49 AT A MEETING OF THE NORTH WESTERN INSHORE AND CONSERVATION AUTHORITY HELD AT TRUCKHAVEN, CARNFORTH, 23rd MARCH 2023

PRESENT – MEMBERS

Mr P. Capper Chair MMO appointee

Dr J. Andrews Vice Chair MMO appointee

Councillor P. Williams Cheshire West and Chester Council

Dr C Mihailovici MMO appointee

Mr R. Benson MMO appointee

Mr N. Baxter MMO appointee

Mr S. Brown MMO appointee

Mr S. Manning MMO appointee

Mr L. Stainton MMO appointee

Mr K. Thompson MMO appointee

Mr G. Pidduck MMO appointee

IN ATTENDANCE

Mr M Taylor Incoming CEO

L. Browning Natural England

S. Johnston MMO

Mr D Vaughn Natural England (visiting)

Ms M Hartley Natural England (Visiting)

Mr M Rowlings, Mr T Davies, Mr T Jones, Members of Industry

NWIFCA OFFICERS ATTENDING

Acting CEO, Senior Scientist SOSOW C Dobson, IFCO Edwards Clerk.

APOLOGIES FOR ABSENCE

Mr B Leigh MMO appointee

Councillor A Markley Cumbria County Council

Councillor M Wilson Cumbria County Council

Councillor D Mitchell Wirral Council

Mr W Friend MMO appointee

Mr R Lomax MMO appointee

Dr A Richardson MMO appointee

CHAIRMAN’S ANNOUNCEMENTS (AGENDA ITEM 1)

The Chair welcomed everyone to the meeting, including members of industry, guests from Natural England, the incoming CEO and IFCO Edwards the new IFCO/Communications Officer. Councillors Markley and Wilson were attending the last meeting of Cumbria County Council prior to the new changes, he went on to thank Councillor Wilson and Councillor Williams for whom this would be their last meeting as a member of the authority.

RESOLUTION: FORMAL THANKS BE EXTENDED TO OUTOING COUNCILLORS FOR THEIR SERVICE TO THE AUTHORITY

Proposed: Chair, Seconded: Dr Andrews, all in favour, carried

50 DECLARATION OF INTERESTS (AGENDA ITEM 2)

Mr S Manning and Mr Benson agenda items 7 and 8

51 MINUTES OF MEETING 1st DECEMBER 2022 (AGENDA ITEM 3)

Councillor Williams asked that his apologies be recorded.

RESOLUTION: FOLLOWING AGREED AMENDMENTS THE MINUTES BE APPROVED

Proposed: Dr Mihailovici Seconded: Dr Andrews, all in favour, carried

52 MATTERS ARISING (AGENDA ITEM 4)

Mr Manning again requested information on the returns submitted for dredging, Acting CEO reiterated previous comments that due to the fishery being persecuted by a single permitted vessel, the release of this information would conflict with GDPR. The Chair asked that the Acting CEO take this back to our GDPR Officer for further confirmation, Dr Andrews agreed that such data could not be released without the consent of the individual concerned.

53FINANCE REPORT (AGENDA ITEM 5)

The Acting CEO presented the report on behalf of our accountants. He reported that there had been an underspend on employee salaries due to leavers and new recruitment being suspended. There was, however, an overspend on transport mainly due to the cost-of-living situation and price rises across the board, there were also more vehicle repairs than in previous months as some are aging and close to needing replacement. He added that all shellfish sampling invoices were up to date, and a new and simpler pricing schedule was being introduced from April 1st.

Councillor Williams asked about repairs to Carnforth Office. These have now been completed together with some minor repairs to the office in Whitehaven. The Chair requested the figure for monies held in reserves, this currently stands at £1.8m

RESOLUTION: TO RECEIVE THE REPORT

Proposed Councillor Williams, Seconded: Dr Mihailovici, 12 in favour, 1 abstention, carried.

.

54. SUMMARY FROM TSB 7TH FEBRUARY 2023 (AGENDA ITEM 6)

Dr Andrews updated the members on the last meeting of TSB. The main item discussed was the management of Penfold fishery, he added that considering the impact this had on fishermen, the several members of industry who attended the meeting contributed to a constructive and informed debate in a restrained manner. The key area of concern was the differing interpretations of the HRA wording and poor communication. It was felt that lessons have been learnt, and a new cold weather protocol has been drafted by the Senior Scientist in collaboration with Natural England.

