

Kent & Essex Inshore Fisheries and Conservation Authority

MINUTES of a meeting of the Authority held as a virtual meeting at 10.00am on Wednesday 16 September 2020

Present: Cllr J Lamb (Southend BC), Mr J Nichols (MMO), Mr A Rattley (MMO), Mr E Hannam (MMO), Ms B Chapman (MMO), Ms R Korda (NE), Cllr P Channer (ECC), Cllr A Goggin (ECC), Cllr S Walsh (ECC), Mr P Wexham (MMO), Mr S Abbotson (MMO), Dr L Fonseca (MMO), Cllr T Hills (KCC), Cllr A Bowles (KCC), Cllr H Tejan (Medway Council), Ms V Gravestock (EA), Mr P Tyack (MMO)

Apologies:

In Attendance: Mr J Cook (Clerk, KCC), Ms C Green (Financial Advisor, KCC), Dr W Wright (Chief Fishery Officer), Mr D Bailey (Assistant Chief IFC Officer), Mrs D O'Shea (Office Manager), Mrs K Woods (Admin Assistant), Mr Hayden Hurst (Lead Compliance Officer)

1. PROTOCOLS FOR VIRTUAL MEETINGS (A1)

The Clerk informed Members that the Coronavirus Act allowed the IFCA to adopt a more flexible approach to meetings, however formal meetings held virtually would continue to require procedures and rules to be followed. The public's right to observe meetings would continue and provision would be required to be made for this to take place.

RESOLVED that the Protocols as described within Appendix 1 of the report be adopted by the IFCA

2. ELECTION OF CHAIRMAN AND VICE CHAIRMAN (A2)

The Clerk to the Authority was in the Chair for this item.

Members were advised that they were required each year to nominate and select a Chairman and Vice Chairman.

Cllr Walsh nominated Cllr John Lamb as Chairman seconded by Cllr Goggin.

No other candidates were proposed so Cllr Lamb was elected unopposed as Chairman.

Cllr Walsh nominated Mr John Nichols as Vice Chairman, seconded by Ms Korda

No other candidates were proposed so Mr John Nichols was elected unopposed as Vice Chairman.

Cllr Lamb and Mr Nichols thanked the Authority. Cllr Lamb resumed the Chair.

3. DECLARATION OF MEMBERS' INTERESTS (A3)

The Chairman asked if any Member had any additional declarations to declare to the IFCA not provided previously.

No additional declarations were declared

4. MINUTES (A4)

Members requested that the entry for George Sutton be amended to Georgie Sutton.

RESOLVED that the Minutes of the meeting held on 30 January 2020 were correctly recorded, as amended, and that they be signed by the Chairman

5. INTERNAL AUDIT REPORT 2019/20 AND INTERNAL AUDIT PLAN 2020/2021 (B1)

Members were provided with a copy of the Internal Audit report for 2019/2020. This detailed the checks that had been undertaken by Internal Audit to ensure that effective systems of risk management, governance and control were in place. Members noted that the issues shown as outstanding in the mid term report had been resolved by the end of year report and that an incident with petty cash had occurred. Members were also provided with a copy of the proposed Internal Audit plan for 2020/2021 for approval.

Members **RESOLVED** the following:

- (i) the Internal Audit plan 2020/2021 be approved; and
- (ii) the findings of the Internal Audit report for 2019/2020 be noted

6. 2019/2020 FINAL BUDGET MONITORING OUTTURN REPORT AND ANNUAL RETURN (B2)

Members were provided with details of the financial position for the Authority to 31 March 2020. Members were informed that the final revenue outturn for the financial year was £23,423. This had arisen from unbudgeted income of £68,058 offset by an overspend of £44,635, details of which were included in the report. It was recommended that this underspend be transferred to the General Reserve.

