1. AT THE ANNUAL MEETING OF THE NORTH WESTERN INSHORE AND CONSERVATION AUTHORITY HELD AT STONECROSS MANOR HOTEL 22nd JUNE 2023

PRESENT – MEMBERS

Cllr A. Markley Cumberland Council

Cllr. J. Boak Westmorland & Furness Council

Mr. P. Capper MMO appointee (Marine Environment)

Mr. R. Benson MMO appointee (Commercial)

Mr. R. Lomax MMO appointee (Marine Environment)

Mr. R. Donnan MMO appointee (Commercial)

Mr. S. Brown MMO appointee (Recreational)

Dr. C. Mihailovici MMO appointee (Marine)

Mr. B. Leigh MMO appointee (Recreational)

Mr. S. J. Manning MMO appointee (Commercial)

Mr. L. Stainton MMO appointee (Recreational)

Mr. K. Thompson MMO appointee (Commercial/Aquaculture)

Ms. C. Salthouse MMO appointee (Marine Environment)

Dr. A. Richardson MMO appointee (Marine Environment)

Mr. W. Friend MMO appointee (Recreational)

Mr. S. Johnston MMO

IN ATTENDANCE

Mr. M. Diggle (member of industry), Mr. T. Smith – AIFCA, Ms. K. Wignall - Seafish

NWIFCA OFFICERS ATTENDING

CEO, Head of Enforcement (HOE), Clerk.

APOLOGIES FOR ABSENCE

Cllr. J. Parr Lancashire County Council

Cllr S. Clarke Lancashire County Council

Cllr. J. Hugo Blackpool Council

Mr. L. Browning Natural England

Mr. J, Turner Environment Agency

Mr. N. Baxter MMO Appointee

Mr. G. Pidduck MMO Appointee

2 APPOINTMENT OF CHAIR (AGENDA ITEM 1)

The CEO welcomed members.

One nomination received for Chair, Mr. P. Capper, proposed by B. Leigh, seconded R. Benson, Mr. P. Capper was unanimously re-elected to stand as Chair.

RESOLVED.

1. CHAIR’S ANNOUNCEMENTS (AGENDA ITEM 2)

The Chair welcomed everyone to the meeting, including Cllr. J. Boak representing Westmorland and Furness Council, Mr. Tim Smith from AIFCA and Ms. Katrina Wignall from Seafish. He also reminded members to sign the attendance register and declare any items of interest.

4. APPOINTMENT OF VICE-CHAIR (AGENDA ITEM 3)

Nominations for Vice-Chair had been received for Dr. J. Andrews. Proposed B. Leigh, seconded R. Benson. Dr. J. Andrews was unanimously re-elected as Vice-Chair.

5. DECLARATION OF INTERESTS (AGENDA ITEM 4)

Mr. B. Leigh declared an interest in Agenda Item 14, and Mr. S. Manning in Agenda Items 11 and 12.

6. MINUTES OF MEETING 23rd MARCH 2023 (AGENDA ITEM 5)

RESOLUTION: TO ACCEPT THE MINUTES AS A TRUE RECORD OF THE MEETING

Proposed: Mr. S. Johnston, Seconded Mr. L. Stainton, all in favour, carried.

7. MATTERS ARISING (AGENDA ITEM 6)

Mr. S. Manning made a brief mention of surveying spat falls, his comments will be referred back to the Senior Scientist.

8.FINANCIAL REPORT (AGENDA ITEM 7)

CEO presented the Financial Report for 2022/23 on behalf of Rushton’s Accountants. He reported that the £50K miscellaneous income was in fact DEFRA funding which will be covered in Agenda Item 11. There has been an increase in income from sampling fees, due to the changes in the pricing structure which were long overdue. There was also an increase in permit fees.

Expenditure was generally in line with expectations relating to Estates, there is a surplus under the Employees budget heading due to carrying vacancies and having not replaced the former Head of HR and Finance and three outstanding IFCO vacancies. There was a significant increase in vehicle expenditure due to repairs and fuel duty, there is a plan to rationalise our fleet. He indicated the need for a policy regarding our reserves and ring-fencing some operational and vessel costs. A meeting is scheduled with our accountants to better understand the budget and reserve account and to look at ways to improve the budget headings moving forward.

Mr. K. Thompson asked about the exceptional adjustment, this refers to assets which had not previously been reported. Ms. C. Salthouse asked about the £121K vessel fund, this should be reported separately, HOE reported that the funds do not actually move accounts they sit in reserves unspent, this is an area for discussion with our accountants. Mr. B. Leigh sought reassurance that sampling was undertaken at cost recovery, and that regular bank reconciliation was being carried out, he felt this should be demonstrated and reported to the committee. CEO reported that further information on the additional funding will be on the agenda for the upcoming meeting of Finance & Personnel Sub-Committee meeting; he welcomed all feedback so we can now fine tune our processes and reporting with the accountants.

