were no other declarations of interest raised verbally at the meeting. The Chair suggested that all Members take the opportunity to examine their own declarations of interest and if required report any changes to D&S IFCA's Officers.

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Apologies for Absence

At this point in the meeting, CO Mander explained to the Members that in error, apologies for absence had not been listed as a specific agenda item. The Chair asked F&AM Pepper to read out the list of apologies and absentees. The names called out were as follows:

Cllr Andrea Davis, Cllr Nicole Amil, Cllr Marcus Hartnell (substituted by Cllr Christine Channon), Cllr Paul Crab, Cllr Bridget Petty, Cllr Paul Goggin, Cllr Robert Griffin, Cllr Alan Preest, David Morgan, Martyn Hutchings, Jon Dornom, Dave Saunders, Sarah Jackson, Simon Excell, Sangeeta McNair, Adam Parnell (left the Authority), Natasha Barker Bradshaw, Jessica Maunder, Jessica Bishop, Kathy Derrick, Brian Glasson, Stephen Dury.

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4. To Consider and Approve the Draft Minutes of the Authority Meeting held on 18th March 2021

The draft minutes from 18th March 2021 were examined page by page and the Chair asked the Members to highlight any inaccuracies. Rachel Irish pointed out a spelling error on page 13. This was noted by PPO Townsend who also informed the Chair that he knew of one other spelling error that was present on page 5. The Chair and Vice Chair thanked PPO Townsend for the production of the draft minutes. A vote was taken as follows:

That the draft minutes (subject to the amendments) are a true and accurate record.

Proposed: ***Cllr Napper*** ***Seconded: Pam Buchan***

In favour: ***11***

Abstain ***5***

Against ***0***

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5. Matters Requiring Urgent Attention

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

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6. 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.

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7. Terms of Reference for the Byelaw and Permitting Sub-Committee (B&PSC)

Presentation:

The Chair introduced this Agenda Item and explained how D&S IFCA had introduced different Sub-Committees and Working Groups to drive much of the Authority's work. The Chair highlighted the importance of the Byelaw and Permitting Sub-Committee as it had delegated powers to conduct its functions, thereby removing the responsibility and burden of byelaw review work from the Full Authority. The Chair explained how D&S IFCA's Governance Working Group (GWG) had been tasked by the Authority to review the B&PSC Terms of Reference (TOR) and that the recommendation in this Officers' paper reflected GWG discussions and their work to date. It was also explained by the Chair that as Schemes of Delegation are further developed by the GWG to establish and clarify all Authority responsibilities, the TORs for this Sub-Committee and the Finance and General Purposes Sub-Committee may need future amendment to align with those Schemes of Delegation. CO Mander explained the key changes to the B&PSC TOR as set out and informed Members that the B&PSC TOR would be reviewed each year. The Chair invited a general debate on the subject.

Debate & Questions:

James Marsden commented on the reduction of Members (8 reduced to 6) needed for the B&PSC to be quorate and the reasons for the change. CO Mander explained past difficulties of getting sufficient numbers of Members to attend and that this change reflected a need to ensure that meetings are not cancelled due to low attendance. That said, CO Mander commented that it was also important for there to be a mix of interests represented at B&PSC meetings and that this amendment would achieve the correct balance. James Marsden suggested that if Statutory Members (Natural England & Environment Agency) are unable to attend

B&PSC meetings, they should be prepared to submit written comments relating to Agenda Items that can help inform other Members that are present. The Chair responded and said that this can become a discussion subject for the B&PSC.

Andy Wray inquired if there was any possibility of Zoom meetings being reinstated for a mixture of formal Authority meetings. Members including Pam Buchan, James Marsden and Emma Bean explained some background detail to all members associated with the 1972 Local Government Act. James Marsden informed Members about the inconsistency that now exists with the devolved Nations (Wales and Scotland) able to have virtual meetings whilst local authority organisations in England cannot, thereby providing the catalyst for the Local Government Association taking the matter to a Judicial Review. James Marsden suggested that a hybrid meeting may be a possibility and that D&S IFCA explores the possibility of holding meetings in Wales which may then enable more Members to attend virtually. Emma Bean drew on her legal background and commented that as D&S IFCA was an English organisation, it is this status, rather than the location of a meeting venue, which may present an obstacle to this potential approach. In the light of the recent difficulties ensuring the B&PSC is quorate, there was general support from the Members for the changes to the TOR and Cllr Kelly proposed a motion for a vote.

