

Minutes of the Inshore Potting Agreement Committee Meeting 30th October 2023

Attending

David Morgan - DM (Static gear)
Paul Dornom - PD (deputising for Brian Pawley) (Static gear)
Rick Mitchelmore - RM (Static gear)
Martyn Rogers - MR (Mobile gear)
Alex Passmore AP (Mobile gear)
Beshlie Pool - SDCS (Static gear)
Richard Fowler (Mobile gear)
Nick Stone NS (Static gear)

Apologies

Brain Pawley
Steve Parker
Juliette Hatchman

Secretariat

Mat Mander - MM (D&S IFCA)
Sarah Clark - SC (D&S IFCA)
Rachel Irish - RI (MMO)
Neil Smith NS (MMO)

SC welcomed Members to the meeting and read out the apologies. Steve Parker had to give last minute apologies due to unforeseen circumstances.

Agenda Item 3 - Minutes

SC explained that minutes had been circulated to all Committee Members with no comments forthcoming. The minutes of the meeting from 2022 were agreed by the Committee Members.

Agenda Item 4 -Actions form Previous Minutes

SC updated the Committee on actions from the minutes. She explained that she had previously contacted permit holders from Plymouth and nearby ports to try and encourage a static gear member actively fishing in the western end of the IPA to join the Committee. Unfortunately, no representative was forthcoming. The Committee agreed that the Mobile Gear sector is underrepresented on the Committee, and it was suggested that D&S IFCA send out an e-mail to the Mobile Gear Permit Holders to try and encourage interest in fishers joining the IPA Committee to improve this sector's representation.

Action: SC to contact Mobile Fishing permit holders to invite fishers, who actively fish in the IPA to join the Committee

The action relating to the Terms of Reference was discussed under Agenda Item 5 (see below). An action from the last meeting was to investigate the use of Zone 2 known as 'The Triangle' by the Mobile Gear sector. Over the past few years, the Committee had received proposals to open the bottom of Zone 2 to potting a month earlier (i.e. May) due to the perceived lack of mobile fishing vessels operating there. IVMS data were interrogated, and SC confirmed that the Triangle has been fished by the mobile gear fleet in the month of May each year from 2019 to 2023. SC highlighted that in some years up eight vessels had operated in this Zone during May, with some vessels fishing there for many days during that month.

Another action was for D&S IFCA to liaise with the MMO and to confirm that the IPA Committee has the authority to introduce changes to the opening and closing of the IPA zones and these would be reflected in the Licence Condition. RI confirmed by e-mail that the Committee can make these changes to the IPA chart, The Licence Condition refers to the chart and therefore any agreed changes to the chart are reflected in the Licence Condition.

SC confirmed that she had notified the D&S IFCA's Mobile Gear Permits Holders to inform them that the Corridor would be closed in 2024 should there be any infringements.

Agenda Item 5 - Terms of Reference

SC explained that she had circulated the Terms of Reference (ToR) to all Committee Members for comments and had received a comment from DM. DM highlighted a difference in how attendees were referred to in paragraphs 4 and 5 of the Terms of Reference for the Committee. Paragraph 4 refers to Members and Deputies whereas paragraph 5 refers to Members and Representatives. DM felt that in both paragraphs the term 'Deputy' should be used.

All agreed to the amendment.

Action: SC to amend the Terms of Reference of the IPA Committee with the wording agreed.

MM questioned whether, given the size of the IPA Committee Membership, the requirement to have three Members or Deputies in attendance, to make the meeting quorate, was too high. It had been challenging to get enough Mobile Gear Members present in the past and the meeting in 2022 would not have been quorate if the proposed ToR had applied. DM felt that given the importance and potential impact of the decisions made by the IPA Committee, sufficient representation from each sector was needed and three Members should be the minimum.

All agreed that three Members from each sector should be present to make the IPA Committee meetings quorate.