In respect of capital expenditure, Members were advised that £106,472.65 had been spent on the new RIB, Vigilant and two quad bikes

Total reserves, including Renewals, General and Specific totalled £1,626,267

Members were advised that the IFCA hosted the post of the National Lead Training Officer, the funding of which came from the ten IFCAs around the country. Income and outgoings for this post

were ringfenced and did not form part of the IFCA's revenue outturn. However, as they were administered through Kent County Council's accounting system these accounts were required to be reported to Members at the end of the financial year. Members were advised that £6,732.70 was held by the IFCA on behalf of the Association of IFCAs.

At this stage of the year the external auditors, PKF Littlejohn would have reviewed the accounts. Due to Covid they were still working on the return and it seemed likely this would now be ready to be provided to Members at the end of November 2020

Members **RESOLVED** that:

- (i) the underspend of £23,423 be approved; and
- (ii) the underspend of 23,423 be transferred to the General Reserve

7. TREASURY MANAGEMENT STRATEGY 2020/2021 (B3)

Members were provided with details of the treasury management strategy for 2020/2021, which mirrored Kent County Council's strategy. The Chairman asked that the Financial Advisor look to see and report back if there were other institutions that could improve on the rates currently offered

Members **RESOLVED** that Kent & Essex IFCA monies would continue to remain on deposit with Kent County Council

8. REVENUE BUDGET MONITORING REPORT 2020-2021 (B4)

Members were advised that due to the impact of Covid 19 there had been a significant change to forecasted levels of expenditure and as a result the forecasted Revenue Outturn for the year was an underspend of £87,732. Details of the main variances were provided to Members in the report. It had been agreed that £170,000 would be taken from Reserves to fund a refurbishment of Tamesis. This had been postponed and would now not be taking place this year. Income of £21,000 had been received from an EMFF grant application for the new RIB Vigilant and an amount of £14,080 had been received from the sale of the RIB Blue Jacket. The income from the sale of Blue Jacket had been transferred directly to capital receipts.

Members were informed that this underspend had arisen as a result of Covid and would have been unlikely to have occurred in any other situation. The Financial Advisor informed Members that the Local Authorities would be meeting shortly to consider their budgets for the next financial year and understood from these Local Authorities that their contributions to the levy were not considered a significant part of their budgets. She reminded Members that at their meeting in January it had been agreed in principle to increase the levies over the next two financial years. She acknowledged the impact that Covid-19 would have on Local Authority budgets and the need to consider the financial position of Local Authorities, however Members should be aware of the financial implications of carrying out Brexit duties in the next financial year. The predicted savings to expenditure were unexpected and were unlikely to have happened if Covid-19 had not occurred.

Members noted the comments of the Financial Advisor and requested that officers continued to monitor closely the situation with budgets.

Members **APPROVED** the forecasted underspend of £87,732

9. WHELK FISHERY UPDATE PAPER (B5)

The Chief Fishery Officer reminded Members that at their last meeting they had discussed the future of the whelk fishery management in the District and had approved the making of an Emergency Byelaw.

In light of Covid-19, officers had decided to freeze the application process for the 2020/21 whelk fishery permit. Although this fishery was not completely back to normal, it was now timely to reinstate the permits for 2020/21. Permit holders from 2019/20 would be written to, to give one month's notice that a permit would now be required to continue fishing in 2020/21.

In respect of the Emergency Whelk Minimum Size byelaw, Members were informed that officers had been tasked to conduct landing inspections, introduce the Industry to the new procedures and to gather data on compliance. Covid 19 had an effect on the inspections. Twelve had taken place in total, in February and in August using the rationale and method described in the Appendix to the report. Nine out of the twelve permit holders inspected passed inspection with less than 5% of all whelks below 53mm in length. Officers would continue to carry out inspections with the expectation that for those that failed, officers would work with the fishermen to try to identify why and to assist in making adjustments to ensure they were compliant. The CFO advised Members that it had been anticipated to bring a permanent version of the byelaw to Members to consider at the January 2021 meeting. On discussion with Defra and the MMO it seemed sensible to bring that forward to the November 2020 meeting as the work being undertaken around Brexit could mean a delay in the procedure for approving a byelaw by Government. It was proposed to hold a Technical Panel meeting on 4 November at 10am to scrutinise the proposed wording of the legislation and Impact Assessment. At this stage it would also allow for the concerns raised in Mr Craig's letter to be addressed.

