

Department for Environment, Food and Rural Affairs

Report to Parliament about Inshore Fisheries and Conservation Authorities' (IFCAs) conduct and operation

Call for evidence

July 2018

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Why we are consulting

Every four years, the Secretary of State must prepare a statutory report into the conduct and operation of IFCA's, which must be laid before Parliament.

This second report will cover the period from September 2014 to the end of September 2018. The report will assess the IFCA's against their five high level objectives set out in the ***IFCA Vision and Success Criteria*** document.

These five high level objectives, the "success criteria", focus on how IFCA's:

- are seen within their wider community, if they work jointly and collaboratively with partner organisations and contribute to the development of regional and national marine policy;
- make appropriate and effective use of assets and comply with Regulatory requirements; if their enforcement practices meets clear standards of conduct and skill;
- manage well their local fisheries resources and meet their environmental obligations;
- appoint their general committee members on merit; if funding is used appropriately and transparently; and
- train their staff, if staff are appropriately skilled and whether they can make fair management decisions and engage in relevant research.

We anticipate that the final report will be presented to Parliament in early 2019.

The first Report to Parliament on the IFCA's' conduct and operation can be viewed here: <http://www.association-ifca.org.uk/about-us/ifcas-conduct-and-operations-2010-2014>

Your opportunity to contribute to the report

This call for evidence is part of the research process for the second report to Parliament. It is an opportunity for you to provide evidence that will help us understand how each individual IFCA has worked to meet its duties and demonstrated the local leadership that might be expected of a statutory regulator. It is a public document and has been placed on the Defra consultation website.

This Call for Evidence invites stakeholders to contribute to a series of open questions,

structured around the IFCA success criteria published in *IFCA Vision and Success Criteria*. The final question in this pack provides an opportunity for you to add any further points that might not fit easily under the five success criteria headings.

Comments can be sent to us through Defra's consultation website (<https://consult.defra.gov.uk>) or by email to ifca-consultation@defra.gsi.gov.uk

Please let us have your comments by **4 September 2018**.

The questionnaire

We welcome your evidence about the IFCA's conduct and operation between 2014 and 2018.

The questions are structured around the success criteria set out in the *IFCA Vision and Success Criteria*.

You may send your evidence to us through Citizen Space on the Defra consultation website (<https://consult.defra.gov.uk>), by email to ifca-consultation@defra.gsi.gov.uk or by post to:

IFCA Consultation

Defra Fisheries Bodies Team

2 Marsham Street

London SW1P 4DF

About you:

First name:

Last name:

Organisation (if applicable):

Address:

Email address:

Telephone:

Which IFCA you are providing comments about?

- | | | | |
|--|--|---|---------------------------------------|
| <input type="checkbox"/> Cornwall | <input type="checkbox"/> Devon & Severn | <input type="checkbox"/> Eastern | <input type="checkbox"/> Kent & Essex |
| <input type="checkbox"/> North Eastern | <input type="checkbox"/> North Western | <input type="checkbox"/> Northumberland | <input type="checkbox"/> Southern |
| <input type="checkbox"/> Sussex | <input type="checkbox"/> Isles of Scilly | | |

Are you providing personal views or responding on behalf of an organisation? If an organisation, please name it here.

Do you wish your name to be published alongside your response? We will not publish your name in our summary, unless you ask for it to be included.

If you ask us to keep your contribution confidential, we will try to meet that wish, provided there is good reason. You should be aware that information might be requested at a later date. Please explain why you want us to keep your response confidential.

Success criterion 1: IFCA's are recognised and heard, balancing the economic needs of the fishery whilst working in partnership and engaging with stakeholders

- Is the IFCA a visible, respected and trusted regulator within your community?
- Are activities and communications between IFCA's co-ordinated?
- Has the IFCA held public meetings?
- Can you tell what the IFCA does? Do you know what work the IFCA has delivered over the previous year by reading its Annual Plan and Annual Report?
- Do you know what your IFCA's objectives and priorities are?

We welcome comments that demonstrate whether IFCA's have developed a visible presence on land or water that projects a respected, authoritative, expert and trusted voice as a leading inshore regulator. Has the IFCA developed an accessible communications strategy and does it make use of different engagement or media approaches (e.g. newsletters, noticeboards, public meetings, face-to-face communications, community events, website, social media (e.g. Twitter and/or Facebook etc.), workshops, collective communications, local press? etc.)



Success criterion 2: IFCA's implement a fair, effective and proportionate enforcement regime

- Does the IFCA have an enforcement policy statement that is easy to understand and which describes how sanctioning decisions are made and applied?
- Has the IFCA carried out inspections professionally and in accordance with its Code of Conduct?
- Does the IFCA provide advice and guidance to people who might carry out activities that are regulated and subject to an enforcement regime?
- Are the IFCA's byelaws and enforcement policy consistent with neighbouring IFCA's?
- Has the IFCA used other management options, e.g. voluntary local agreements to manage, protect and promote the recovery of fish stocks from the effects of exploitation?

