



Authority Meeting

Draft Minutes
21st September 2023

Version Control and Drafting

Version & Date	Comments
Version 0.1 27/09/2023	1st set of draft minutes from 21 st of September 2023, prepared by F&AM Pepper for internal review.
Version 0.2 16/10/2023	Review and amendments by Officers. Circulated to Members for review.
Version 0.3 01/11/2023	Updated as per comments received. Draft minutes V 0.3 published on website.

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Minutes of the Authority Meeting
Exeter Racecourse 21/09/2023

Present:

Chair: Prof. Mike Williams

Vice Chair: Dr Pamela Buchan

Councillors: Phil Twiss (Devon County Council), Andrew Strang (Torbay Council), Tony Williams (South Gloucestershire Council), Alistair Dewhurst (Devon County Council), Dermot McGeough (Devon County Council; deputising for Cllr Crabb)

General/ Statutory Members: Dr Emma Bean, Felicity Sylvester, Jay Boyle (Natural England), Simon Toms (Environment Agency)

Officers: Simon Excell (Gloucestershire County Council), Jessica Bishop (Devon County Council), Peter Lappin (Devon County Council Finance), Cristina Geary – Nelson (Devon County Council Finance)

D&S IFCA Officers: Mat Mander (Chief Officer – CO), Olga Pepper (Finance & Administration Manager – F&AM), Neil Townsend (Principal Policy Officer – PPO)

Public: 1 Member of Public present.

Welcome

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

Action Items:

1. Apologies for Absence

The Chair asked F&AM Pepper to read out the list of apologies. The names called out were as follows: Cllr Stuart Hughes, Cllr Alan Preest, Cllr Paul Crabb, Cllr Ron Peart, Cllr Annemieke Waite, Rob Parsons, David Morgan, Jon Dornom, Simon Thomas, DCO Sarah Clark, Dave Sunders, Rachel Irish, Cllr Tom Briars – Delve, Natasha Bradshaw, Mark Day, Tom Birbeck, Charlie Ziemann, Wayne Thomas, Simon Bunn, Brian Glasson, Stephen Dury.

2. Declarations of Interest

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

3. To consider and approve the Draft Minutes of the Annual General Meeting held on 15th of June 2023.

The draft minutes from 15th of June 2023 were examined page by page with 3 minor amendments suggested by the Chair (received prior to the meeting via email) to be actioned by F&AM Pepper

That the minutes from the Annual General Meeting held on 15th of June 2023 are a true and accurate record.

Proposed: Cllr Twiss **Seconded:** Cllr Williams

In favour: 11

Against: 0

Abstain: 1

Cllr Twiss wished to note that the concept of the educational away day for the AGM was, in his opinion, a success in terms of learning about the fishing industry and that he would welcome one Authority meeting per financial year taking place in Brixham. Felicity Sylvester noted that other locations should also be taken into consideration.

4. Matters requiring urgent attention

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

5. Questions from the Public

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

6. To note Budget Monitoring Report 2023/2024 – Month 4

Peter Lappin introduced this Agenda Item. The budget approved in December 2022 agreed to the use of reserves of £2,400 to balance the budget for 2023/24. There is currently a projected underspend against budget for the year of £44,600. This is mainly due to a reduction in the number of employees, where savings have been made due to not replacing two of the members of staff who have recently resigned. The Authority is due to receive additional grant funding of £150,000 from DEFRA for 2023/24. This has resulted in a projected contribution to general reserves of £42,200. Peter opened the floor for questions and comments. Simon Excell wished to clarify the use of phrase “is due to receive” in reference to the grant funding of £150,000 from Defra used in the Paper vs “expected” as quoted by Peter when introducing the Paper. Does that mean the receipt of the funds is definite? Peter clarified - it is expected that the funds would be received, however there is no certainty as to at which point in the tax year. In the year 2022/2023 D&SIFCA received the funds at the very end of the tax year. Peter highlighted that there was no prospect of the funds being made available again in the tax year 2024/2025. CO Mander informed the Members that following the last AIFCA meeting, it was understood that a letter can be expected by the IFCA's from Defra detailing the work expected to be delivered in relation to the £150,000 grant, however no letter has so far been received. CO Mander confirmed that there was an indication that the £150,000 will be received in 2023/2024 but there were no discussions that he was aware of about extending this funding onto tax year 2024/2025. Simon Excell wished to remind all, that without the additional funding, D&SIFCA will need to rely heavily on its reserves. There were no further questions.