Decision Making:

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

Proposed: **Cllr Kelly** **Seconded: Andy Wray**

In favour: **All (16)**

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8. Appointment of the Byelaw and Permitting Sub-Committee (B&PSC)

Presentation:

The Chair introduced this Agenda Item and explained that it consisted of three separate recommendations that were intended to ensure current Members (as set out on the Officers' paper) are re-appointed but also boost the total numbers of membership. Members were able to quickly formulate a motion.

Decision Making:

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

Proposed: **Cllr Kelly** **Seconded: Cllr Dewhirst**

In favour: **All (17)**

Appointment of Local Authority Members to the B&PSC

CO Mander highlighted the second decision making element on the Officers' paper which depended on representatives from the Local Authorities volunteering to join the B&PSC. CO Mander explained that the TOR for the B&PSC agreed in Agenda Item 7 requires that two B&PSC Members are from the Local Authorities.

Outcome

Members recognised that unfortunately many of the Elected Members (Local Authority) were absent, which would hinder the appointment process. Cllr Kelly explained that he would almost certainly find it hard to commit to regular attendance at B&PSC meetings; however, he would volunteer to boost membership in line with the agreed B&PSC TOR. Cllr Dewhirst also confirmed that he would join the B&PSC.

Appointment of General Members to the B&PSC

The Chair once again explained the importance of the B&PSC to drive forwards D&S IFCA's byelaw related work. The Chair encouraged all General Members (MMO Appointees) present at the meeting to use their skills and background knowledge by joining the B&PSC. PPO Townsend also informed the Chair that unless additional Members come forward and join the B&PSC there would be a large risk that the B&PSC meeting that had been re-arranged for 22nd July was at risk of not being quorate.

Outcome

Dr Emma Bean and Wayne Thomas both volunteered to join the B&PSC.

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9. Terms of Reference for the Finance & General Purposes Sub-Committee (F&GPSC)

Presentation:

CO Mander introduced this Agenda Item and explained that the Authority had previously tasked the GWG to produce a revised TOR for the F&GPSC and that the Officers' paper explained the key changes including a large increase in total membership and an increase in the numbers needed to be quorate. It had been envisaged that the expansion of membership would result in more involvement from both Local Authority Members and General Members regarding D&S IFCA finances and the associated funding difficulties. CO Mander informed Members that although the F&GPSC had no delegated decision-making powers at this time, the TOR could be reviewed once again in line with Schemes of Delegation once those are developed, presented to and agreed by Members. Despite having no delegated powers, CO Mander envisaged that the F&GPSC would assist Officers in preparation and discussions relating to potential budget setting later in 2021.

Debate & Questions:

James Marsden commented that ideally the TOR could be expanded to clarify that the F&GPSC would also consider corporate risks. CO Mander confirmed that corporate risks should be reviewed regularly and suggested that this may become more relevant for the Governance Working Group at the initial stages before reporting to the Authority on how best to approach this issue.

Decision Making:

That the Terms of Reference for the F&GPSC, as set out in the Officers' paper are agreed by the Authority.

Proposed: *Pam Buchan* **Seconded:** *Cllr Peart*

In favour: *All (17)*

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10. Appointment of the Finance & General Purposes Sub-Committee (F&GPSC)

Presentation:

CO Mander introduced this Agenda Item which included three separate recommendations that were intended to ensure current Members (as set out on the Officers' paper) are re-appointed but also boost the total membership.

Debate & Questions:

Members recognised that unfortunately many of the Elected Members (Local Authority) were absent, which would hinder the appointment process. Cllr Napper referred to the Officers' paper and commented that he was the only Elected Member now sitting on the F&GPSC. Although, due to other commitments, he would have preferred to end his membership of the F&GPSC, he felt he had no option but to continue to help boost total numbers. Considering the low numbers of the current membership, Members were able to quickly formulate a motion as recommended.

Decision Making:

That all existing Members of the F&GPSC stand for a further twelve months and are re-appointed en bloc.