Agenda Item 6 - Membership Representation

Members continued to discuss the importance of the IPA Committee and how the nominated Members should make every effort to attend the annual meetings. Members discussed the position of Steve Parker on the Committee. Steve Parker had to give last minute apologies due to unforeseen circumstances, but it was recognised that Steve was a long-standing Member and his attendance at meetings had previously been high. Members were more concerned whether Steve Parker could continue to represent the mobile gear fleet given that he had changed over to netting from trawling. However, it was also recognised that as that as the Chair of the South West Committee of the NFFO, Steve Parker was well placed to continue to represent active mobile gear fishers. It was important that Steve Parker only represented one sector on the IPA Committee.

All agreed that Steve Parker should be contacted by the Secretariat to determine which sector Steve Parker wished to represent.

It was noted that Juliette Hatchman was once again absent from the meeting. Members understood that SWFPO had a considerable workload and was looking to recruit and additional officer to support Juliette Hatchman.

All agreed that Juliette Hatchman should be contacted by the Secretariat to determine whether Juliette Hatchman was able to provide the necessary commitment to the IPA Committee.

Members acknowledged that Paul Dornom was deputising for Brian Pawley again. Brian Pawley had indicated that after a long-standing association with the IPA Committee he wished to stand down and Members were asked to consider appointing Paul Dornom as his permanent replacement. Members reflected on the support and advice that Brian Pawley had given to the IPA for many years.

All agreed to appoint Paul Dornom to the IPA Committee.

Members felt that it was important to expand the membership of the IPA Committee to six from each sector if possible. Members recognised that it would be good to get representation from the Plymouth vessels that work the IPA and to seek representation from active fishers in the mobile gear sector.

All agreed that the secretariat should contact Ed Baker CEO for Plymouth Fishing and Seafood Association and other skippers mentioned by Members.

Action: SC to contact Steve Parker, Juliette Hatchman and Ed Baker regarding representation on the IPA Committee.

Agenda Item 7 - Gear Conflict Reports

The Committee discussed spatial infringements that had been reported to D&S IFCA and the MMO during the year. Most of the reported infringements had occurred in the triangle outside of the six nautical mile limit. MM reported that incursions inside the six mile limit had resulted in the owners of two French vessels accepting Financial Administrative Penalties and one prosecution of a UK registered vessel was pending.

The focus of the discussions was in connection with the reported loss of 21 pots from an area just to the northeast of the Corridor on 6th March 2023. MM confirmed that D&S IFCA had thoroughly investigated the incident but had been unable to identify any mobile gear vessels that could have been responsible for towing the pots away. MM confirmed that the only evidence that the pots had been lost had come from the Master of the potting vessel. No other evidence had been identified during the investigation and D&S IFCA was not able to say for certain that the gear losses were attributable to an illegal incursion by a mobile gear vessel. MM did however recognise that some vessels were still deactivating their IVMS devices so not all vessels were necessarily visible to D&S IFCA at that time.

DM and BP had been fully informed of the reported losses and had seen the IVMS track data of the potting vessel, and the reported position of lost gear. DM said that in his opinion the loss of gear was due to it being towed away.

Agenda Item 8 & 9 – Closure of the Corridor in 2024 and IVMS/REM update

SC informed Members that no additional proposals for changes to the IPA chart for 2024 had been received. Members returned to the discussions regarding the closure of the Corridor in 2024. DM reiterated his point that the pots set to the northeast of the Corridor had in his opinion been towed away and it meant that the Corridor should be closed in 2024 in line with the decision taken by the IPA Committee in 2023.

AP said that he relied on areas of scallop to the west in the early part of the year due to the better quality of meat and the loss of the Corridor would be significant for his business. MR agreed that the loss of the Corridor would mean that further ground was lost, and it was already difficult to find enough scallops inshore. Both AP and MR felt that it was a heavy price for the sector to pay for a single incident and that reported incursions continued to decline.

DM acknowledged that it was a hard decision to deny individuals access to the Corridor due to the actions of just one Master. NS and RF both acknowledged that if the IPA Committee did not act and did not go through with the closure, fishermen across each sector would

question whether the IPA Committee had any real purpose or teeth, and lose its credibility. However, both MR and RF raised concerns as to whether the Corridor would be opened in 2025 once closed for 2024, and if there were any infringement during 2024 then it would be unlikely that it would get opened again.

