

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

**Minutes of the Authority Meeting  
held on 15 March 2018 at Brixham Laboratory, Brixham**

**Present:** James Marsden (Chair)  
**Cllrs.** Rufus Gilbert (Devon), Stuart Hughes (Devon), Linda Hellyer (Devon), Robert Griffin (South Gloucestershire), Terry Napper (Somerset),  
Natasha Bradshaw, Michael Cominetti, John May, Richard White, Mike Williams, Dave Cuthbert, Stephen Gledhill, David Morgan, Simon Pollentine,  
Andrew Knights (NE),

**Also Present:** Tim Robbins, Chief Officer                      Angela Stirland (DCC Finance)  
Mat Mander (D&S IFCA)                      Lucy Macaulay (DCC Finance)  
Sarah Clark (D&S IFCA)                      Martin Hutchings  
Hazel Mitchell (D&S IFCA)                      Adam Parnell  
Neil Townsend (D&S IFCA)                      Steve Dury  
Cllr Julian Brazil (Devon) deputising for Cllr Ian Hall (Devon)

**Apologies:** Cllr Ian Hall (Devon), Nick Kelly (Plymouth), Peter Bryant (North Somerset), Cllr Vic Ellery (Torbay), Rachel Irish (MMO), Simon Toms (EA), John Butterwith, Elaine Hayes, Jim Portus, Brian Glasson, Simon Excell, David Rowe

A welcome was made to Adam Parnell, who replaces Kevin Mowat, is the new officer supporting Cllr Vic Ellery (Torbay).

**1. Declarations of Interest**

There were no declarations of Interest

**2. Apologies for Absence**

Apologies were noted

**3. Minutes of the meeting held on 15 December 2017**

- Page 3, Item 9, Para 2 – Various word corrections
- Page 4, Item 9, Para 3 – Rewording line 2, ‘the IFCA has no power to change the situation that conflicts with the ruling being implemented by the EU’.
- Page 4, Para 11 - Cllr Napper who had offered his involvement with Hinkley Point on the HPC Focused Task and Finish Group had not as yet been approached and requested a follow up.

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

Resolved

#### 4. **Business Arising**

- 3a A brief meeting with Cornwall IFCA to discuss the Boundary Line has taken place but with no conclusions. Ongoing meetings will be planned but not likely for the next 4 months. Any updates will be forwarded to the Authority.
- 3b A press release providing an update on the Wrasse Fishery study in Plymouth Sound was not issued but put on social media as this method was considered more effective to get the message across and could be assured of its accuracy.
- 3c. A request from NW IFCA to provide the papers and minutes of the Part II discussion on AIFCA membership from the December quarterly meeting was made to the Chief Officer, with the implied threat of a Freedom of Information (FOI) request if the information was not provided. It was proposed that the Authority should send through the information requested.

Proposed: Cllr Stuart Hughes

Seconded: Cllr Rufus Gilbert

All in favour

#### 5. **Matters brought forward by the Chair**

Delegated powers to sign off on prosecutions and end of year accounts to the Acting Chief Officer (ACO) role if/when the secondment of the Chief Officer (CO) to DEFRA was agreed by the Authority would need to be put in place and approved. A recommendation that the Authority recognises the ACO has the full delegated powers attributed to the CO during their time in the post was made:

Proposed: Michael Cominetti

Seconded: Cllr Terry Napper

All in favour

#### 6. **Chief Officer Secondment**

The Chief Officer and both Deputy Chief Officers left the room for this agenda item. Members were informed that the F&GP Committee had discussed and approved for recommendation by the main Authority the request for the Chief Officer to take up a secondment to DEFRA for a period of 12 months to 2 years. The intended process would be to hold interviews on 23 March 2018 for the 2 internal candidates who had expressed an interest for the Acting Chief Officer role, with an appointment taking immediate effect. The outcome would be notified to all members by email.

Concerns were expressed on the effect this could have on depleting staffing levels, the degree of knowledge and expertise that the Chief Officer has and whether the D&S IFCA would be able to fulfil its statutory obligations. Resource allocation would be reviewed after an appointment had been made and would be incorporated into the Annual Plan which would be brought back to the Authority to be signed off in June. Confirmation was given that funds would be available as the Chief Officers salary would be taken over by DEFRA. Assurance was also given that the Chief Officer would still be available by phone, email and the occasional visit to help with transition and any queries. In the event that the Chief Officer did not return from secondment the post would be re-advertised for interview under a full internal/external fair and open recruitment process.

A recommendation that the Chief Officer be given the opportunity to take up a secondment to DEFRA and that an Acting Chief Officer be appointed during this period was proposed:

Proposed: Michael Cominetti

Seconded: Cllr Robert Griffin

All in favour

## **7. Annual Plan**

The draft annual plan was concentrating on 3 main areas:

- i. MPA Management
- ii. Ecosystem based Fisheries Management
- iii. Development of Fisheries

It was suggested that the draft presented should be finessed by the new Acting Chief Officer and brought back to the Authority in June for approval with any suggestions or comments from the members to be sent through for consideration. As a priority resource allocation and possible adjustment on how the work will be delivered will be addressed by the new ACO and incorporated within the plan.

John May suggested that the Recreational Sea Angling Industry should be incorporated into the 3 main target areas of the plan.

Natasha Bradshaw considered it a good opportunity to try and incorporate a joint plan for managing the Severn Estuary area.

Section 4 – Budget - A request for the 18/19 budget figures to be shown was made.

The suggestion for the new Acting Chief Officer be given the opportunity to review, amend and update the current draft Annual Plan and put to the Authority in June for approval was agreed.