We welcome comments that demonstrate whether or how the IFCA makes appropriate use of intelligence, meets legislative standards and complies with the Regulators' Code; whether it is consistent and fair in its dealings with partners and stakeholders; whether local resources are managed and promoted effectively; whether the use of byelaws or other fisheries measures to manage fish stocks are appropriate and effective; whether it collaborates with adjacent IFC Districts and other organisations including the MMO and Environment Agency; whether enforcement action is carried out by trained, professional officers working to clear standards of conduct.

Success criterion 3: IFCA's use evidence based and appropriate measures to manage the sustainable exploitation of sea fisheries resources and deliver marine environmental protection within their districts

- Has the IFCA demonstrated that it uses evidence in its decision making processes?
- Has the IFCA demonstrated proactive and adaptive methods for marine conservation and for the management of marine protected areas?
- Has the IFCA demonstrated sustainable marine management best practice?
- Has the IFCA prioritised any issues affecting fish stocks within its District and, if appropriate, developed a suitable management plan for them?
- Is the IFCA having an effective and positive impact within the District?

We welcome comments that demonstrate how the IFCA has been able to meet its statutory duties and international environmental commitments of the Birds, Habitats, Water and Marine Strategy Framework Directives; whether it has contributed to securing a network of well managed marine protected areas, including European Marine Sites and Marine Conservation Zones; whether its Fisheries Management Plans identify local management measures, which are based on evidence; are timely; subject to appropriate consultation and in step with national initiatives and priorities; whether the IFCA balances the social and economic benefits of exploiting sea fisheries resources with the need to protect the environment.

Success criterion 4: IFCA's have appropriate governance in place and staff are trained and professional

- When you have met IFCA staff do they appear professional, fair, interested in their jobs and consistent?

- Have you attended any IFCA meetings? Are these meetings well run?
- During IFCA meetings, has each person had a fair opportunity to make their observations? Have different viewpoints been considered and discussed?
- Do you know where to find notices and documentation of IFCA meetings?
- Does the IFCA make good use of its financial resources, staff and assets?

We welcome comments that demonstrate whether the IFCA fits well within the local Government family; whether the IFCA Authority and members comply with the Codes of Conduct and the Standing Orders that apply to local government committees; whether general members have been elected through a transparent, open competition and for a term.



Success criterion 5: IFCAs make the best use of evidence to deliver their objectives

- Has the IFCA consulted on, developed and published a strategic research plan?
- Has the IFCA developed an in-house capability to collect, analyse and interpret evidence to inform its decision-making?
- Does the IFCA have in place research initiatives that contribute to the greater understanding of the marine environment?
- Does the IFCA have measures in place to ensure the delivery of a cost-effective management of sea fisheries resources?
- Does the IFCA share its research findings with its partners?

We welcome comments that demonstrate how the IFCA has delivered responsive and flexible management of fish stocks to meet local needs, legislative requirements and guidance set by central government; whether and how it has prioritised work objectives within available resources to ensure that important policies, such as providing management measures for European Marine Sites, could be delivered; whether its staff are able to support its programme of research; whether its activities are planned, monitored and developed in consultation with partners.

Any other comments you would like to make?

Please submit evidence about the conduct and operation of the IFCA, if you feel your comment doesn't fit within the seven success criteria above.

Responses

To submit your response, please complete the questionnaire available from the Citizen Space website at the link above. Alternatively, you can send us your comments

- by post to IFCA Consultation, Defra Fisheries Bodies Team, 1st Floor Seacole building, 2 Marsham Street, London SW1P 4DF; or
- directly to our dedicated email account: ifca-consultation@defra.gsi.gov.uk

Please let us have your comments by **4 September 2018**.

Confidentiality and data protection

This Call for Evidence document and consultation process have been planned to adhere to the Consultation Principles issued by the Cabinet Office.

Representative groups are asked to give a summary of the people and organisations they represent and where relevant who else they have consulted in reaching their conclusions when they respond.

Information provided in response to this consultation, including personal data, may be published or disclosed in accordance with the access to information regimes these are primarily the Environmental Information Regulations 2004 (EIRs), the Freedom of Information Act 2000 (FOIA) and the Data Protection Act 2018 (DPA). We have obligations, mainly under the EIRs, FOIA and DPA, to disclose information to particular recipients or to the public in certain circumstances.

If you want the information that you provide to be treated as confidential, please be aware that, as a public authority, the Department is bound by the Freedom of Information Act and may therefore be obliged to disclose all or some of the information you provide. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department of Environment Food and Rural Affairs will process your personal data in accordance with the law and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties. A full privacy notice is included the parts above.

This consultation is being conducted in line with the Cabinet Office “Consultation Principles” and be found at: <https://www.gov.uk/government/publications/consultation-principles-guidance>.

If you have any comments or complaints about the consultation process, please address them to:

Consultation Coordinator

Area 1C, 1st Floor

Nobel House

17 Smith Square,

London, SW1P 3JR.

Or email: consultation.coordinator@defra.gsi.gov.uk



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Any enquiries regarding this publication should be sent to us at:

IFCA Consultation,

Defra Fisheries Bodies Team,

2 Marsham Street,

London SW1P 4DF