Proposed: **James Marsden** **Seconded: Felicity Sylvester**

In favour: **16**

Against **0**

Abstain **1**

Appointment of Local Authority Members to the F&GPSC

Felicity Sylvester asked questions relating the total numbers of elected Members on the Authority and if and how they represent district areas, for example the Tav Torridge area. CO Mander and the Councillors present were able to explain that although Councillors often represent District areas, their appointment to D&S IFCA (and any D&S IFCA Sub-Committees) are to represent their respective relevant funding local Authority and used the example of an elected Member being a Councillor at District and County level in Devon. Further questions were asked regarding the Standing Orders and the opportunity for Elected Members to send representatives if they could not attend a meeting. CO Mander was able to clarify that Councillors may send a deputy (subject to Section 2 of the Standing Orders) who could then vote; however, deputies for MMO appointed Members have no right to vote.

Outcome

None of the Councillors present at the meeting volunteered to become members of the F&GPSC; however, it was noted that the TOR states that all of the eight funding Authorities will be invited to send at least one representative to F&GPSC meetings.

Appointment of General Members to the F&GPSC

The Chair commented that as it stands the F&GPSC had insufficient numbers to be quorate as stated in the TOR that had been agreed in Agenda Item 9. At least three General Members would be needed to increase the named membership list to a total of eight. David Murphy volunteered to join the F&GPSC; however, there were no other appointments made to the F&GPSC.

Outcome

The Chair asked CO Mander what impact the insufficient membership would have on the F&GPSC. CO Mander commented that in the short term the F&GPSC would not be able to function any longer. PPO Townsend informed the Chair that there would be another Authority meeting before the next scheduled F&GPSC meeting, which would provide a second opportunity to discuss appointments for the F&GPSC and potentially examine the need to even have this Sub-Committee.

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11.To consider the Outturn Statement of Accounts Report 2021-22

Presentation:

Angela Stirland (Devon County Finance (and representative as S.151 Officer) introduced this Agenda Item which included two Officers' recommendations that Members note the content of the report and associated Appendix A. Angela Stirland guided Members through the report and expanded on the detail already presented. Members were informed that the reported £29,446 underspend was predominately due to impacts of Covid-19. Different aspects of D&S IFCA's spending were analysed including the reasons for areas where expenditure was above anticipated levels. Angela Stirland concluded her presentation by highlighting that General Reserves now stood at £528,812, with total reserves now £621,184. Angela Stirland informed Members that a new separate reserve has been created to ensure transparency over the Fixed Administrative Notice income. This is an unusable reserve as the funds are due to be paid over to HM Treasury, once confirmation has been received from HM Treasury on how to facilitate the payment.

Debate & Questions:

The Chair thanked Angela Stirland for the report and Angela Stirland confirmed that her colleague Jessica Maunder had been responsible for most of it and was subsequently thanked by the Chair and the Members. Cllr Napper enquired about delayed court action that would ultimately impact on expenditure for support services (legal costs). CO Mander responded by stating that a weeks' trial is expected to take place in October 2021 with the potential that some costs may be awarded to D&S IFCA is successful. Cllr Dewhurst asked a series of questions relating to D&S IFCA's assets (vessels), EEMF Funding and the costs associated with environmental work (Interreg project). DCO Clark explained the purpose of the EUROHAB project and what it had achieved before D&S IFCA left. CO Mander clarified that D&S IFCA had two Rigid Inflatable Vessels (RIBs) with the newest vessel (FPV David Rowe) being funded largely by EEMF funding. Cllr Kelly asked for some clarity regarding D&S IFCA's Reserves and how it had been accumulated. Angela Stirland explained that it had always been relatively large; however, the vast majority of it (£500 K+) had been gifted by the predecessor organisation (Devon Sea Fisheries) rather than being amassed by contributions from D&S IFCA. With no other questions, Angela Stirland highlighted that Mary Davis, who is the Section 151 Officer will be leaving her position later this year; however, she had agreed to assist D&S IFCA until her replacement was appointed. Members wished to thank Mary Davis for her work associated with D&S IFCA and voted to demonstrate their gratitude by actioning the Chair to write to her in due course.

Decision Making:

That the Authority formally writes to Mary Davis when she leaves her position to thank her for her contribution to the Authority.

