

NORTH EASTERN INSHORE FISHERIES & CONSERVATION AUTHORITY

8 June 2022

Hybrid Meeting Virtual/Meeting Room 1, County Hall, Cross Street, Beverley, HU17 9BA

AGENDA

1. Apologies for absence
2. Declaration of Personal or Prejudicial Interests – Members to declare any interests in items on the Agenda and the nature of such interests

Annual Meeting Business

3. Greetings and Introductions to new members and appointees
4. Membership of the Authority
- 4a. Extract from Standing Orders:-

“Order of Business

The Authority shall, at its June meeting in every year, elect two of its number to be respectively Chair and Vice-Chair of the Authority for the ensuing year. The previous Chair and Vice-Chair shall always be eligible for re-election up to a maximum of 10 consecutive years.

Should the Chair not be a representative of one of the constituent councils, the Vice-Chair shall be elected from the council representatives, unless they so decline.

- 4b. To elect a Chair for the ensuing year
Last year: Dr Stephen Axford
- 4c. To elect a Vice-Chair for the ensuing year
Last year: Councillor Phil Webster
5. To appoint an Executive Committee for the ensuing year (8 Members with Chair and Vice-Chair as ex officio members and with equal representation between Local Authority and MMO appointees)

Last year: Chair, Vice-Chair
Councillors, Randerson, Allcock
Professor Mike Elliott, Mr G Redshaw, Mr G Collins. Mr A Wheeler
6. To confirm membership of Standards Committee
Last year: Councillors Matthews, Randerson and the Clerk
7. To confirm membership of Science Advisory Group (6 MMO appointees including at least 1 fishing industry representative)
Last year: Chair, Vice Chair of the Authority

Miss Rebecca Lynam, Mr Mark Cole, Mr Graham Collins, Dr Clare Fitzsimmons, Mr Robert Houghton, Professor Mike Elliott, Mr Michael Montgomerie, and representatives from the Marine Management Organisation, Natural England and the Environment Agency be appointed for the ensuing year.

8. To appoint representatives:

(a) To serve on and report quarterly on:-

(i) Flamborough Harbour Commissioners (2 representatives)

Last year: Cllr Chris Matthews
Mr R Houghton

(ii) Staithes Harbour Board (4 representatives)

Current Members: Councillor D Chance
Steven Mallinson Shore Operations Manager
Mr Mark Cole
Mr Richard Pennall

(b) To attend meetings of:-

(i) Association of Inshore Fisheries and Conservation Authorities Forum

Last year: Chairman (Vice Chairman substitute)
Clerk or Treasurer
Chief Officer

(ii) Association of Inshore Fisheries and Conservation Authorities Directors
Chief Officer

Meeting Business

9. To consider the Minutes of the Authority meeting held on 2 December 2021 (*pages 5-10*)

10. To consider the Minutes of the Executive meeting held on 10 March 2022 (*pages 11-14*)

Items for decision

11. NEIFCA Financial Outturn 2021/2022 (*15-22*)

12. NEIFCA Draft Annual Report 2021/2022 (*pages 23-60*)

13. NEIFCA Vessel Replacement Programme – Main Vessel (*pages 61-64*)

Items for discussion

14. Shellfish Mortality Tees & North Yorkshire – Update (*pages 65-82*)

15. Science Advisory Group Update – 4 March & 19 April 2022 (*pages 83-86*)

16. NEIFCA Internal Audit Report 2021/2022 (*pages 87-92*)

17. Management of scallop dredging 2022/2023 (*pages 93-100*)

18. Management of permitted intertidal and sub-tidal fixed net fisheries 2022/2023 (*pages 101-106*)
19. Chief Officer's Operational report (*pages 107-136*)
20. Fisheries Statutes and Regulations – Prosecutions (*pages 137-140*)

Items for information

21. Reports from partner Agencies and bodies (*pages 141-144*)
 - 21(a) Marine Management Organisation
 - 21(b) Environment Agency
 - 21(c) Natural England
22. Any other items, which the Chairman decides, are urgent by reason of special circumstances which must be specified.

