

**DEVON & SEVERN  
INSHORE FISHERIES AND CONSERVATION AUTHORITY**

**Minutes of the Authority Meeting  
held on 13 June 2019 at Exeter Racecourse, Exeter**

**Present:** Mike Williams (Chair)  
**Cllrs.** Rufus Gilbert (Devon), Stuart Hughes (Devon), Ian Hall (Devon), Jonathan Hawkins (Devon), Robert Griffin (South Gloucestershire), Pam Buchan (Plymouth), Cllr Terry Napper (Somerset)  
Natasha Bradshaw, Dave Saunders, Jon Dornom, John May, Jim Portus, James Marsden, Simon Pollentine, David Murphy, Stephen Gledhill, David Morgan, Andrew Knights (NE), Rachel Irish (MMO), Simon Toms (EA)

**Also Present:** Mat Mander (Acting Chief Officer)  
Sarah Clark (D&S IFCA) Martin Hutchings  
Hazel Mitchell (D&S IFCA) Stephen Dury  
Neil Townsend (D&S IFCA) Simon Excell  
Angela Stirland (DCC Finance)  
Jessica Maunder (DCC Finance)

**Apologies:** Cllr Linda Hellyer (Devon), Richard White, Dave Cuthbert, Kathy Derrick, Brian Glasson, Adam Parnell

The meeting was opened by Vice Chair Mike Williams due to the resignation of the Chair Elaine Hayes on 31 May 2019

**1. Declarations of Interest**

Dave Morgan declared an interest in item 12a.

**2. Welcome to new members and apologies for absence**

Apologies were noted.

A welcome was made to Cllr Christine Channon who was deputising for Cllr Linda Hellyer.

**3. Minutes of the meeting held on 14 March 2019**

The following changes were required:

- Page 4, bullet point 5, last sentence – Change ‘something out of their control’ to ‘something out of the IFCA’s control’.
- Page 5, paragraph 10, last sentence – Total rewording by Acting Chief Officer for better coherence.
- Page 6, paragraph 2, last sentence – Amend ‘existing roles but presents’ to ‘existing roles but which presents’.

That the minutes be approved and agreed as a true and accurate record.

Proposed: Dave Morgan                      Seconded: Cllr Rufus Gilbert

All in favour, none against

Resolved

#### **4. Matters Arising**

6. A letter to Gloucestershire Council by the Chair in response to their statement issued in March 2019 had not been actioned.

The Acting Chief Officer provided an update on email correspondence he had been having with DEFRA officials in charge of the spending review for the IFCA's. The ACO sent an email in May 2019, including the statement from Gloucestershire Council, to try and ascertain when the Government's Spending Review would be taking place and how the D&S IFCA could benefit more from whatever new burdens funding was assigned to them. The latest update was that the spending review would be taking place this summer, DEFRA had noted the ACO's suggestion for alternative ways in which D&S IFCA could receive new burdens funding but could not commit to anything until after the Spending Review.

Simon Excell noted that Gloucestershire Council were still expecting a response to their comments/concerns raised which were wider than matters connected to the forthcoming Spending Review. Due to the appointment of a new Chair to be addressed at agenda item 5 the Vice Chair obtained Simon Excell's agreement that his request be recorded until a Chair had been appointed by the Authority.

Cllr Griffin requested that at the Annual District Council meetings a summary of the work done by D&S IFCA was required. He suggested that a summary sent to all Elected members to be used for this event would be advantageous. The Acting Chief Officer advised that the Draft Annual Report would be an agenda item at the September quarterly meeting and that the Executive Summary would potentially deliver all the information that would fulfil this request by Cllr Griffin.

8. The table showing district and budgets across IFCA's had been added as an Annex to the Annual Plan.
15. The report by the Consultants on a review of the AIFCA had been sent out to all members. A small working group had been set up and produced a framework with a new vision for how the AIFCA should be restructured. This proposal will be forwarded to members once it has been agreed by the AIFCA.

## **5. Election of Chair**

The Acting Chief Officer took over as Chair of the meeting for agenda item 5 while Mike Williams, James Marsden and Cllr Ian Hall left the room.

An email was sent out to all members asking for nominations for the role of Chair due to the annual review and the resignation of the current Chair Elaine Hayes on 31 May 2019. Mike Williams was the only member who put his name forward for this position.

A recommendation that Mike Williams be appointed as Chair to the Authority was made:

Proposed: Simon Pollentine                      Seconded: Cllr Stuart Hughes

All in favour, none against.

## **6. Election of Vice Chairs**

The Acting Chief Officer took over as Chair of the meeting for agenda item 6 while Mike Williams, James Marsden and Cllr Ian Hall left the room.