Proposed: Cllr Channon **Seconded:** Cllr Peart

In favour: All (17)

Against 0

Abstain 0

The Chair ended this Agenda Item by stating that the budget report was noted by members and once again thanked Jessica Maunder (absent) and Angela Stirland.

12. To consider the Officers' Paper – Organisational Weakness & Staff Issues

Presentation:

The Chair began by explaining that the information relevant to this Agenda Item consisted of several documents. Not only should Members take account of the Officers' paper and two separate Annexes, but that the correspondence to date with Defra is also interlinked with the funding issues and the inevitable impact on the staff of D&S IFCA. Before handing over to CO Mander, the Chair highlighted that additional Officers' papers will build on the subject matter and be presented to Authority Members in September 2021.

CO Mander provided an explanation of how a decade of funding issues had now reached a crucial point and how these on-going issues were impacting on staff and the delivery of work. Rather than repeat every detail assembled within the Officers' Papers and the correspondence with Defra, CO Mander explained how members can choose to do further background reading by visiting D&S IFCA's website and in particular the secure Members' Area of the website. CO Mander informed all Members that PPO Townsend had posted all of the recent correspondence with Defra within the Members area (D&S IFCA's Funding Issues page).

CO Mander highlighted that the current funding formula and the staffing structure is not fit for purpose. Numerous efficiencies have been introduced over the last ten years coupled with asset reduction including ending a lease for office space in Somerset and the agreement to sell the research vessel (Blackjack). These factors as well as staff redundancy (Senior Management Team position) have had a significant impact on present staff whose hard work and dedication has enabled the organisation to continue functioning, despite D&S IFCA being a significant outlier in terms of funding and staff resources compared to all other mainland IFCA's.

CO Mander explained how ***Annex 1: Allocation of D&S IFCA Officer's Workstreams under the Annual Plan and success Criteria*** - demonstrates how core working is widely spread across the present staff. Despite this workload, ***Annex 2: Comparison of Salary Ranges for Some IFCA Staff Positions*** - demonstrates that this work is being achieved against a backdrop of unfavourable remuneration as compared to other IFCA's for the listed staff positions. CO Mander reminded Members that over 50% of the workforce had resigned during the last two years and although recruitment has been undertaken, the absent of a "full complement" of staff is often reflected as a budget underspend. Rather than a sign of having excessive funding, underspends on staff should be viewed as an indication of a lack of resilience in the organisation with increased stress on remaining staff and heightened risks associated with their mental health. CO Mander used several examples within his presentation to demonstrate the under resourcing and pressures placed on staff:

- Of the four employed Enforcement Officers, two have recently been in isolation (Covid-19)
- Recruitment of replacement Enforcement Officers (2) places a burden on the other enforcement officers (2) to train them.
- Training costs money and time, and is often coupled with premature resignation
- D&S IFCA's District is very large, and the expectations are for better coverage and enforcement of legislation
- The assembled metrics within the correspondence with Defra demonstrate a whole range of issues

New Burdens Funding

CO Mander briefly expanded on the complications that exist with New Burdens Funding (NBF) and how two separate principles underpin the allocation of this funding. The first is the new burden resulting from the expansion of the District as compared to that of Devon Sea Fisheries. The second principle is to recognise the additional burden for each IFCA as a result of national expectations such as increased conservation responsibilities and the huge increase in Marine Protected Areas. CO Mander highlighted that D&S IFCA has a large number of MPAs that need management and protection and that D&S IFCA has the largest number of towed gear (Mobile Fishing) vessels operating within its District. Of the current NBF, CO Mander estimated that approximately only 2% goes to support national work commitments; however approximately 60% of D&S IFCA's workstreams are associated with national drivers.

Budget Setting

CO Mander highlighted Table 1 within the Officers' paper (2017/18 Funding Metrics) and explained how this had been highlighted to Defra with the key ask that Defra and Local Authorities work together to resolve the imbalance. CO Mander emphasised that this should be a notice to all Members that D&S IFCA needs a step change in its funding if it is to reduce the risk of collapse and it will be for Defra and the Local Authorities to find the potential solution.

CO Mander reported that, at this stage, the indication is that Defra are examining the possibility of devising a "bespoke settlement"; however, Members should recognise that time is running out before a new Revenue Budget must be set. CO Mander explained to Members that it is very likely that unless a significant increase is made available by Defra, he will not be able to present, in December 2021, a Revenue Budget for 2022-23 that is also agreed by the Treasurer.