It was also highlighted that as a public body ‘Profit and Loss’ should be renamed to ‘Surplus and Deficit’; this will be rectified for future Financial Reports.

RESOLUTION: TO RECEIVE THE REPORT.

Proposed: Cllr. A. Markley, Seconded: Ms. C. Salthouse, all in favour, carried.

9. APPOINTMENT OF TSB SUB-COMMITTEE (AGENDA ITEM 8)

CEO reported on the ballot to elect members to the TSB Sub-Committee which had been conducted via email. The following members were appointed, Mr. B. Leigh, Mr. S. Brown, Mr. K. Thompson, Mr. S. Manning, Mr. N. Baxter, Dr. C. Mihailovici and Mr. R. Benson. Both Chair and Vice-Chair are appointed *ex-officio*.

RESOLUTION: TO ACCEPT THE ELECTION OF TSB MEMBERS

Proposed: Dr. A. Richardson, Seconded: Mr. B. Leigh, all in favour, carried.

10 TSB REPORT FROM MEETING 9TH MAY 2023 (AGENDA ITEM 9)

Mr. B. Leigh gave a verbal update from the last meeting. He said that the Byelaw Strategy Working Group was to be resurrected as soon as possible. Byelaw 1 is still awaiting sign-off by Secretary of State. He reported that most surveys were on mussels. Drones are being procured for use by both science and enforcement officers and was significant way forward. The FISP bid was unfortunately unsuccessful but has proved to be a useful learning exercise for future bids. Work is ongoing regarding the minimum landing sizes for mussels.

Mr. S. Manning declared an interest and raised his objections to the TSB Sub-Committee taking votes by email, regarding the opening of fisheries. He said reports and recommendations should be published on the website for public consultation prior to any vote being taken. Mr. B. Leigh responded that baseline information was readily available, and the Sub-Committee voted overwhelmingly to accept voting by email to speed up the process. Mr. S. Manning went on to raise his concerns on behalf of hand gatherers and again raised his concerns regarding dredging on the South America mussel bed.

Mr. S. Brown clarified that the purpose of the vote was to speed up the process of decision making, he felt there was a need for a wider debate on the managing of beds in the north of the District, but often decisions need to be made between tides *etc*.

The CEO felt that officers were being unjustly criticised on all sides and wants to collaborate fully with the Sub-Committee, but it was not helpful to raise concerns after the event.

RESOLUTION: THE VERBAL REPORT BE RECEIVED

Proposed: Mr. L. Stainton, Seconded: Mr. K. Thompson, 15 in favour, 1 abstention, carried

11 PATROL AND ENFORCEMENT REPORT (AGENDA ITEM 10)

HOE referred to his report for information.

He reported that during this reporting period he was also still Acting CEO and had attended numerous meetings regarding national legislation, HPMAs, IFCA Chief Officers Group *etc*.

He said the commercial retention of bass in intertidal nets remained an issue that officers were keen to resolve and legal advice has since been sought and work is progressing.

Staff training was ongoing and this has included drone training and procurement, the new permit database is also progressing well.

North Western Protector has now had testing completed on its engines, this was successful, an in-depth report will follow. Officers have been working hard in preparation for the engines being refit. Officers have attended both Plymouth and Great Yarmouth where work and testing has been undertaken. He also reported that our Engineer has now left the Authority which has incurred additional expense in outsourcing engineers to refit the engines once back *in situ*.

The MCRS Byelaw (Byelaw 1) is still awaiting sign-off and Defra had raised a minor query and there had been some confusion relating to emergency byelaws implemented by other IFCAs which has been replied to and hopefully this will now progress.

Officers patch reports were detailed in the report. There were no infringements or sanctions issued during this reporting period.

Mr. S. Brown reported on toxic chemical discharge into the River Wyre from a former ICI site and requested that we bear pressure on the local authority (Wyre Borough Council). HOE confirmed contact has been made with Wyre Council regarding this. Cllr J. Boak also commented on sewage discharges throughout the District and highlighted that there was a live Q&A session available online. Cllr. S. Clarke is attending a meeting relating this, hence his apologies for today’s meeting. Mr. S. Manning asked about how far these discharges can spread throughout the estuary and whether water samples could be procured. Mr. S, Brown, Mr. S. Manning and Cllrs. A. Markley and J. Boak also referred to the decline in shrimping and that it was essential this be investigated further. Ms. C. Salthouse suggested there was potential to use a research student as a resource. CEO replied that water testing was outwith our statutory functions, and we currently do not have sufficient resources, but a discussion will be held with the Senior Scientist to see if this can be accommodated in future.

