



Marine Management Organisation

Board Meeting Minutes: 18 November 2020

Held via: Microsoft Teams - video conference

Board

Hilary Florek (HF) – Chair
Belinda Howell (BH) – Board Member
Bill Dickson (BD) – Board member
David Lyall (DL) – Board Member
Peter Judge (PJ) – Board Member
Robert Wilson (RW) – Board member
Terence Jagger (TJ) – Board member
Tony Delahunty (TD) – Board member
William Roberts (WR) – Board member

In Attendance

Tom McCormack (TMc) – Chief Executive Officer
Michelle Willis (MW) – Director of Finance and Resources
Phil Haslam (PH) – Director of Operations
Trudi Wakelin (TW) – Director of Licensing, Marine Planning and Blue Belt
Andrew Wareing (AW) – Director of Digital and Analysis
Selina Stead (SS) – Chief Scientific Advisor
Jenny Stewart (JS) – Director of Planning and Change
Isobel Johnston (IJ) - EU Marine and Fisheries Readiness Team Leader (item on Single Issuing Authority only)
Susan Wear (SW) – Strategic Communication Lead (item on Communications and Engagement only)
Sarah Cullen (SC) – Board Secretariat
Danielle Lee-Moulding (DLM) – Board Support

Defra – By Invitation

Neil Hornby - Defra Director, Marine and Fisheries

Apologies

None

Governance

1. Welcome and introductory remarks: Hilary Florek

1.1 The Chair, Hilary Florek (HF) welcomed all attendees to the meeting .

2. Declaration of Interests

2.1 The Chair invited attendees to declare any new interests. Terence Jagger (TJ) advised that he had become the Director for the Local Pensions Partnership and Peter Judge (PJ) advised that he had become the Chief Legal Officer and Monitoring Officer of the Tees Valley Combined Authority and the

Tees Valley Development Corporation.

3. Minutes of 23 September Board meeting and actions arising from the meeting

- 3.1 The Chair noted the draft Minutes from 23 September Board meeting inviting attendees to raise any minor points of accuracy out of committee.
- 3.2 TJ noted a suggested amendment to the minutes at section 9.15 to clarify Board future engagement with Spending Reviews. The amendment was agreed by all attendees.
- 3.3 The Chair drew the Board's attention to the actions arising from the last meeting confirming that all actions were completed, on track or covered by the agenda items.

4. Draft Minutes and update from ARAC 20 October

- 4.1 The Chair invited William Roberts (WR), ARAC Chair, to provide a short update on business discussed.
- 4.2 WR updated on the key points from the recent ARAC and noted the short-term nature of the current 1-year Spending Review and that the next Spending Review may be for 3 years. Given that the MMO would be going through multiple pressures and changes in the coming months, WR was keen to review the Financial and Non-Financial Scheme of Delegations to ensure that they remain valid.
- 4.3 WR advised that he would undertake initial discussions with Tom McCormack (TMc) and Michelle Willis (MW) and circulate the existing Schemes with the Board prior to the next ARAC before returning to Board with recommendations.
- 4.4 MW advised that HM Treasury (HMT) guidance was unclear with regard to the term for future Spending Reviews however the MMO had been accustomed to managing short- and longer-term planning.

5. Update from Chair

- 5.1 HF noted that there had been a tremendous amount of work undertaken across the MMO, particularly highlighting the submission of the remaining marine plans which would have been a great achievement without the impact of the pandemic. The submission of the plans was a starting point and further reiterations of the plans would follow in due course. HF noted her thanks to all involved from the Board.
- 5.2 HF advised that Tony Delahunty (TD) would contribute to the MMO All Colleague Call in December to increase the profile of Non-Executive Board members with MMO colleagues. Future volunteers from the Non-Executives to support the calls would be welcomed based on the theme of each call.
- 5.3 HF noted that it was important to ensure that the relationships with stakeholders was maintained and grown in the coming months in line with the stakeholder framework.
- 5.4 HF updated the Board on recent meetings with Chairs through organisations such as the ALB Chairs Forum and the Public Chairs Forum as well as one-to-one meetings with Chairs of Natural England and the Environment Agency.
- 5.5 Robert Wilson (RW) queried whether it was possible to undertake wider promotion of MMO services and successes given the expertise in the MMO. Jenny Stewart (JS) advised that this work had already started and would be developed in the coming months. The Board agreed to consider future promotional activity out of committee in conjunction with JS.