Job Evaluation

CO Mander explained that Job Evaluation for all staff was part of a series of steps that would be needed to stabilise the organisation. Further detail would be presented in September; however, this exercise could be funded by reserves although any potential outcome (if resulting in higher salaries) could not be accommodated by using reserves. CO Mander highlighted **Annex 2: Comparison of Salary Ranges for Some IFCA Staff Positions** – once again and explained how many of the positions, compared in the data, began with a higher salary and ended with a higher salary. Although it would not resolve all of the issues for staff, the exercise would at least be able to potentially give D&S IFCA staff the opportunity for financial parity with others undertaking similar roles. CO Mander ended his presentation by explaining that the current workload has impacted on staff Annual Leave and TOIL entitlement and, although encouraged to take leave, staff often don't take their full entitlement which again can impact negatively on staff well-being.

Debate & Questions:

The Chair thanked CO Mander for his presentation and opened the floor for questions and comments. James Marsden highlighted to Members that he had previously raised his concerns multiple times regarding the funding issues and staff well-being as the Authority had a duty of care to all its staff. On that basis he requested that his previous ask to Angela Stirland of an inflationary forecast is built into the Officers' papers. Angela Stirland responded by saying that the data had been provided to Officers and CO Mander informed all Members that it would be used in the September papers. Regarding the underspend, typically due to staffing issues, James Marsden said it was a clear example of the lack of resilience. 50% of staff resigning in a two-year period is alarming and when coupled with a spend of 1.08% of the budget on training is clear evidence that the organisation is failing. Whilst he thanked and supported the Chair's efforts with the correspondence with Defra, in his view stalling tactics were being used to avoid the issue which is a disgrace given the opportunity to have virtual meetings to begin meaningful dialogue. As an additional measure, James Marsden recommended increased correspondence with Luke Pollard MP with a view to prompting parliamentary questions. Pam Buchan responded by stating that she had close links with Luke Pollard's

Office, and this approach would be considered. James Marsden ended his comments by stating that it is appalling that any Officer should not take or feel reluctant to take their full allocation of Annual Leave and these statistics should also be made available to Members for future debate.

The Chair assured Members that correspondence will be continuing with Defra and was currently drafting a response to Rachel Muckle (Deputy Director – Marine and Fisheries Programme – Defra) and that the response will be posted on the Members' area of D&S IFCA's website. Cllr Peart explained that as he was a new Member he was not as familiar as others with the past difficulties; however, he now appreciated that D&S IFCA looks to be a deeply troubled organisation. He added that he is fully supportive of the efforts to seek a resolution to the funding difficulties as the comparable metrics are a clear sign that D&S IFCA needs urgent assistance. From a duty of care for staff perspective, Cllr Peart was alarmed that 50% of the workforce had resigned in recent times and recommended seeking support from Devon County Council (DCC) Human Resource (HR) services for a range of related support. CO Mander explained that D&S IFCA already receives some support from DCC for HR; however, it is often the time needed to recruit, interview, and then train new staff which becomes a burden for D&S IFCA's staff. In response to Cllr Channon, CO Mander explained that training an Enforcement Officer can cost as much as £15K, which is an expensive loss of investment if Officers resign as not all the expense can be re-couped. CO Mander stated that exit interviews have repeated a similar theme, typically that staff are overworked and not paid as well as comparable roles with other IFCA's or similar organisations.

Other Members enquired about D&S IFCA's Officers contracted hours and potential to use reserves for some support. CO Mander provided answers relating to hours worked and un-social working enhancements, whilst Angela Stirland explained some of the limitations associated with the General Reserves coupled with the IFCA having no powers to borrow money. Pam Buchan expanded on the issues associated with the General Reserves and explained how D&S IFCA cannot employ permanent staff using this fund and although it can be used for Fixed Term contracts, this is not without its complications.

Referring to the on-going financial concerns and correspondence with Defra, Cllr Channon asked to what extent have Local Authorities been asked to back the call for assistance. Pam Buchan explained that the Governance Working Group (GWG) have identified ways for Local Authorities to work independently and also lobby local MP's and Defra to support the on-going efforts of the Chair. Pam Buchan also encouraged more Members to consider joining the GWG in due course with the advantage that the GWG meetings can be held virtually on Zoom.