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

AUTHORITY MEETING 02 DECEMBER 2021

Present:

Councillor Ron Allcock
Dr Stephen Axford
Mr Mark Cole
Mr Graham Collins
Councillor David Chance
Councillor John Copsey
Prof Mike Elliott
Dr Clare Fitzsimmons
Councillor Stephen Harness
Miss Rebecca Lynam
Councillor Chris Matthews
Mrs Donna-Marie Mear
Mr Michael Montgomerie
Mr Christian Proud
Mr Gary Redshaw
Councillor Tony Randerson
Mr Paul Slater
Mr Andrew Wheeler
Mr Kevin Woodcock

Representing:

North Lincolnshire Council
MMO appointee
MMO appointee
MMO appointee
North Yorkshire County Council
East Riding of Yorkshire Council
MMO appointee
MMO appointee
North East Lincolnshire Council
MMO appointee
East Riding of Yorkshire Council
MMO appointee
MMO appointee
MMO Representative
MMO appointee
North Yorkshire County Council
EA Representative
MMO appointee
MMO appointee

Mrs Caroline Lacey, Clerk, Mr David McCandless, Chief Officer, Mr Stephen Chandler, Treasurer, Mr Tim Smith, Senior Environmental & Scientific Officer, Ms Emma Jones, NEIFCA Operational Support Assistant, Miss Samira Anand, NEIFCA Environmental & Scientific Officer, Mr Ralf Bublitz, NEIFCA Environmental & Scientific Officer and Mr Chris Evans, CEFAS also attended the meeting.

The Committee met at The County Hall, Beverley, members were also able to attend the meeting via Zoom. The meeting started at 09:30am.

01.	APOLOGIES FOR ABSENSE
	Apologies of absence were received from Councillor Members Dick, Wilkies, Stewart and Webster and NE representative Brown.
02.	DECLARATION OF PERSONAL OR PREJUDICIAL INTERESTS
	Resolved –The Clerk asked Members to declare any personal or prejudicial interests in items on the Agenda and the nature of such interests. No interests were declared.

03.	MINUTES OF THE AUTHORITY MEETING HELD ON 14 JULY 2021
	Resolved – That the minutes of the Quarterly meeting held on 14 July 2021 be approved as a correct record and signed by the Chair.
04.	MINUTES OF THE EXECUTIVE MEETING HELD ON 2 SEPTEMBER 2021
	Resolved – That the minutes of the Executive meeting held on 2 September 2021 be approved as a correct record and signed by the Chair.
05.	NEW WHITBY STORAGE FACILITY
	The Chief Officer presented a report seeking members approval to formally complete on the lease of a new storage facility at Whitby, North Yorkshire. Securing suitable storage close to the Authority's vessel assets had been an ongoing challenge since 2016. The proposed new unit, no 2, Discovery Way, Whitby Business Park, would provide 2,615ft ² of storage space, dedicated parking, access and security and ensure that all equipment could be stored and managed securely, effectively and efficiently from one site. The proposed new unit would also cover any future needs. The terms of the lease were being offered for ten years with a five-year break clause. The annual rent of £20k and estimated business rates of £10k per annum would be met from a combination of funds allocated for the existing units, additional funding provision allocated during 2016/2017 and a small re-alignment from other areas. No additional funding would be required from member Local Authorities.
	Resolved - a) Members noted the report. b) Members approve the completion of the lease on the new storage facility located at 2 Discovery Way, Whitby Business Park.
06.	LEVY 2022/2023
	The Treasurer presented a report to determine the levy on member local authorities for 2022/23 and to highlight issues relating to the setting of the levy for 2023/24 and 2024/25. At its meeting on 18 December 2020, the Authority set a levy totalling £1,298,392 including £100,000 plus accrued interest transferred to the renewals fund and £10,000 transferred to the vehicle replacement fund. The levy had been fixed at £1,139,521 from 2011/12 to 2016/17, meaning the 2017/18 increase was the first for 6 years. For 2018/19 and 2019/20, increases were agreed covering the cost of pay increases, however in 2020/21 an increase of 5% was agreed to fund both the annual pay increase (2.75%) and to support the staffing and organisational review. The 2021/22 levy was increased by 1% to cover the cost of increases in pay. Indicative increases of 2% for 2022/2023 and 2023/24 were proposed but not agreed. The Bank of England's November monetary policy report explained that although the UK economy continued to recover from the Covid-19 pandemic, there was an upward pressure on inflation which was expected to peak in the spring, interest rates were also likely to rise and there was a high degree of uncertainty around the economic outlook. CPI had risen to 4% in October 2021 and, due to rising energy costs, the Bank predicted that the level of CPI would rise to 4.5% in November and remain around