A Member suggested that it might be useful for them to observe an inspection. The CFO advised that this could be arranged. In response to a question as to who would sit on a Technical Panel, the CFO advised that any Member of the IFCA could do so and that they would be contacted to see if they were available to attend.

The Vice Chairman informed Members that there appeared to be satisfaction from the fishermen over the IFCA's actions. He was aware that one or two of the larger boats had dropped out of the fishery. This was not due to a lack of stock, but that the value of the fishery had reduced. Rates had been £1,600 to £1,700 per tonne. This had now reduced to £1,000 per tonne with the result that it was not economically sound to go to sea. He suggested that the price of whelks be included with the data on catch effort to show that a decrease in price could affect the rate of catch.

Members **NOTED** this report

10. COCKLE FISHERY UPDATE (B6)

The ACFO advised Members that the TECFO fishery had opened on 28 June and was planned to close on 2 October. The catch rate had been excellent and growth was better than the previous year. The TAC would remain at 7392 tonnes as agreed at the start of the fishery with changes made to the areas fished based on suggestions from the Industry. Cooperation between the Industry and officers had been very high and compliance good. Quad based cockle surveys were planned to take place over the weekend of 19 September; results from these would be provided to Members at the next meeting.

Twenty nine applications had been received to take part in the Flexible Permit Byelaw Cockle Fishery. As the normal surveys had not taken place in April due to Covid 19, it had been decided to take a precautionary approach this year and open Area 7 of the fishery with the TAC based on the most recent survey data with the stability that had been shown by the stock taken into account. The fishery would begin on 6 October 2020 and close on 8 October 2020 with each boat permitted to make one trip and land a maximum of 13.6cm³ of cockles.

Members **NOTED** the report

11:10 Cllr Walsh left the meeting

11. FISH LOCAL UPDATE (B7)

Members were informed that officers had continued to work with the fishing industry and BAND agency to continue to promote this project. Regular posts were made on the website and facebook page and officers had spoken to fish shops in the district to gather feedback and comment.

Crown Estates and London Gateway had been contacted to explore funding options. Officers were in advanced talks with London Gateway who had shown an interest and were in the process of undertaking internal discussions. Any funding from them would be available from January 2021. Thames Estuary Partnership (TEP) had begun working with the IFCA in the project and had now come on board as a partner with an expectation that they could take over as lead in the future.

In order to keep the project moving forward until a decision had been received from London Gateway it was recommended that Members approved the use of £7,000 from the projected underspend referred to earlier in the meeting to keep the project running.

In response to a question from a Member regarding funding from Defra, the CFO advised that both the MMO and Defra supported the project, however the current EMFF funding had been spent. New funds would be created from 1 January and officers were in discussion with Defra to see if that could be accessed.

It was also suggested that officers looked to see if they could access the Green Recovery Challenge Funding from the National Lottery.

The Vice Chairman informed Members that he felt this project had done a lot of good in the community and had helped to further the relationship of the IFCA with fishermen. Together with Merlin Jackson he had approached Crown Estates to see if any funding was available there.

Members **RESOLVED** to allow the use of £7,000 to continue to run the Fish Local project until London Gateway were able to confirm if they were willing to financially support the project

11:20 Cllr Channer joined the meeting

12. SUMARIS UPDATE AND MANAGEMENT RECOMMENDATIONS (B8)

The CFO informed Members that this project had been running for the last three years. It had been due to end in June 202 but due to Covid 19 had been extended to October 2020. KEIFCA had led on the management component of the project and from a conference held in May 2019 had developed a range of management recommendations to inform future management. A meeting had been held on 15 September with UK, French and Belgium stakeholders who had commented on these recommendations. It was felt they were a very good first step in relation to looking at minimum size and TAC and a sensible way to move forward. They considered that more needed to be done to gather information on the impact of these measures. It was decided to work through members states to request ICES to undertake a benchmark exercise to look at stock and the impact of the introduction of minimum sizes.