6. Annual Report and Accounts update

- 6.1 Michelle Willis (MW) provided a verbal update on this item
- 6.2 We are aiming for Control and Auditor sign off week commencing 7th December. An ARAC ad hoc meeting with HF will be needed to agree final report with NAO, look at letters of representation and sign accounts off. We are working with Private Office to ensure Minister Prentis is available to sign before forwarding to C&AG for final sign off with an earmarked laying date of the same time as Defra.
- 6.3 MW also highlighted to the group that there were currently no management letter points, though which is a credit to the team and organisation and that the hard work of all involved should be recognised.
- 6.4 The Board noted the update and passed there thanks to all those involved with the Annual Report and Accounts

7. Finance, Performance and Risk (Q2) including Mid-Year Review and any commercial approvals

- 7.1 MYR now completed with all directorates and shows a underspend against the end of the year forecast. We have looked at the recruitment pipeline and it has raised slightly, acknowledging that at present a lot of recruitment is internal with a look to bringing in more external candidates currently ongoing. Working in the tolerance we usually do, the difference is very reasonable. ELT are to meet on the 30/11 for an exercise around the fisheries SR settlement to acknowledge what this means in terms of impact for next year.
- 7.2 BR acknowledged that MMO current financial position compared to two years ago appears a lot more sustainable. The budget appears to be running very well and credit should be given to the executive team, Fees & Charges also seems to be tracking to forecast and this is to be applauded given the difficulties of this year and the limitations we have been under.
- 7.3 In terms of performance, MW continued to highlight areas of success, acknowledging how well the organisation had respond to adapt to ways of working brought about by Covid 19 climate; importantly that over the last quarter had seen an improvement in performance. Marine licenses are now back within target, this has been as a result of extensive work by TW and the wider team to ensure licenses are kept within KPI and backlogs are cleared.
- 7.4 It was important to recognise the work to support sustainable fisheries throughout the year has continued to be of a high standard with a push on the crab & scallop effort. Evidence subgroup are meeting in December to look at how we conduct fisheries management in the future, developing an evidence base for stock management and how we promote sustainable fishing.
- 7.5 The EMFF has reopened on remaining funds with applications now coming into us from ports and harbors, and from fishers for investment to support Health and Safety.
- 7.6 Complaints are now exceeding response times of 90 %, reflecting the grip and increased engagement with customers, this is a significant achievement given our current working arrangements and way of working has changed significantly.
- 7.7 In terms of strategic risks, there is a focus on the risks associated with our preparations for the end of the Transition Period. Importantly, we have established a Post Euro Group (PEG), led by TM and JS that review the progress of the MMO projects, that prepare us for life after the EU working jointly with Defra to bring everything together and work collaboratively. MW highlighted that the risk register reflected the risks considered at the recent ARAC, specifically referencing the deep dive into the

Landing Obligation, new risks flagged around recruitment, litigation costs, Covid 19 and capacity issues.

7.8 Audit activities continue to make progress with a number of audit fieldwork and reports completing which will allow them to be uploaded into diligent in the coming weeks. Nathan Paget is leaving Defra in the coming weeks but will be retained the MMO Head of Internal Audit until 31 March 2021. The process of recruiting a replacement is set to commence with discussion and input from ARAC.

8. Defra Perspective

8.1 The Chair invited Neil Hornby (NH) to provide an update from Defra. .

8.2 NH advised that Defra have a confirmed settlement on the Spending Review with HMT and advised that it would be made public on 25 November. Both RDEL and EU Exit budgets have been rolled over though there were changes to the allocation to individual departments within the EU Exit budget.

8.3 Last week The House of Lords considered the amendments to the Fisheries Bill that had been made in the House of Commons. Both Houses have agreed the same version of the Bill, meaning no further amendments could be made. The Bill would be passed to the Queen for Royal Assent. Once this was announced it would become The Fisheries Act 2020.

8.4 NH offered his thanks to the MMO for the work undertaken on the marine plans and echoed HF's note earlier that the plans would be reiterated, and thoughts would be developed on how the plans could be used effectively by decision makers.

8.5 NH advised that progress was underway in Defra on decisions on Offshore Wind and carbon capture which Defra would lead on.

8.6 NH advised that he would be leaving Defra in January to take up the role of CEO with Cefas. Mike Rowe who had been leading EU Negotiation teams, had been confirmed as the new Director of Marine and Fisheries and his new post would begin at the start of February 2021.

EU Exit Preparedness

9. RAS Overview, incl. Day 1 Objectives and Readiness

9.1 Jenny Stewart (JS) introduced the Readiness Assurance Statements (RAS) which focused on the key critical areas of the major programmes impacting the MMO. The RAS would be reviewed weekly through the PMG and Post EU Group (PEG) with the intention of providing an overview to highlight required activity to support delivery and capacity challenges.

9.2 HF queried whether JS had any specific concerns that the Board could support with, JS advised that it was mainly an acknowledgement of volume of work required in Defra and the MMO, though she was content that the Board supported work as and when required.

9.3 RW raised concerns regarding the readiness of programmes and projects and whether the Devolved Administrations (DA's) were included within the scope for each one. JS confirmed that this had been factored into each project and while it differed between individual projects, they had been accounted and managed for each one.

9.4 HF advised that the Board understood the scale of work required for EU Exit and were prepared to support as and when required.

10. Fish Export Service (Catch Certificates)

10.1 Phil Haslam (PH) advised the Board on the development of the UK-wide Fish Export Service (FES) which was designed to ensure that the digital self-service capabilities were available for fish exporters and importers to obtain a Catch Certificate from the 1 January. PH advised that the system would move into Public Beta from 16 November and was on track to go live on the 29 December. Testing had identified one customer facing issue (relating to the number of lines on a certificate and which was being rectified) and further development would be undertaken during the Public Beta phase. PH explained how the service would work for customers who encounter problems using the service.