Dr. A. Richardson declared an interest in this item and reported that Salford University were currently investigating further funding for a much wider investigation into the impact these matters are having on fishing and climate change *etc*.

Mr. R. Donnan referred to a discharge into Whitehaven Harbour, resulting in an orange scum. Mr. L. Stainton said there is an outflow into the area which is most likely from the mining industry and is being monitored. The Environmental Agency have undertaken testing and it is not toxic.

RESOLUTION: TO RECEIVE THE REPORT

Proposed: Mr. B. Leigh, Seconded: Mr. S. Johnston, 14 in favour, 2 abstentions, carried.

12 CEO’S REPORT (AGENDA ITEM 11)

CEO presented his report. He gave details of the changes to our Local Authority members and hoped to increase engagement and collaboration with our councillors. Mr. B. Leigh commented that he felt local authority members did not fully understand the remit of IFCAs which was a possible reason for lack of attendance at meetings outside of the Finance & Personnel Sub-Committee. Mr. L. Stainton asked about streaming meetings to increase attendance, legislation did provide this option during the period of the pandemic but was revoked once all restrictions had been lifted. There is currently a petition from local authorities before parliament to reconsider.

He reported that the Health and Safety Working Group had been reinstated and this would also include staff wellbeing moving forward and was a priority.

North West Employers have been commissioned to undertake a job evaluation and pay review, this has begun and a deadline of end of August has been set. As agreed at a recent meeting of the Finance & Personnel Sub-Committee we are now working toward Trade Union recognition, IFCO Graham is currently going through the Union Representative training programme and this will be brought back to the next F&P meeting. A small internal working group looking at HR policies has been set up including CEO, HOE and the Clerk to develop new policies. The Clerk was given additional duties following the resignation of the former HR officer. She recognises that, although happy to undertake this function, she is not an HR professional, therefore an external HR consultants have been approached to support her moving forward and the cost is relatively minimal. We will be working with Stephenson Solicitors, who specialise in employment law.

He reported on RDEL/CDEL funding both received and expected from Defra, some of which has been allocated to drones, additional staff and the provision of a new vessel in the north of the District supporting the HPMA. HOE explained that the funding was paid to Lancashire County Council who took some time to release it to the Authority; we are always nearly 12 months behind in receiving monies.

CEO reported that following a review of our estates and in consultation with staff the aim is to move from both Carnforth and Whitehaven offices which are no longer fit for purpose. The aim is to remain within close proximity to the current sites where officers are mostly based. He went on to say that working alongside HOE they are carrying out a strategic review of our vessel and vehicle assets with a view to rationalisation.

Members were updated with current staffing information, three IFCO/Crew posts have been advertised, to fill current vacancies, and the posts will be offered shortly. He also reported that our Engineer IFCO Greenop had resigned from the Authority. He went on to add that he was both impressed and enthused by the staff’s attitude and commitment to the Authority bearing in mind the difficult times they have previously experienced.

IFCO Edwards has begun her new role as Comms Officer and is already looking to improve our website, improve stakeholder engagement and showcase our work.

In recent weeks we have been approached by various media relating to marine life strandings on the North Wirral coastline. We are proposing to hold an ‘open event’ in the area in the near future to address the concerns of the local community.

He confirmed that the Byelaw Strategy Working Group had been resurrected and will meet bi-monthly. HOE’s main priority remains the netting byelaw. Mr. S. Manning requested that the BMWG (Bivalve Mollusc Working Group) also be resurrected, Mr. B. Leigh recommended that this group include wider stakeholders and not just be open to members; this will be actioned.

Six draft FMPs are nearing completion and Defra will be going out to consultation imminently with a short consulting period of six weeks. These include: Crab and Lobster, Bass, Whelk, Scallop, English Channel Non-Quota Species and Southern North Sea/ English Channel Flatfish.

He concluded his report by saying he had attended meetings of both AIFCA AGM in London and COG (Chief Officers’ Group).

RESOLUTION: TO RECEIVE THE REPORT

Proposed: Mr. S. Johnston, Seconded: Mr. W. Friend, all in favour, carried.

13 SCIENCE REPORT (AGENDA ITEM 12)

CEO presented the Science Report on behalf of the Senior Scientist and would take any questions he could not answer back to her.

The main highlight of the report was the publication of the Cold Weather Protocol, which had received mixed opinions. The development of 2023 survey schedule, completion of first and second stages of the mussel MLS study and progress on the procurement of a drone and associated training.

The report also stated that Natural England were taking the lead on the HPMA at Allonby Bay and the research project is currently at an early stage.