Members **NOTED** the report

13. GENERAL UPDATE PAPER (B9)

The CFO advised Members that since August all members of staff that had been shielding had returned to work. The patrol vessel Nerissa had returned to Ramsgate at the end of July and had been to sea. No staff members had tested positive for Covid19 and specific health & safety policies had been developed.

The CEO of the Association of IFCAs, Stephen Bolt had left his role and had been replaced by Rob Clarke the former CFO of Southern IFCA. The NLTO had successfully applied for the position of CFO at Southern which had left the post of NLTO vacant. Within Kent & Essex IFCA, the new Lead Scientific Officer had been appointed and two six month IFC officer posts had begun.

An extension had been requested and granted for the Fish, Mollusc and Crustacea Minimum Size Emergency Byelaw as the MMO and Defra had been unable to finalise their statutory review of the new Minimum Sizes Byelaw due to the pressures created by Covid. It was expected that the byelaw would be on place before the extension ran out.

Members were informed that the website had been updated to contain more relevant and updated information on the management of MPAs in the district. Members were reminded that the Benyon review into Highly Protected Marine Areas (HPMA) had been published. Of the forty seven sites listed for further review, five were in the KEIFCA district. No specific recommendations had been made for these five sites. The AIFCA was part of a national working group which would monitor possible pilot schemes. Some Members were concerned over the introduction of additional sites

and the need of compliance from the Industry and buy in from the public, however some stated that although they recognized the MPA process was challenging they needed to be considered supportively for the benefits they brought. The CFO stated that MPAs were successful if Industry and the public were engaged at an early stage. He would inform Members once he was aware of any specific details of possible pilot schemes.

In respect of the proposed Whelk PhD, the KEIFCA officer who was due to undertake this had been offered a PhD in New Zealand starting in January 2021. This had meant that this research would be delayed until October 2021 when it would be undertaken by a PhD student from Essex University who would be primarily based at the University. The Chairman asked that it be put on record their thanks to Anna Plumeridge who would be leaving the IFCA to undertake her PhD, for her hard work and wished her well for the future.

Members **NOTED** the report

14. HEALTH & SAFETY UPDATE (B10)

Members were provided with an update of the work carried out to date to ensure that Health & Safety requirements and legislation were complied with

Members **NOTED** the report

15. TERMS OF REFERENCE AND STANDING ORDERS (B11)

The Clerk to the Authority informed Members that they were required to review these documents annually to ensure they continued to be fit for purpose. One amendment to the Financial Regulations was suggested to update the procedures related to petty cash.

Members **APPROVED** the amendment to the Terms of Reference and Standing Orders

16. DRAFT ANNUAL REPORT 2019-2020 (B12)

Members were provided with a copy of the draft Annual Report required to be sent to the Secretary of State by 30 November. Members were asked to provide the ACFO or OM with any comments regarding this report by the end of October.

Members **NOTED** the Annual Report

17. MATTERS FOR REPORT

Members received:

- Quarterly Report of the Kent IFCO (C1)
- Quarterly Report of the Essex IFCO (C2)
- Quarterly Report of the Patrol Vessel 'Tamesis', 'Blue Jacket' and 'Vigilant'(C3)
- Quarterly Report of the Patrol Vessel 'Nerissa' (C4)

- Enforcement update (C5) – in respect of this report Members were given a summary by the Lead Compliance Officer of the work undertaken over the summer with partner organisations – Police, Environment Health Officers, Gangmaster Licencing and Border Force to address the concerns from the public regarding shore collection across multiple sites in the district. Members were reminded that fishing was a public right and that offences arose if the shellfish collected went into the food chain. The stance of the IFCA was that it was not illegal to collect shellfish from the coast as long as those that did so adhered to KEIFCA legislation

Meeting ended 12:25

Chairman