Cllr Kelly commented that from the background reading he was alarmed that D&S IFCA only had four Enforcement Officers as compared to over 20 that had originally been identified as needed by Defra. In his view not only was Job Evaluation something he would support, but that D&S IFCA must get a long-term solution to the issue that has been evident for a decade. In his view D&S IFCA should not settle for a short-term compromise and be clear what exactly it needs for the foreseeable future to finally end this reoccurring issue. Cllr Napper agreed and said that his time attending D&S IFCA meetings had been dominated by discussions on funding. He shared the views of Cllr Kelly in that Officers should "think big" and be clear with what is needed to stabilise the organisation and drive it forward. Cllr Napper appreciated that getting Defra to act in a timely way may be a challenge; however, he reported that the forthcoming plans for Somerset to become a unitary Authority may be the trigger for Defra to explore the percentage of D&S IFCA's funding that gets paid by each funding Local Authority. In his view the concept of IFCA funding had been wrong from day one.

Felicity Sylvester highlighted the difficulties faced by D&S IFCA due to geography. In her view D&S IFCA is not providing sufficient coverage of the District or sufficient engagement with stakeholders in all areas of the District. CO Mander agreed that this was more than likely the case; however, there was insufficient funding to maintain a second office in Somerset and the logistics and time needed to cover the whole District is

beyond present capability. Simon Toms enquired if the AIFCA could be more involved in promoting D&S IFCA's financial needs. CO Mander responded and stated that although the AIFCA is supportive it also recognises that some other IFCA's are satisfied with the present funding formula for IFCA's. On that basis the AIFCA is more comfortable that D&S IFCA raises its own issues with Defra directly. CO Mander provided Members with some additional detail regarding the Spending Review (for all IFCA's) and James Marsden commented that the lack of ring fencing for current (and potentially future) NBF has had a large negative impact on D&S IFCA.

As a potential plan for future Officers' papers James Marsden recommended that Officers should prepare a baseline budget followed by a costed project-based plan. The papers (or Report) should clearly identify what D&S IFCA is not capable of achieving without significant investment and things should be detailed such as Highly Protected Marine areas and the risks to them.

CO Mander thanked James Marsden for his suggested plan for future papers and explained that Officers have already had discussions on how to potentially create the next set of papers for the September Authority meeting. Long term planning and resource requirements would be the main emphasis of the Officers' papers; however, they would be balanced with realistic asks.

Jim Masters commented that there has been a failure to measure Natural Capital and there is disparity on what IFCA's must protect in terms of biodiversity. In addition, there had been two enquiries regarding the D&S IFCA, and its findings taken to the Environmental Audit Committee to which the Government have responded but have not as yet acted on.

Decision Making (with amendment):

The Chair thanked Members for their comments and read out the recommendation as set out in the Officers' paper. James Marsden proposed, and this was seconded by Cllr Peart. Before voting, Jim Masters then proposed an amendment to the words as set out in the Officers' paper as follows:

That Members agree to the use of General Reserves to fund an independent Job Evaluation exercise for all D&S IFCA Officers, using the Greater London Provincial Council Scheme, and the scope will include wider employer structuring required to deliver wider national environmental policies.

Proposed: **Jim Masters** **Seconded: James Marsden**

In favour: **All (17)**

The amendment then became the substantive motion for a vote.

Proposed: **Cllr Peart** **Seconded: Jim Masters**

In favour: **All (17)**

The Chair ended the discussion on this Agenda Item by asking that all elected Members report to their own Authorities and make efforts to approach their own MPs to highlight D&S IFCA's funding difficulties.

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(Intentionally blank)

13. To consider the D&S IFCA Recruitment Policy

Presentation:

The Chair explained that the Officers' paper included a recommendation and asked CO Mander to explain further. CO Mander informed the Members that a Recruitment Policy was needed and that with the assistance of DCC (HR), a policy had been created for discussion and potential approval by Members. CO Mander informed Members that due to the volume of recruitment needed in the last two years to replace staff that had resigned, the policy was intended to provide clarity on the process and requirements of the interview panels. To encourage staff to consider vacant positions, and to remove an overly burdensome advertising process, it had been devised to enable all posts below Senior Officer level to be offered initially to existing employees (internal process). In the view of Felicity Sylvester, it would have been beneficial to offer all posts to both internal and external candidates. CO Mander explained that by reducing applicants for roles below the role of Senior Officer to internal applicants only in the first instance would save time and expense; however, it does not guarantee that an internal candidate will succeed when being interviewed. It is therefore possible that all roles would involve wider advertising.