## **8. Byelaw Review Update**

### **a. Byelaw work update and timetable.**

An updated timeline paper of permitting Byelaw Work and Fishing Activity Management that has been conducted and what is anticipated for 2018. The initial stages of review of existing permit conditions (Mobile Fishing, Potting and Diving) has dominated much of the work, with further work still required.

The Netting Permit Byelaw has now been confirmed by DEFRA with an in-force date of 1 March 2018. To be noted that regarding the use of Fixed Nets/Drift Nets in Devon, Cornwall, Somerset and the Gloucestershire Estuaries/Rivers all have the same level of protection.

The Byelaw and Permitting Sub Committee are due to meet in April to continue discussing developments.

9. **Financial Administrative Penalty (FAP)**

This item was removed from the agenda as the Chief Officer has received a reply from DEFRA stating that the Treasury intend to reclaim this money. An official letter from DEFRA is expected and details once received would be brought back to the Authority in June with the potential to challenge this decision.

10. **Non Payment of Fines Policy**

This item was removed from the agenda as the solutions suggested to recover fines unpaid require further legal advice. This item would be brought back to the Authority.

11. **Communications Plan presentation by Alison Heimann**

Along with the most up to date Social Media Reports Alison provided a presentation on her approach, targets and aims for the Communication work for the D&S IFCA

12. **Quarterly Report**

Page 3 – Byelaw Review – para 2 – The consultation phase for the Mobile Fishing Permit and Potting Permit Byelaw date should read 12 March 2018 and not 28 February 2018.

A request to reintroduce to the report the pie charts showing staff breakdown of hours in the region was made.

The Chief Officer advised that there was a consultation on a New National Policy Statement on nuclear power with single reactor capacity over 1gw with a closing date of 15 March 2018. The IFCA had made a response regarding the cooling water that is removed in order to cool the system. This has been in association with the work Michael Cominetti has done. Use of cooling towers should be a priority for future consideration rather than taken out of the Estuary.

13. **DEFRA 25 year Environment Plan**

Officers have looked at the plan and how the IFCA can work with it, take it forward and incorporate the main areas into the Annual Plan, with particular emphasis on specific projects.

14. **Patrol Vessel Update**

The European Maritime and Fisheries Fund (EMFF) application towards the purchase of a replacement patrol vessel has been successful and £72,755.95 has been secured. The total cost of the vessel chosen is £117,118.63, ex Vat. The grant represents 62% of the total cost. The remaining £44,432.68 will be paid from the D&S IFCA Capital Receipts (from the sale of Drumbeat).

The contract is in the final stages for the start of build and hopefully a date should be imminent as to final date of production which the Authority will be informed of.

Due to the knowledge provided at the December quarterly meeting of the terminal illness of David Rowe, the Chair proposed a recommendation be put to the main

Authority to officially seek his permission to name the new patrol vessel 'The David Rowe' after him. An informal phone call was made to David who was humbled but deeply appreciative of this suggestion. A recommendation to the Authority to officially name the new patrol vessel 'The David Rowe' was made.

Proposed: Mike Williams

Seconded: Richard White

All in favour

Mike Williams would inform David of the Authorities decision. An invite to officially name the vessel when the time comes would be offered to the Rowe family and full Authority members. Full support for this proposal was given.

**15. iVMS Update**

The iVMS project is on track and 84 vessels engaged in Mobile Fishing will be monitored for the first time. This will complement the approach with current 45 over 12m vessels which are already covered by iVMS, and enable all vessels over 7m in our district to be tracked. Fishermen were provided with a choice of 3 preferred manufacturers and the completion date for all 84 vessels to be fitted with iVMS is hopefully by the end of May. This will provide the ability for 3 minute reporting within our MPAs.

This has been recognised at national level and is a pre cursor to a consultation by DEFRA on a proposal for all vessels in English waters to be fitted with this system.

**16. Bass Update**

The IFCA is hoping to get its powers back to enforce bass legislation within the next couple months before the main season starts.

Page 1 of report - John May would like to receive a definition and how the criteria for ICES Recreational landing of 2016 was obtained.

**12. Report on the F & GP Committee meeting and minutes of the previous meeting of 15 December 2017**

No comments were made

**13. Any Other Business**

Emma Bean, a PhD student from UWE Bristol, is looking at the public right to fish and how it works in practice. Emma provided a sheet containing details of her research which is based on interviews starting Spring/Summer. She is hoping members would take part and details would be sent out to all members informing them how they can contact her.

John May asked if the presentation made at the December meeting by Tom Stamp be put on the members' area of the website.

**14. Date of next meeting**

**Thursday 14 June 2018 - Exeter Race Course, Exeter**

| <b>AGENDA<br/>ITEM</b> | <b>ACTION</b>  | <b>RESPONSIBLE</b>   |
|------------------------|--|----------------------|
| 2                      | Follow up request by Cllr Napper on the Hinkley Point HPC Focused Task and Finish Group                  | Dr Libby West        |
| 3a                     | Meeting with Cornwall IFCA concerning the change of boundary line between the 2 IFCA's                   | Acting Chief Officer |
| 3d                     | Despatch of papers/minutes of the Part II AIFCA Membership agenda item from the Dec 17 quarterly meeting | Acting Chief Officer |
| 8                      | Update on Fixed Administrative Penalty letter from DEFRA   | Acting Chief Officer |
| 9                      | Update on Non Payment of Fines Policy  | Acting Chief Officer |
| 16                     | Definition/Criteria for John May on how the 2016 ICES Recreational Landing figure was obtained.          | Sarah Clark          |
| 18                     | Presentation by Tom Stamp from Dec 17 quarterly meeting be put on the website.                           | Acting Chief Officer |