The MCRS byelaw was still awaiting sign of by the Secretary of State, and Dr Andrews will draft a letter to be sent to the Minister.

55. PATROL AND ENFORCEMENT/CEO REPORT (AGENDA ITEM 7)

Acting CEO referred members to his report. He updated the meeting on the Highly Protected Marine Area and reported that on the 28th February the Secretary of State at DEFRA stated the intention to designate three areas, one of which is Allonby Bay in the north of the district. There has been a revision to the HPMA boundary to allow for recreational angling, this includes areas for disabled anglers and for activities which hold importance to the local community. The revised boundaries also consider the needs of Maryport Harbour and the Port of Silloth. Further updates will be provided when the authority receives further information.

National funding has been set aside for the procurement of a small patrol vessel and for two members of staff, however, the duration of this funding has not yet been confirmed.

He also gave an update on Fisheries Management Plans. FMPs have been set out as the mechanism for DEFRA and arm’s length bodies such as NWIFCA to implement the targets of the Fisheries Act 2020. DEFRA have set out how IFCAs will be key to the development, and this has been demonstrated in the allocation of funding recently and in the future. Six front runner FMPs have been put forward to pilot different ways of working with industry groups and stakeholders.

As well as coordinating IFCA engagement in the development of FMPs, the Association of IFCAs (AIFCA) has led the engagement with DEFRA outlining the workloads and resource needs of all ten IFCAs to help facilitate and engage in this process. As a direct consequence of this engagement, an additional £500,000 has been made available to IFCAs this year from DEFRA and each IFCA has now received further funding in support of this programme. There is a commitment to continue this until the end of the SR21 period (2024/25). However, given the current uncertainties over departmental budgets, future funding will be determined over the course of the year

At a recent meeting of Finance & Personnel Sub-Committee members voted in support of the remanufacturing of the engines for North Western Protector, subject to the approval of the full Authority. This was followed by a vote, communicated by email to all members, resulting in the work being approved.

Unfortunately, during further inspection, the port and starboard gearboxes were found to also be in need of significant repair, the cost of these additional repairs will be £46,000 and realistically this is the only feasible option available. Mr Benson said that he was familiar with the vessel prior to its acquisition and does not feel that it had been poorly maintained beforehand. Mr Johnston enquired if there would be warranties issued with the repairs, Acting CEO confirmed that warranties will be issued as detailed in previous reports.

As widely reported the Eden Project has now been awarded £50m in the second round of the governments levelling up fund, this allows for the project to move onto its next phase.

In January Grace Edwards was successful in the recruitment for the position of IFCO & Communications Officer and will be based in Carnforth supporting IFCO Graham. IFCO Sirkett has left the Authority to pursue a career in Health & Safety.

In December, January & February recreational fishers were restricted to catch and release only whilst fishing for European Seabass. From 1st of March until 31st December not more than two seabass may be retained per fisher per day.

As with previous years commercial fishing for bass is subject to restrictions. Under The Sea Fisheries (Amendment etc.) (No.2) Regulations 2021 all commercial fishing vessels are now authorised to land bass caught by demersal trawls and seines with no written authorisation required. Though still subject to a 5% by weight per trip. The Sea Fisheries (Amendment) Regulations 2022 (legislation.gov.uk) sets an unavoidable by-catch limit of 760 kilogrammes in any two consecutive months including December 2022 and January 2023.

Fishing commercially for bass using other gears (fixed net, hook & line) requires an authorisation from the MMO. In the Irish sea this is only permitted inside 12nm. Authorisations to fish are only valid from 1st of April until 31st December.

Issues around the commercial shore fishing for Bass in relation to 26 nets in the NWIFCA district have yet to be resolved due to there still being no legislative framework.

Mr Brown enquired as to progress with the commercial intertidal netting byelaw. Acting CEO said that the additional work load undertaken during his interim term as Acting CEO had prevented any further work being carried out. Mr Brown felt it important that the Byelaw Strategy Working Group reconvene in the very near future. He also commented on the ongoing issue relating to Bass and the S.I. which had been passed and the supposed 26 permits which are detailed. Dr Andrews felt that currently the Authority is ‘stuck with’ this legislation and suggested that DEFRA be contacted again, following the relaxation of some EU regulations. DEFRA are aware of the issue following previous consultations and correspondence. Mr Manning also voiced his annoyance at the current situation. Mr Stainton asked how other IFCAs were affected, and if a framework was in place to issue permits. Mr Pidduck reported that the whole of bass fishing was currently under review anyway.

