

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Member – Policy and Resources
Date:	10 June 2010
Title:	Consultation on Orders establishing Inshore Fisheries and Conservation Districts and their associated authorities
Reference:	1696
Report From:	Director of Environment and County Treasurer's

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1. Executive Summary

- 1.1. This paper sets out the County Council's response to the Department for Environment Food and Rural Affairs (Defra) consultation on orders establishing Inshore Fisheries and Conservation districts and their associated authorities. Of particular concern are the proposals to raise the County Council's levy from 20% to 40.4% of the total cost with reduced voting rights from two representatives to one.

2. Background

- 2.1. In early 2009 Defra undertook a consultation on the number of new Inshore Fisheries and Conservation districts (IFC districts) to be established under the Marine and Coastal Access Act 2009. Following the consultation later that year, the Government announced that there will be 10 IFC districts and associated authorities. In March this year the former Government commenced consultation on the detailed requirements to establish these new districts and their associated Inshore Fisheries and Conservation Authorities (IFCAs), in particular:
- (i) IFC district boundaries, both seaward and landward;
 - (ii) membership of the IFCA, including the number of local authorities' members for each IFCA;
 - (iii) the county (upper tier) and unitary local authorities that will fall within each IFC district; and

- (iv) the percentage levy that each local authority will contribute to funding of its IFCA.

The closing date for responses is 14 June 2010.

- 2.2. The 10 new IFCAs will replace the existing Sea Fisheries Committees (SFC). IFCA districts will cover the English coast out to six nautical miles and include estuaries.
- 2.3. The Hampshire Coast is currently covered by the Southern Sea Fisheries Committee and the Sussex Sea Fisheries Committee. Under the new proposals these will be replaced by the Southern IFCA. The intention is to establish IFCA districts and corresponding shadow IFCAs from 1 October 2010. Existing SFCs will operate alongside Shadow IFCAs which come into effect from 1 April 2011.
- 2.4. The key changes proposed in the consultation are as follows:
- **IFCA Boundaries** - The new IFCAs landward boundary will now cover the whole of Hampshire and take in parts of Chichester Harbour (which was previously managed by the Sussex Sea Fisheries Committee).
 - **Membership** - The current Southern Sea Fisheries Committee has 10 elected representatives and 10 other representatives. The Southern IFCA will only have 7 elected representatives and 14 other representatives. The County Council currently has two members on the Southern Sea Fisheries Committee (Councillor Alan Rice and Councillor Alexis McEvoy). The consultation proposes that only one Member from the County Council will be represented on the IFCA.
 - **Funding** - All county and unitary local authorities with seashore falling within an IFCA district will pay a proportion of the IFCA's expenses. Currently for SFCs there is no consistent method for calculating each local authority's proportion of levy. To clarify the situation for IFCAs, Defra is proposing a generic formula to calculate the percentage levy. The factors used in the formula include the authorities' population (weighting 15.29), length of seashore (60), land area covered (10.30) and the number of Band D Council Tax properties (15.32) relative to the totals for each of these factors in the whole district. Each of these factors are weighted (highlighted above in brackets).
- 2.5. The County Council pays 20% of the total towards the current Sea Fisheries Committee. Using the proposed new funding formula for the new Southern IFCA the County Council's contribution will rise to 40.4%. This is compared to a decrease for some other authorities. Appendix 1 shows the proposed proportions for all authorities within the Southern IFCA.

- 2.6. The County Council's current contribution (2010/11) is £90,990 and is currently paid from the Corporate Subscription budget. The new formula will result in this rising to at least £183,799 in 2011/12 (an increase of £92,810). It is also likely that the total expenditure of the IFCA's will be increased from the SFC, as it will have a wider range of duties. Therefore it is likely that in future years the funding will rise above inflation as there is a greater level of expectation for the new IFCA's to deliver the objectives under the Marine and Coastal Access Act 2009. The Act does, however, give the local authority members of the Committee a right of veto over the overall level of the levy, should the Committee's spending aspirations be inconsistent with the ability of the local authorities to fund them.
- 2.7. It is considered that the County Council is being required to take on an unfair and disproportionate additional burden under the proposed funding system for the new IFCA's. At the same time the overall proportion of democratic representation on the new authority is being reduced, with specifically the County Council's membership being halved from its current two members to just one; a situation that is considered to be both unreasonable and unjustifiable. Consequently, it is recommended that Defra be asked to reconsider its proposed funding formula and the level of County Council representation on the new Southern IFCA.

3. Recommendations

3.1. That the Department for Environment Food and Rural Affairs be informed:

- (i) That the County Council strongly objects to the new formula that the Department for Environment Food and Rural Affairs is proposing to follow in calculating the contribution from each constituent local authority to the new Inshore Fisheries and Conservation Authority, which results in a major increase in the County Council's financial contribution from 20% to 40.4% of the total cost, taking the County Council's contribution in 2010/11 from £90,990 to at least £183,799 in 2011/12 (an increase of £92,810), doubling Hampshire County Council's contribution at a time of great financial stringency.
- (ii) That the County Council objects to the reduction in its representation on the Committee from the current two members to one member. Representation must be proportional to the contribution made.
- (iii) That the Director of Environment be authorised, in consultation with the County Treasurer and the Executive Member for Policy and Resources, to prepare and submit a response on matters (i) and (ii) above and also include detailed comments on other aspects of the consultation document.

CORPORATE OR LEGAL INFORMATION:

Links to the Corporate Strategy

This proposal does not link to the Corporate Strategy but, nevertheless, requires a decision because:

Responding to this consultation allows the County Council to make clear its position on an issue of financial significance to the authority.

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

Document

Location

None

IMPACT ASSESSMENTS:

1. Equalities Impact Assessment:

- 1.1. Equalities objectives are not considered to be adversely affected by the proposals of this report.

2. Impact on Crime and Disorder:

- 2.1. The County Council has a legal obligation under Section 17 of the Crime and Disorder Act 1998 to consider the impact of all decisions it makes on the prevention of crime . The recommendations in this report do not have a direct impact on crime and disorder.

3. Climate Change:

- a) How does what is being proposed impact on our carbon footprint / energy consumption?

The recommendations in this report do not have a direct impact on our carbon footprint/energy consumption.

- b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

The recommendations in this report do not have a direct impact on climate change.

	Current Contribution 2010/2011		Proposed Contribution 2011/12		Proposed change in contribution from 2010/11 to 2011/12	
	£	%	£	%	£	% Change
Local Authority						
Hampshire County Council	£90,990	20	£183,800	40.40	+£92,810	+20.40
Dorset County Council	£90,990	20	£126,704	27.85	+£35,714	+7.85
Isle of Wight Council	£90,990	20	£65,285	14.35	-£25,705	-5.65
Southampton City Council	£45,495	10	£19,563	4.30	-£25,932	-5.70
Portsmouth City Council	£45,495	10	£22,838	5.02	-£22,657	-4.98
Bournemouth Borough Council	£45,495	10	£16,560	3.64	-£28,935	-6.36
Poole Borough	£45,495	10	£20,200	4.44	-£25,295	-5.56
Total	£454,950	100	£454,950	100	£0	0