An email was sent out to all members asking for nominations for the roles of Vice Chairs due to the annual review. James Marsden wished to be considered for another year. As Mike Williams had opted to stand for the position of Chair, Cllr Ian Hall put his name forward for the other Vice Chair position.

A recommendation that James Marsden and Cllr Ian Hall be appointed as Vice Chairs to the Authority was made:

Proposed: Natasha Bradshaw                      Seconded: Cllr Robert Griffin

All in favour, none against.

## **7. Matters brought forward by Chair**

Having taken over the role as Chair to the Authority, Mike Williams made the following statements:

- a. He acknowledged and assured Simon Excell that he would respond to the paper Gloucestershire Council had submitted at the March quarterly meeting.
- b. Praise was expressed for the role of Chair performed by Elaine Hayes since the inception of the IFCA. He proposed a vote of thanks to Elaine from the Authority for 9 years of excellent service:

Proposed: Dave Morgan                      Seconded: Natasha Bradshaw

All in favour

- c. Thanks to John May for his active/enthusiastic contribution to the Authority as he would be leaving after this meeting having been a member since December 2012.

## 8. **Statement of Accounts**

The statement of Accounts providing the details for the end of year finances for 2018/2019 were presented. During 2018/19 overall, the Authority underspent its budget by £51,766. This was predominantly due to the Chief Officer being seconded to DEFRA who in turn reimbursed his salary costs. Despite an increase in predicted income due to the sale of permits an overspend in the budgeted legal fees was incurred.

The Acting Chief Officer reinforced the reality that without the reimbursement of the Chief Officer salary costs from DEFRA and if the D&S IFCA had had a full complement of staff the Authority would have incurred a significant overspend on its annual budget. A reminder of the finance paper with the two scenarios for future funding requirements of the IFCA at the March quarterly was made. With one senior member down the current staffing structure is under considerable strain to deliver and fulfil its duties which would need to be addressed once the Chief Officers secondment period comes to an end.

Serious discussions after the Spending Review on determining the shape and look of D&S IFCA would have to be taken. The D&S IFCA staff are finding it increasingly difficult to cope with their workload and cannot sustain the current and foreseeable workload going forward.

The Chair informed members that going forward additional money would be required. He informed members that the financial situation of D&S IFCA would be his main concern and with the help of the two Vice Chairs he would try and secure appropriate funding

As it was not known if the Chief Officer would be returning or not and with no decision made as yet on the Government Spending Review, a proposal on how to deal with the current issues cannot be put forward at this time. Members had already been made aware of the financial implications for both scenarios in preparation for the future budget discussion.

The balance of Reserves as at 31 March 2019 was £608,197, made up of:

- a. General Reserve Account = £528,999
- b. Capital Receipts = £79,198

Mrs Stirland advised the figures on the table in Appendix A were incorrect. The figure in box 5, £89,433, in column 31 March 2019 should be added to the figure in box 6, £518,913, making a total in box 6 of £608,346.

A recommendation that the Statement of Accounts be approved was made:

Proposed: Cllr Robert Griffin                      Seconded: Stephen Gledhill

All in favour, none against

The Chair proposed a vote of thanks to the Finance Team at Devon CC for the preparation of the Annual Statement and their continual support and excellent service:

Proposed: Cllr Terry Napper

Seconded: Cllr Robert Griffin

All in favour, none against

**9. Appointment of the Finance and General Purposes Committee and review Terms of Reference**

Current members of the Finance & General Purposes Committee: Cllr Stuart Hughes, Cllr Terry Napper, Cllr Rufus Gilbert, Simon Toms, Andrew Knights, Simon Pollentine, Richard White and Mike Williams agreed to continue as part of the Committee. Members were encouraged to attend if they wished and a request for further volunteers to join the Committee was asked but no offers were received.

Changes made over the last 12 months were the resignation of Elaine Hayes and John Butterwith.

No changes to the current agreed Terms of Reference for the F&GP Committee were made.

A recommendation for an en bloc proposal to re-appoint all current members and agree the current Terms of Reference for the next 12 months was proposed.

Proposed: Cllr Pam Buchan

Seconded: James Marsden

All in favour, none against

**10. Appointment of the Byelaw and Permitting Sub Committee and review Terms of Reference**

The following current members of the Byelaw & Permitting Sub Committee: Cllr Linda Hellyer, Cllr Jonathan Hawkins, Simon Toms, David Morgan, Stephen Gledhill, Rachel Irish, Andrew Knights, Dave Cuthbert, Richard White, Jim Portus, Jon Dornom and Dave Saunders have agreed to continue as part of the Sub Committee for the next 12 months. Mike Williams and James Marsden are ex officio members.