7. To consider the Governance Working Group's recommendations following the outcome of the 2022 Job Evaluation.

The Chair introduced this Agenda Item. Since the Job Evaluation exercise conducted in 2022, two officers had resigned. It is detrimental to the Devon and Severn IFCA to be losing highly trained officers as this has negative impact on efficiency as well as finances. In exit interviews, unsatisfactory pay level was the main reasons behind most resignations. The Chair was of the opinion that the status quo was not feasible, and a solution was needed. Prior to any further discussions, the Chair invited F&AM Pepper and PPO Townsend to leave the room as it may have been inappropriate for the Members to talk about any matters which directly concerned them.

The Chair invited the Vice Chair and Chair of the Authority's Governance Working Group (GWG) to introduce the paper. The Vice Chair summarised the background to the report and briefly explained how the GWG had arrived at its recommendations and then invited questions.

Cllr Twiss agreed with earlier comments from Members that the status quo option was not appropriate and further support for officers was needed. Cllr Twiss reflected on the need to recognise the important work that was delivered by D&S IFCA and that the fisheries within the District represented an important resource and should be recognised in a similar way to farming. Cllr Williams supported the recommendations but wanted to know more about how the recommendations could be supported in the short and longer term. On the same broader point Simon Excell wanted to know whether the proposed use of the savings realised from freezing recruitment meant that this was now a permanent arrangement. CO Mander stated that he could not see how D&S IFCA's financial situation would enable recruitment to take place. The Chair clarified that a permanent freeze had not been decided but would be reviewed each year and any change would be a reflection of the improved status of D&S IFCA's finances. Cllr McGeough reflected on his experience in the private sector and considered that the option to apply the Job Evaluation scoring to DCC's pay scales would be more appropriate but understood the financial constraints of D&S IFCA. Simon Excell pointed out that this would normally be a straightforward process whereby the scoring from a job evaluation process was automatically reflected in the officers' salaries but he recognised why the paper presented was detailed and explored different options. Simon Excell also wanted to know, if members agreed to increase officers' salaries as per the recommendations, would pay be back dated? CO Mander believed that it would be appropriate to back date the pay award to 1st April 2023, given that the results from the job evaluation were only provided to the Authority in January 2023. CO Mander explained that if changes were agreed then he would need to formally consult with Officers and representative Unions. There was a risk that there may be a request for additional back pay but he felt that was unlikely in the circumstances.

Simon Toms was concerned that the proposal to subsume the 10% additional payment into the relevant Officer's base salaries reduced the incentive for officers to undertake work during unsocial hours and reflected his experiences in the Environment Agency. CO Mander said that each Officers' contract set out that their hours of work could be varied to reflect the needs of the organisation and the Job Evaluation had recognised that certain roles had an inherent requirement to work unsocial hours. The Vice Chair added that it was the intention to set out a policy to cover working in exceptional circumstances.

Cllr Dewhurst agreed with Cllr Twiss and wanted to support the recommendations of the GWG. However, he was concerned that the increase in D&S IFCA's Officers' salaries should be comparable with the adjoining IFCAs, Cornwall and Southern. CO Mander said that the detail was set out in the Benchmarking report that had been prepared as part of the Job Evaluation process, but it would mean a short recess to get the data.