11. Control & Enforcement

11.1 PH updated the Board on the joint risk analysis for control and enforcement to mitigate perceived fisheries risks pre/post Day 1 devised between Devolved Administrations and the MMO. Defra and the MMO would lead on responses to fisheries access violations and non-compliance with fisheries regulations in English waters though partner agencies would lead on areas where access violations or fisheries regulations are not a feature. PH explained that the engagement protocol had been highly developed in recent weeks to ensure a consistent approach. A much better understanding of who would lead and when had emerged. Planning had been scrutinized by a Ministerial group and by Michael Gove and the EXO Committee.

12. Single Issuing Authority (SIA)

12.1 Isobel Johnston (IJ), EU Marine and Fisheries Readiness Team Leader updated the Board on the Single Issuing Authority (SIA). IJ advised that the team had been fully resourced with contingency and resilience measures in place.

12.1 The SIA will act as a single point of contact for all Administrations to ensure the exchange of vessel lists with parties such as the EU and a working level agreement was being drafted by Defra. This detailed the responsibilities of the MMO, Crown Dependencies and Devolved Administrations (DA's). A delegation of the licensing functions was also required to license vessels on behalf of the fisheries administrations; this required the DA's to delegate those functions to the SIA and this would be formalised once the Fisheries Bill had received Royal Assent.

12.2 The work of the team would be developed during 2021 once the MVP model has been assessed in the live environment.

13. Future Funding (FASS)

13.1 MW advised FASS is currently in a state of fluidity, timescales and funding are still to be agreed but we are working towards an implementation of January 1st. Systems are well advanced in terms of platforms to host a scheme

14. Day 1 Implementation Control Centre

14.1 JS advised the Board that the work on the Implementation Control Centre (ICC) was at an early

stage and consequently, had not yet been discussed with Defra nor tested. The intention of the ICC was to create a single body across MMO to coordinate and control of post-EU Exit activity. The ICC would help to identify escalations, ensure joined up communications to stakeholders and ensure broader governance and control across the MMO.

- 14.2 JS noted that the ICC would use a light touch approach to understand how each project had been received by customers. Readiness Assurance Statements (RAS) would be used to control the overall understanding of individual projects, for instance how well the FES has been received. It would be important that the projects were viewed holistically and ensure that they were cohesive and did not adversely impact each other. Issues may be identified either through individual programmes or via the ICC through initially twice daily meetings which would be adapted as the picture emerged.

15. Communications & Engagement

- 15.1 Susan Wear (SW), Strategic Communication Lead, updated the Board on the work to ensure that stakeholders are kept informed of progress in relation to EU Exit. SW advised that the Communications team worked very closely with Defra Strategic Communications and Defra Press Office to ensure a coordinated approach to external and internal communication. SW introduced a detailed communications 'roadmap' to drive consistency of approach and messages and noted that communication activity would move into an intense period of activity in the coming weeks. More detailed analysis of the stakeholder groups had been undertaken to allow a more targeted approach to communication messages.

16. Control & Enforcement – Evaluation Report

- 16.1 AW advised the Board that the recent evaluation on the work to increase the scale of the Control and Enforcement work had been concluded. The evaluation report had been compiled using a range of sources such as fisher surveys, interviews and data and had resulted in a substantial report.
- 16.2 AW advised that the final report had been deemed to be of a very high quality which had followed the Magenta Book principles; the results had been in line with expectations and had begun to fill the gaps which to lay the foundations for future MMO evaluation activity.
- 16.3 AW advised that the evaluation report would be discussed with the Evidence Subgroup on 16 December before returning to the main Board with recommendations for the next steps.
- 16.4 HF thanked AW and the Board note the update.

17. MMO Strategy update

- 17.1 JS updated the Board on the work of the Strategy Subgroup noting that as the Spending Review had been confirmed as a 1-year settlement with limited funds. The initial results of the draft 10-year strategy would be shared in March 2021, as opposed to the earlier advised date in December. A second draft would be prepared for April with sign-off of the strategy planned for June 2021. JS noted that the strategy would act as the foundation for work across the MMO and detailed in the Corporate Plan. TJ agreed and noted that the Subgroup had thought it important that the ELT challenge themselves to create a framework for statements and a set of principles for the corporate plan.

18. MMO Board 2021 Calendar/Cycle

- 18.1 HF advised that the proposal for the Board cycle of meetings should be considered out of committee and asked the Non-Executive Directors to review the paper and respond in due course. TMc agreed the approach and confirmed that it was a sensible option. TJ offered to collate responses.

19. Any Other Business

19.1 BH advised that she had been the co-author of a report on Remote Electronic Monitoring (REM) which would be published on 19 November. BH had encouraged WWF to respond to the consultation on REM advised that she would share the report with the Board.

20. Date and time of next meeting

20.1 HF confirmed that the next formal meeting of the Board would take place remotely on 21 January 2021 and thanked everyone for their time and for the volume of work being undertaken, noting that meetings may be requested on an ad hoc basis given the closeness to EU Exit.