On that basis, Dr Emma Bean highlighted an error in the wording within the Policy that conflicted with the explanation provided by CO Mander. The error was noted. Cllr Kelly explained that rather than omitting the words "trained" in connection with interview panels it should be added. Cllr Kelly suggested that all Officers and Members likely to be required to sit on interview panels be trained, possibly using "on-line" training. In the absence of at least one trained interviewer, he recommended that D&S IFCA seek outsourced service providers as and when needed. James Marsden agreed with Cllr Kelly and suggested that the Policy should make it clear that:

- as a minimum the Chair of an interview panel should have received formal training, and
- ideally, a second member of an interview may have received recognised training

Members agreed with this change and the previous amendment highlighted by Dr Emma Bean.

Decision Making:

Rather than amend the proposal as set out on the Officers' paper, James Marsden set out his own proposal.

That, subject to the identified amendments, the Authority adopts the Recruitment Policy.

Proposed: *James Marsden* **Seconded:** *Pam Buchan*

In favour: *All (17)*

Information Item:

14. Annual Plan 2021-22 Progress Report

Presentation & Discussion:

CO Mander introduced the Report and explained that although it gives a basic update on the progress of workstreams, Members have alternatives to follow the work being undertaken by visiting the D&S IFCA Website in between Authority meetings or reading written reports produced by the Officers. CO Mander highlighted the large range of website pages that are available for Members to examine including news items that provide more "real time" reporting. CO Mander used the work undertaken on the Hinkley Point C Public Inquiry as a good example of how officers can report their work for Members and Stakeholders to follow it.

CO Mander also highlighted the large range of information available to Members on the secure Members' Area that requires a log in password. Dr Emma Bean highlighted that personal details of Members are located on the Members' Area and for that reason, in combination with some recent departures of Members, the password should be updated in line with GDPR. PPO Townsend confirmed that immediate action would be taken.

James Marsden explained that he was a frequent user of the Members' Area of the website, and in his view, it is excellent for finding information and easy to use with some practice. PPO Townsend invited all Members to contact him if they had any difficulties using the site or wanted more detailed guidance of how to use it effectively.

Returning to the Annual Plan Progress report, James Marsden said he liked the format and for September would like to see a bit more detail. Although not necessarily within the Annual Plan Progress report, James Marsden also requested that statistics for annual leave taken by Officers are produced for Members to examine. Cllr Kelly commented that earlier on in the discussions it had been mentioned that not all staff had been able or willing to take their own holiday entitlement. For context, Cllr Kelly asked CO Mander if he had any further detail as this concerned him. CO Mander used himself as an example and said that from an allowance of 29 days in 2020-21, he had not taken 22 days. CO Mander explained that other staff had not taken all of their entitlement either and greater detail regarding holidays not taken by Officer's would be produced for the September Authority meeting. DCO Clark also explained that some Officers were not able to take their 'Time Off in Lieu', these being hours accumulated when they had worked long days or on weekends. The Chair and Pam Buchan shared Cllr Kelly's concern regarding staff leave not being taken and also provided examples of Officer's working late or at weekends to respond to their own queries.

Pam Buchan explained that the Annual Plan Progress Report clearly demonstrates work that has already been delayed or not begun. Although not critical of the efforts by the officer's undertaking the work, she suggested that the GWG may become influential in assisting the Senior Management Team in prioritising work so the Authority can see and determine what will be dropped from the Annual Plan, why this should be the case and at what risk.

15. Date of Next Meeting

The Chair asked if a date had been set for the next meeting of the Authority. F&AM Pepper informed Members that it would be as follows:

Date: 16th September 2021

Regarding the location, Cllr Napper asked if it could be at Ferne Animal Sanctuary. F&AM Pepper explained that this may be possible; however, it is more likely to be at Exeter Racecourse. Members would be provided with full details soon.



End