After a short adjournment CO Mander confirmed that the GWG recommendations meant that the Environment and Enforcement Officers would be on the same pay as Cornwall and would be slightly above their colleagues in Southern. For reasons set out in the paper it was difficult to compare other roles as each IFCA had a different staffing structure and duties and responsibilities varied quite a bit. CO Mander explained that the Job Evaluation had correctly identified his decision to delegate responsibility to other officers more than other IFCAs and was why his salary was less than his counterparts in the other IFCAs and why other D&S IFCA officers' salaries in the Senior Management Team were higher than in the neighbouring IFCAs and closer to the Chief Officer's salary.

That D&S IFCA adopts a new pay scale (Annex 5), including unsocial payments where relevant, and develops a policy to cover work undertaken in exceptional circumstances.

Proposed Pamela Buchan Secoded Cllr Twiss

In favour: 12

Against: 0

Abstain: 0

The Chair and CO Mander thanked Devon County Council Officers, from the Finance and HR teams, for their assistance provided to the Governance Working Group and D&SIFCA's Officers. The Chair and CO Mander wished also to thank the Governance Working Group for considering the matter and the recommendations.

Tom Stamp arrived at 14:00

The Chair changed the order of Items and took Agenda Item number 10, then Agenda Item 8 followed by Item 9 before moving to the Agenda Items for Information

10. To note D&SIFCA funding structure report

The Chair introduced this agenda item by outlining recent developments. As per the Authority's decision in the AGM in June 2023, Devon County, Gloucestershire, and South Gloucestershire Councils have written a letter of support to the Secretary of State. A template for the letter had been circulated by F&AM Pepper. Following a meeting in September 2022, where the Local Authorities met to discuss the D&SIFCA's funding structures and Defra's officials attended as observers, Defra indicated that a consultation would be conducted in the summer of 2023. The consultation did not take place. And the Chair wrote to the Secretary of State on the 6th September requesting that this consultation now be actioned. On the morning of the Authority meeting, 21/09/23, CO Mander received an update email from Defra which he read out to Members. The Chair asked the present Elected Members and Officers for an update when any correspondence from Defra has been received by them and, by the end of November 2023, to let him know if there has been no communication. It would be useful if the LAs shared any of their responses, indicating if they wish for the content to be shared further with all the Authority Members. Pamela Buchan wished to stress that this opportunity should be used to push for an update from Defra. Simon Excel appreciated the engagement, although expressed disappointment that the only piece of communication from Defra was the last-minute email. He wished to point out the practicalities of sending post to the Local Authorities. Correspondence may not easily find its way to the desired department. Simon Excel suggested copying in the Local Authorities' Officers that are assigned to D&S IFCA otherwise the correspondence from Defra might not be picked up. The Chair offered to enquire at Defra at the end of October if no correspondence

was received however he highlighted that the role of the D&SIFA's officers is, at this stage, only to assist regarding communications between the Local Authorities and Defra. The Chair was pleased to see some momentum in the form of the letters sent to the Secretary of State. The Chair wished to thank the Senior Management Team for their assistance in the matter.