The usual area updates were detailed in the report.

Referring to Penfold fishery, Mr Terry Davies asked why there was only one tide available to fish per day, he remarked that if this is due to staffing resources, that should not impact on the fishers. Acting CEO said that the flexible permit conditions attached to the byelaw were ratified by this committee at a previous meeting. He went on to add that differing flexible conditions would be attached to different fisheries dependent on the specific requirements of the various beds. Mr Stainton also commented on Penfold fishery, and that enforcement needs to be flexible to accommodate when fishers can access the beds

Mr Brown commented that Penfold was a relatively small scare fishery and what has occurred cannot be changed, but future fisheries need much better planning, he also felt that fisheries should remain open at all times unless there is a specific reason for it to remain closed, the Chair concurred.

RESOLUTION: TO RECEIVE THE REPORT

Proposed: Councillor Williams, Seconded: N Baxter, all in favour, carried

56 SCIENCE REPORT (AGENDA ITEM 8)

Senior Scientist presented her report.

Since the last meeting, the FISP proposal has been submitted to DEFRA, an HRA has been drafted for Foulney mussel bed, and a first draft of the Cold Weather Protocol has been written. The science team have also carried out the first stage of the mussel MLS study, mapping the extent of smaller mussel. There have been one cockle and four mussel inspections carried out since the previous meeting. She referred members to her report for greater detail.

Work has begun on a new permit database, which will include improved logging and analysis of returns data

At the TSB meeting on 7th of February it was agreed that a first draft of the NWIFCA cockle fisheries management plan should be completed by the following meeting (dated 9th of May) to provide a framework for future decision making and management. It is also necessary in the light of the upcoming national FMP’s to have a clear framework which we can put forward during the data collection phase. Mr Brown said that this plan was essential as our district is quite different to the rest of the U.K.

Progress has been made on the procurement of a new drone and training has begun.

Members of TSB were invited to a site visit to Foulney mussel bed, although turnout was low for various reasons it was a worthwhile trip, enabling members to see first hand the size of the bed and the work officers undertake in surveying. Mr Manning commented that the area visited was approximately only a very small percentage of the whole area, he said that the areas actually being fished was so small that bird food provision should not be an issue. He added that there had been a new spat fall at Flookburgh and a much wider area in Morecambe bay required surveying.

Mr Brown suggested that more members were invited and other beds be visited by way of education, he also recommended greater involvement by local authority members. Councillor Williams remarked that over his years in tenure as Chair he had frequently raised the issue of poor attendance by local authority members, and he would encourage his replacement to be a regular contributor.

In December the Senior Scientist presented our work in Morecambe Bay to post-graduate students as University of Cumbria as part of their module on marine management.

RESOLUTION: THE REPORT BE RECEIVED

Proposed: L Stainton, Seconded: Dr Mihailovici, 12 in favour, 1 abstention, carried

57 DRAFT ANNUAL PLAN (AGENDA ITEM 9)

Acting CEO presented a new draft Annual Plan in a new format which is used by other IFCAs and should be published by April 1st, the intention is to also to produce the plan in a glossy format as done last year.

Dr Andrews said this was a much better plan produced by the Acting CEO in difficult circumstances regarding workload, he proposed thanks be given to Acting CEO and all other staff involved for their hard work.

Mr Trevor Jones agreed that the plan was much improved and went on to suggest that with a new CEO coming onboard it was a good time to revisit and revise parts of the constitution. The Chair suggested that Mr Jones contact him direct.

RESOLUTION: THE DRAFT ANNUAL PLAN BE APPROVED

Proposed: Dr Mihailovici, Seconded: S Johnston, all in favour, carried

58 ANY OTHER BUSINESS

Mr Manning remarked on the length of HRA reports, and considered them far too long, he felt a report of approximately 20 pages should be sufficient. Waiting 6 to 12 months for a HRA to come out was unacceptable.

Mr Browning responded by explaining the information included in the HRA document was relevant to IFCA’s conservation responsibilities. A lot of information is consistent year on year. There is a smaller section which gets revised and updated which includes the relevant information.

Senior Scientist concurred and reported that in many cases HRA’s do get turned round quickly.

Councillor Williams informed members of a charity he was involved in which involves sending 3 ambulances to Ukraine, and said any donations would be gratefully received.

The Chair thanked members for their attendance and closed the meeting at 14.45pm,