The Senior Scientist had attended meetings regarding the Dee Cockle Fishery Order alongside members from NRW (Natural Resources Wales). These discussions are at a very early stage and she reiterated her intention to remain closely involved, updating the Committee as appropriate.

A first draft of the NWIFCA Cockle FMP is being developed to provide a framework for future decision making. This plan is being informed by the national Cockle FMP work being led by AIFCA and designed in line with current guidance.

Cllr. A. Markley wished to thank the Senior Scientist for her comprehensive report.

RESOLUTION TO RECEIVE THE REPORT

Proposed: Mr. B. Leigh, Seconded: Ms. C. Salthouse, 15 in favour, 1 abstention, carried.

14 FISHERIES MANAGEMENT PLANS (AGENDA ITEM 13)

CEO introduced Mr. T. Smith from AIFCA and formerly Senior Scientist at NEIFCA, to update members on FMPs.

FMPs are a new policy tool being developed by Defra with AIFCA being lead collaborators on co-ordination, comms and engagement, planning and implementation of the Cockle FMP specifically. They will be evidence-based management plans supporting fishing communities alongside promoting the sustainability of the fishing industry. Currently these are at a very early stage, and they are just developing high level objectives and looking at current issues, they will then collate information and best practice from all current practices and communicating all these back to Defra. The Cockle FMP is as set out in the Joint Fisheries Statement. As briefed by the CEO, there will be a short consultation period over the next few months.

He understood there was very mixed feedback on bass regulations and expected there to be numerous iterations on this subject.

Both Mr. S. Johnston and Ms. C. Salthouse raised a question regarding cross border issues with both Scotland and Wales and felt this could be problematic as the scope is only for English waters. Mr. S. Manning stated that our District was unique in relation to cockle and mussel fisheries and did not see how it could be integrated on a national scale. He also sought clarification that there would be no input with the process of issuing permits, which is a contentious subject. Cllr. J. Boak also broached the issues relating to local permits saying local people should take priority and asked if there was an avenue for fishing apprenticeships to be developed. Mr. T. Smith said there was no intention to become involved in any IFCAs’ local permitting processes. He reiterated that this was at the very first stages of development and any updates will be reported back via the association *etc*. CEO confirmed that NWIFCA would be the primary lead on the Cockle FMP, and thanked Mr. T. Smith for attending the meeting.

15 NORTH WIRRAL FORESHORE (AGENDA ITEM 14)

CEO gave details of the issues that have been reported on the North Wirral foreshore relating to strandings of marine life, this is not new to the area but has been particularly prevalent this year, even having received reports of a deceased deer on the foreshore. Unfortunately, everyone has an opinion on the causes of these occurrences, only a few being evidence-based. He stated that the Authority cannot create byelaws as a kneejerk reaction to public opinion widely reported in the local media, he went on to confirm that netting is not an illegal activity in the area. It is our intention to hold a stakeholder engagement event in the area as soon as is feasible, where members of the public and industry would be welcome to talk to officers about their concerns. The Senior Scientist has also commented that she would like to investigate the issue but currently resources are limited, but it is on the radar for a future project.

Mr. B. Leigh said that there had been a prominent smooth-hound fishery in the area and although there has been no illegal activity it was causing some reputational damage to the Authority and welcomed any opportunity to engage and educate the wider public and media on the issue. Mr. S. Brown stated that this was in fact a natural phenomenon which occurs annually, and Ms. C. Salthouse said the issue had also been commonplace in North Wales. Mr. L. Stainton suggested that signage be erected informing people of what they can do, rather than what they cannot, the CEO agreed to look at this approach. He would report back to members after the stakeholder meeting.

16 DRAFT ANNUAL REPORT (AGENDA ITEM 15)

CEO presented the draft Annual Report for information and thanked both HOE and Senior Scientist who had provided the information within as this referred to a period before he joined the Authority. He said this was in a much-improved format from previous years and asked members to contact him with any feedback. Ms. C. Salthouse asked that public and media interactions be included.

17 ANY OTHER BUSINESS (AGENDA ITEM 16)

Mr. L. Stainton enquired about the provision of free measures and gauges but the cost preventative.

Mr. S. Brown asked about the opening of Penfold fishery in July, that would be referred to the Science Team.

The Chair informed members the MMO had requested that their appointees have an annual assessment, and he would be contacting members in due course.

Mr. M. Diggle raised an earlier issue relating to the winter closure of Penfold fishery, the CEO and Chair undertook not to discuss this issue further in the meeting due to the Mr. Diggle’s inappropriate conduct in airing his concerns, and because the matter had already been dealt with.

The Chair thanked everyone for attending and the meeting ended at 15.20pm.