8. To note the six months progress report on D&SIFCA Annual Plan 2023/2024.

CO Mander introduced the Agenda Item. The report kept to the format introduced to produce the Annual Plan 2023/2024. Regarding the content, it has been prepared taking into consideration comments from the Members who found the previous versions too complicated. The £150,000 received from Defra noticeably dictated the work directive for the team, for instance dealing with the Fisheries Management Plans has taken much of the Senior Management Team's time. The report shows that certain items have not been progressed, for example the REM project. CO Mander highlighted the Hinkley HPC Consultation to remind the Members of the Officer' ongoing involvement, hoping it would help Members appreciate the range of work that D&SIFCA is involved in. Due to the financial crisis, D&SIFCA was not able to utilise the £150,000 from Defra to deliver as much work as the other IFCA's. CO Mander invited questions and comments. Cllr Twiss was interested to find out the reason behind EDF Energy not wishing to install the acoustic fish deterrents, in reference to the Nuclear Power Station Hinkley Point C. CO Mander responded that it is due to the anticipated high maintenance cost as well as complicated health and safety arrangements. CO Mander wished to point out that the work regarding Hinkley shows that D&SIFCA's involvement is not only in the South Devon but also in the North of the District. Pamela Buchan provided a comment regarding the work of the Governance Working Group. The review of the Communications Policy has been delayed due to the Group having to concentrate on the review of the outcomes of the Job Evaluation. Pamela used this opportunity to extend to all Members an invitation to join the Governance Working Group. F&AM Pepper provided an update regarding the Authority's website migration to a new platform to improve the speed of operations and fix the issues with submitting permit application payments. The work, undertaken by an external company, has been taking longer than anticipated due to the size of the virtual resource library but the launch is due to take place by the 25th of September 2023. F&AM Pepper took this opportunity to remind all about the value of the information available to view on the website. There were no further questions or comments.

9.To note the report from the Byelaw & Permitting Sub-Committee

PPO Townsend introduced this Agenda Item. The Marine Management Organisation has received from D&S IFCA two proposed Byelaws (Mobile Fishing Permit Byelaw 2022 and the proposed Size of Fishing Vessels Byelaw 2022) for quality assurance. Officers have received feedback from the MMO relating to the Size of Fishing Vessels Byelaw but are awaiting comments relating to the Mobile Fishing Permit Byelaw. PPO Townsend explained that the comments would firstly be examined by the Byelaw Technical Working Group, who had conducted the drafting work on behalf of the Byelaw and Permitting Sub-Committee (B&PSC). For the benefit of the Members present who are not involved in the work of the Byelaw and Permitting Sub-Committee (B&PSC), PPO Townsend explained the work of the Byelaw Technical Working Group and invited questions and comments.

Felicity Sylvester asked when the formal consultation for the review of the Netting Permit Conditions will commence and whether the participants could use the opportunity to provide comments regarding items not

being subjected to consultation. CO Mander explained that a process must be followed to progress through the review. The initial phase of consultation was “open” in nature and enabled all stakeholders to express their views on every element of the existing management measures. The formal consultation will recognise the decision making of the B&PSC and must become more focussed, otherwise there is a risk that it will not reach a conclusion in a suitable timeframe. CO Mander highlighted that the formal consultation will take place over winter 2023; however, there would potentially be another B&PSC meeting beforehand to establish greater detail regarding potential specific changes (management measures) to be consulted on.

Felicity Sylvester thought it was regrettable that the latest call for information received a very limited number of responses (22) and reported that the public are reluctant to contribute due the lack of trust that their opinion will be heard. PPO Townsend reminded Members that all the received comments are examined and documented in comprehensive reports produced for the B&PSC. Regarding communications, Members were encouraged to help spread the word about the consultations in order to encourage participation. There were no further questions.

Emma Bean left the meeting at 15:00

Agenda Items for information

11. Presentation on the FISP funded Pollack Project by Dr. T.Stamp (Plymouth University)

Members watched a presentation and had an opportunity to ask questions and share comments.

12. AIFCA – The Chief Officer’s Report

Members received the report as part of the Officer Papers.

13.Date of the next meeting

The next Authority Meeting is planned for 25/01/2024. The Chair reminded the Members that it had been agreed in the AGM on 15/06/2023, that the Authority Meeting would be moved from December 2023 to January 2024 in the hope that the Local Authorities will have a better idea of their own budget setting. Peter Lappin commented that it was more appropriate to use the term “provisional budget setting”. Simon Excell was interested to know the date of this year’s Finance and General Purpose Sub-Committee’s meeting. CO Mander reminded all, that the Authority had decided to move away from a formal Sub-Committee in relation to the financial matters, and replace it with an informal Finance Working Group which is able to meet remotely and report back to the Authority. The date of this year’s meeting has not yet been set but it is likely to take place between 11th and 22nd of December 2023.

End.