Changes made over the last 12 months were the resignation of Ex-Officio Elaine Hayes and John Butterwith. Jon Dornom and Dave Saunders joined the Sub Committee in December 2018. John May would be standing down from the Sub Committee as of June 2019.

A recommendation for an en bloc proposal to re-appoint all current members and agree the current Terms of Reference for the next 12 months was proposed.

Proposed: Natasha Bradshaw

Seconded: Rachel Irish

All in favour, none against

## **11. Review of Standing Orders and Financial Regulations**

The Standing Orders and Financial Regulations were last reviewed in June 2018 when substantial changes and updating occurred.

Devon CC Finance and Officers had reviewed the current documentation and confirmed that no changes were required.

A recommendation that the Standing Orders and Financial Regulations June 2018 version be accepted as the working edition for 2019/2020 was made:

Proposed: Dave Morgan

Seconded: Stephen Gledhill

All in favour, none against

## **12. Report on the F & GP Committee meeting held on 13 June 2019**

Matters discussed were:

- New Health & Safety Consultants, Peninsula Business Services Ltd, who had marine expertise were now in place to provide support. Activities at sea had been assessed and a series of documents would be created to aid officers.
- Neil Townsend would be attending a meeting with Devon CC Communications team who would provide guidance/assistance and recommendations.
- The cost of Insurance has increased by approximately £4,000 due to an overview of current policies not providing adequate cover.
- The latest Enforcement Officer recruited, Callum Vale, has resigned with effect from 14 June 2019. The costs incurred due to recruitment/training would be reviewed. The Acting Chief Officer would be contacting the interviewee placed second to offer the position.

## **13. Matters brought forward from F&GP meeting 13 June 2019**

A declaration of interest was expressed by all General Members regarding item 13c members were advised that they could enter into the discussions but should refrain from voting on any recommendations put forward.

### **a. Options for future – RIB Enforcer**

A previous decision to keep the RIB Enforcer operational was primarily based on envisaged low maintenance costs and continual free storage within the current work compound. Developments this year had resulted in notice being given by the landlord that the Enforcer will no longer be able to be stored within the compound outside the offices in Brixham. Alternative storage arrangements average £1,250 per annum. Officers have also identified to lengthen the service of the RIB beyond 12 months, a full rewire of the vessel and relocation of the batteries would need to be undertaken. An estimate provided by one company has priced this work in the region of £30,000. If the RIB was sold, it would be 'as seen', the sale would only realise approximately £20,000, which would mainly be from the sale of the 2 engines and trailer.

The Acting Chief Officer had entered into discussions with DEFRA's fleet manager and the EA's area manager over exploring in principle the use of the EA's 6.5m RIB 'Endeavor', based in Alverdiscott, North Devon. The vessel's current use meant that it was envisaged that there would be significant availability to carry out D&S IFCA's work. The potential to share this asset and joint work this vessel was being looked into and agreed in principle.

A proposed costings schedule was not available by the time the quarterly meeting took place. The Committee encouraged the Acting Chief Officer to progress further with negotiations with the EA and DEFRA and to report back to the Committee to review.

The F&GP Committee had supported option 3, for the Acting Chief Officer to progress further with negotiations with the EA and DEFRA. They agreed in principle to support this example of partnership working but wanted to review at the next quarterly meeting with a view to continue on to option 4, sell the Enforcer RIB pending this review.

The following recommendation was put to the main Authority:

That discussions with the EA to use their RIB 'Endeavour' should progress and outcomes reviewed at the next quarterly meeting. The sale of the RIB 'Enforcer' would be subject to this review.

Proposed: Cllr Ian Hall                      Seconded: James Marsden

All in favour, none against

**b. Purchase or Hire Fleet Vehicle**

The current lease hire of our 4 x 4 Ford Ranger vehicle is due to run out in October 2019. A review of whether to take out a new lease or purchase a secondhand vehicle had been explored by officers and costings provided. It was pointed out by members that an additional benefit, not set out clearly in the report, to leasing was that servicing and maintenance were included. These additional costs should be considered when assessing the proposed options.

Despite this omission, F&GP members felt that the most cost effective approach would be to purchase a vehicle rather than enter in to a new leasing agreement.

The recommendation was put to the Authority for approval:

That officers' identifying a suitable replacement second hand 4 x 4 vehicle, no more than 12 months old to purchase.

Proposed: Cllr Rufus Gilbert                      Seconded: Cllr Robert Griffin

All in favour, 1 abstention

c. **Review Members' Allowances -**

The annual review of Members allowances was discussed. The current amounts paid to members which was previously agreed by the Authority are:

Chair of the Authority	-	£4,000 per annum
Vice Chairs/Chair of B&P SC	-	£400 per year, paid quarterly in arrears
General members	-	Up to £100 per quarterly meeting attended travel expenses incurred and MMA at 0.45 per mile in order to attend.