MM highlighted that D&S IFCA's current Remote Electronic Monitoring (REM) project could support better monitoring of the IPA in the future. The REM system is being developed so that it automatically identifies when the tracking system or any other components (cameras, gear sensors) ceases to work/function and notifies D&S IFCA and the vessel owner. The cameras automatically upload the onboard footage if the vessel is in the closed area and the fishing gear is in the water. Members welcomed the REM developments and acknowledged that the use of technology in this way could reduce further the level of illegal incursions and could support the opening of the Corridor in the future. AP offered support for the use of REM.

All agreed that the Corridor should be closed in 2024.

All agreed that the intention was to reopen the Corridor in 2025 subject to reviewing fishing activity in 2024 and in light of further REM developments.

Action: SC to amend the IPA Chart for 2024 showing the closure of the Corridor and submit the new chart to the MMO for amendment to the Licence Condition. SC to notify D&S IFCA Mobile Fishing and Potting Permit Holders of this change to the Licence Condition.

Agenda Item 10 - D&S IFCA Byelaw Updates

MM updated member on the progress of two amended Byelaws: Size of Vessels Byelaw and the Mobile Fishing Permit Byelaw. Both these Byelaw were still with MMO for quality assurance reviews and were overdue. D&S IFCA's greatest concern was with the delay in the Mobile Fishing Permit Byelaw. The amended Mobile Fishing Permit Byelaw would remove the necessity to consult on changes to permit conditions that would be ultra vires if they were not amended. MM used the example of the decision to close the Corridor and how D&S IFCA's permit conditions would need to change to be in line with MMO's revised fishing Licence Condition. The current Byelaw requires D&S IFCA to consult with permit holders albeit in effect D&S IFCA would be notifying permit holders of the necessary changes.

MM explained that the Size of Vessels Byelaw would reduce the maximum size of vessel fishing in the District to 14.99m in overall length and that only one vessel owner would have their grandfather rights removed. Members were aware of the one vessel and believed that it had not fished in D&S IFCA's District for many years.

Agenda Item 11- Electronic Chart Update

MM reminder Members that Kingfisher charts were available to download on to the vessels' plotters that had details of the spatial restrictions that applied to each type of fishing.

Agenda Item 12 - MPAs

SC then gave an update on Marine Protected Areas within the District. SC explained that 3 HPMA's have been designated around the coast of England, none of which were within the D&S IFCA District. She explained that more HPMA's are likely to forthcoming, but no sites have been discussed as yet.

SC described the process by which D&S IFCA assesses the interaction of fishing gear on habitats and species in MPAs. SC talked about the Skerries Bank and Surrounds MCZ, and that Natural England had disagreed with D&S IFCA assessment that mobile gear in Zones 3,4 and the Corridor would not have a negative impact on the site's integrity. In turn D&S IFCA did not agree with Natural England's Formal Advice. D&S IFCA's stance in this matter relates to many areas of concern including poor habitat mapping data used to inform the different habitats in the site and importantly the fact that when the MCZ was designated (and proposed by fishers) that the management as existed through the IPA would remain in place, and that the impact assessment had documented there would be no financial impact of designation on the fishing industry because the management would remain unchanged after designation. D&S IFCA maintains its position on this matter to support the integrity of the IPA. D&S IFCA will be contacting Defra to discuss the next steps and whether, in order to maintain the integrity of the IPA, that Measures of Equal Environmental Benefit could be implemented. This would allow the continued seasonal opening of Zones 3, 4 and the Corridor but maintain the closure of the top of the Triangle (Zone 2) which is of a similar habitat but, having been protected from Trawling for nine years, will be in a better ecological condition than the IPA trawl zones.

Agneda Item 13 - AOB

There was no other business.

Meeting closed.

Version Control

Date	Reviewed by	Version
20/11/2023	M Mander	V0.1
04/12/2023	S Clark	V0.2