

By: Alex King, Deputy Leader  
Peter Sass - Head of Democratic Services and Local Leadership

To: Selection and Member Services Committee – Friday, 7 October 2010

Subject: Appointments to the Kent and Essex Inshore Fisheries and Conservation Authority

Classification Unrestricted

#### FOR DECISION

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1. The Kent and Essex Sea Fisheries Committee was originally created in 1890 by order of the Board of Trade under the Sea Fisheries Regulation Act 1888. Nationally, there are twelve Sea Fisheries Committees and all local authorities with coastal boundaries are required to appoint a number of elected Members to serve on these Committees, which are responsible for managing, regulating, protecting and developing the inshore fisheries, out to the six nautical mile inshore limit.

2. The Kent and Essex Sea Fisheries Committee is made up of 22 Members, of which 12 are local authority Members from KCC (5), Essex CC (4), Medway Council (1), Thurrock Council (1) and Southend-on-Sea Borough Council (1). The remaining members are appointed by DEFRA and the Environment Agency and are either industry or scientific specialists. The rules of proportionality apply to the local authority appointments to the Sea Fisheries Committee and at its meeting on 7 July 2009, this Committee appointed the following Members to serve on the Kent and Essex Sea Fisheries Committee for a period of four years:

- Mr Cope
- Mr Harrison
- Mr Hibberd
- Mr Prater
- Mr Richardson

3. Under the Marine and Coastal Access Act 2009, Sea Fisheries Committees are to be replaced by Inshore Fisheries and Conservation Authorities (IFCA). The Kent and Essex Inshore Fisheries and Conservation Order 2010 was laid before Parliament on 8 September 2010 and comes into force on 1 October 2010. Due to the IFCAs having a much wider brief and greater powers in relation to conservation issues compared to Sea Fisheries Committees, the number of representatives from other organisation, such as Natural England, will increase and the total number of local authority members on the new authorities will decrease. From 1 October 2010 to 31 March 2011, the existing Sea Fisheries Committees will work alongside the IFCAs. During this period, Sea Fisheries Committees will continue with their statutory responsibilities to manage the inshore fisheries, whilst the IFCAs will concentrate on annual and financial planning, before coming fully operational on 1 April 2011, at which time the Sea Fisheries Committee will cease to exist.

4. Paragraph 5 (3) of the Kent and Essex Inshore Fisheries and Conservation Order 2010 confirms that three elected Members from Kent County Council will have seats on the new 21-Member IFCA and this Committee is invited to appoint those Members. As mentioned in paragraph 2 above, the proportionality rules have been applied in the past to the Sea Fisheries Committee appointments, which if applied to the IFCA appointments, will result in the following allocation of seats between the three political groups:

- Conservative - 3 seats (2.64)
- Liberal Democrat – 0 seats (0.25)
- Labour – 0 seats (0.07)

5. If this Committee was minded to disregard the rules on proportionality in respect of these appointments, the approval of the County Council would be required.

6. For the Committee's information, the Marine and Coastal Access Act 2009 has also re-drawn the boundary between the area of responsibility of the Kent and Essex IFCA and the Sussex IFCA, which will mean that KCC will not need to appoint one of its members to the Sussex IFCA with effect from 1 April 2011, as it currently does for the Sussex Sea Fisheries Committee.

**RECOMMENDATIONS:**

5. The Committee is recommended to agree the appointment of three elected Members to the Kent and Essex Inshore Fisheries and Conservation Authority.

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