An enquiry from two General Members whether payments for attending Authority meetings should be extended to other meetings which they were requested to attend on the Authority's behalf had been made, eg: MPA Launch, London, ABP Mer/DEFRA review of the IFCAs, Hinkley Power Station meetings.

The F&GP view was that the existing payments made to members were reasonable and should be continued was endorsed by members of the Authority. Though they supported the reimbursement of travel costs and subsistence for attending meetings on behalf of the Authority outside the quarterly meetings they did not agree on the additional payment of £100 for attending these meetings.

The following three recommendations were put to the Authority for approval:

1. That the existing £100 attendance allowance and travel expenses to quarterly and sub-committee meetings should continue.

Proposed: Cllr Rufus Gilbert    Seconded: Cllr Terry Napper

All in favour, none against, 11 abstention.

2. That the allowances currently paid to the main Authority Chair and Vice Chairs and the Chair of the B&P Sub Committee remain the same.

Proposed: Cllr Rufus Gilbert    Seconded: Cllr Stuart Hughes

All in favour, none against, 1 abstention.

3. That the Authority extend payments of travel expenses and subsistence, but not Attendance Allowance, to General Members who by request from the Authority attend additional meetings on their Authority

Proposed: Cllr Rufus Gilbert    Seconded: Cllr Terry Napper

All in favour, none against, 11 abstention.



**14. Spiny Lobster presentation by DCO Sarah Clark**

Due to the later start to the meeting and large agenda this presentation was postponed until the next meeting.

**15. Byelaw Review Update and making of an Exemptions Byelaw**

The paper provided to members demonstrated the significant amount of work that has been undertaken by Officers and Members.

The Emergency Application Byelaw needed to be replaced by a permanent Byelaw. The purpose of proposed Exemption Byelaw was to enable the D&S IFCA to consider authorising activities that would otherwise be contrary to other D&SIFCA Byelaws The Exemptions Byelaw had been made at the meeting held earlier that day by the B& P Sub Committee. The Exemptions Byelaw would now be subjected to formal consultation.

**16. Hinkley Point C Update**

Natasha Bradshaw who was unable to stay for this agenda item wished to acknowledge the time and deep understanding Libby West had put into this issue, encouraging members to read the draft responses and documents being provided by her. Natasha advised that there had been an update to the date of 24 June in paragraph 1 to 27 July 2019.

A request was made to try and obtain from EDF a working model of the proposed fish screening devices. Simon Toms offered to contact the EA Project Manager for any additional feedback and would liaise with Sarah Clark on his enquiries.

**17. Quarterly Report**

Cllr Buchan suggested that maybe the report could be condensed as the information can be too detailed at times.

It was recognised that the detail of the officers' work need to be captured but it may not be appropriate to provide this in the quarterly reports to members. It was suggested that officers should report on what work was undertaken to support the delivery of the Annual Plan and also to summarise additional work that had been carried out.

Continuing to produce the investigation table was considered important.

Officers were asked to take these observations on board and prepare a new style quarterly report for the September meeting.

Concerns were raised that if a rod and line fishery for Wrasse was developed it could not be managed through the existing Potting Permit Byelaw. In October a comprehensive review of the Live Wrasse Fishery would be undertaken and the impact of the potting fishery for live wrasse would be evaluated. The results from the review may provide an indication of the impact of a rod line fishery if it were to develop further. Officers would monitor wrasse fishing activity and report to the Byelaw and Permitting Sub-Committee.

A recommendation to try and obtain the landing figures for Live Wrasse from the MMO and to compare with the data supplied by the fishermen to the IFCA was made.

A request for a review of the utilisation and future aspirations of Black Jack at the next quarterly meeting was made.

**18. Draft Minutes of the F & GP Committee meeting of 14 March 2019**

The minutes were included for information and no questions were asked.

**19. Draft minutes of the B & P Sub Committee meeting 16 May 2019**

The minutes were included for information and no questions were asked.

**20. Any Other Business**

There was no other business.

**21. Date of next meeting**

**Thursday 12 September 2019 - Taunton Racecourse, Taunton**

<b>AGENDA ITEM</b>	<b>ACTION</b>	<b>RESPONSIBLE</b>
4.6 + 7	Letter to Gloucestershire Council in response to statement issued Mar19	Chair
16	Contact EDF to try and obtain working model on how screening was going to work	Sarah Clark
16	Try and obtain EA Feedback from Project Manager and feed back to Sarah Clark any findings	Simon Toms
17	Obtain Live Wrasse landing figures from MMO	Sarah Clark
17	Report on the utilisation and future aspirations for Black Jack	Acting Chief Officer