	<p>that level through the winter reaching a peak of around 5% in April 2022. In the Autumn Budget and Spending Review 2021 on 27 October 2021 the Chancellor announced that public sector workers would see pay rises over the next 3 years in a return to the normal pay setting process and that local authorities would receive an estimated average real-terms increase of 3% in core spending power. It is not yet known how this will impact on the specific grant local authorities receive for Inshore Fisheries and Conservation and in relation to potential future pressure on resources from other agencies on NEIFCA to perform additional work previously undertaken by them.</p> <p>The staffing and organisational review was completed by December 2021 and was funded from the additional budget provision approved in the 2020/21 Levy, £20,000 base budget savings and the 1% increase in the 2021/22 levy. All vacant posts have been recruited to which will enable NEIFCA to better respond to future service demands. The National Joint Council (NJC) Local Government Pay Award for 2021/22 had yet to be agreed with the latest offer of 1.75% for all but the lowest paid being rejected by the unions. It was forecast that the pay award will be at least 2% in 2022/23 along with a 1.25% increase in Employers' National Insurance. It is anticipated that the pay award will be 2% in 2023/24 and 2024/25.</p> <p>The pay award and National Insurance implications required a levy increase of 2.5% and if inflation at 4% was applied to all non-pay budgets this would equate to a proposed 3.9% levy increase. However, savings of £11,000 could be made within supplies and services budgets, principally on travel and subsistence, to reduce the proposed levy to 3%.</p> <p>In putting forward these proposals forward the Clerk, Treasurer and Chief Officer were mindful that the funding authorities are facing financial pressures of their own, in particular the pressure from the increasing cost of energy, goods and wages. The current outlook is uncertain due to the Covid-19 pandemic, the impact of the exit from the European Union on 1 January 2021 and delays in the reform of local government funding. With this in mind the increase in the levy was proposed to be 3% in 2022/23.</p>
	<p>Resolved –</p> <p>(a) That the levy increase for 2022/23 be approved and the Clerk be authorised to issue demands on the relevant local authorities at 3% as presented at Appendix A.</p> <p>(b) That the Authority acknowledges the issues affecting NEIFCA and their effect upon the levy for 2023/24 and 2024/25, which is anticipated to be a minimum of a 2% increase each year.</p> <p>(c) That a detailed budget for 2022/23 be brought to the Authority for approval at the Executive meeting in March 2022.</p>
07.	<p>REVISION OF THE BYELAW XXIX HUMBER ESTUARY FISHING BYELAW 2016</p>
	<p>The Chief Officer presented a report to inform Members of the intention to review byelaw XXIX Humber Estuary Fishing Byelaw 2016 and potential formal making of a</p>

	<p>new replacement regulation in accordance with the duty imposed by section 153 and the provisions contained within sections 155, 156, 158 and 160 of the Marine and Coastal Access Act 2009. The byelaw's primary intentions were to ensure the protection of seagrass and sand bank areas which are designated features and sub-features of the Humber Estuary European Marine site. The main focus of this review was to consider the need to formally extend the boundaries of the Spurn Point seagrass area to ensure the continuing protection of seagrass within the estuary.</p> <p>The review would consider the most current data and whether any formal changes in the boundaries of the Spurn Point seagrass area were required at this time. No other changes to existing provisions within the current byelaw were proposed. If it was decided that formal changes were required informal consultation would then be undertaken with main partners such as the Yorkshire Wildlife Trust and Natural England and key stakeholders. Draft changes to the current byelaw would then be considered by the Science Advisory Group with any final recommendations submitted for consideration by the Executive Committee which might also include the formal making of a new replacement regulation</p>
	<p>Resolved –</p> <p>(a)Members noted the report.</p> <p>(b)Members delegated oversight of the review of the byelaw to the Science Advisory Group and the formal making of any new replacement regulation to the NEIFCA Executive Committee.</p>
08.	CHIEF OFFICERS OPERATIONAL UPDATE
	<p>The Chief Officer presented a report to provide members with a comprehensive and detailed operational summary covering the period August 2021 to November 2021. The Chief Officer, the Senior Environmental Officer and representatives from partner organisations present at the meeting discussed at length the shellfish mortalities coming ashore in the Tees and along the North Yorkshire Coast. On the 8th October 2021, officers started to receive reports of dead or dying lobsters and crab species coming ashore in the lower and outer Tees estuary around South Gare. These reports were immediately investigated and verified by the shore operations team. Following confirmation of the reports a joint agency response was coordinated through Defra with the Environment Agency (EA) and the Centre for Environmental Fisheries and Aquaculture Science (CEFAS) taking the lead in gathering and analysing both biological, water and sediment samples. Members were informed that DEFRA were now taking the lead on the investigation in conjunction with partner agencies, Chris Evans from CEFAS who attended the meeting thanked North Eastern IFCA for their assistance in gathering carcass samples and facilitating autopsies of the samples gathered. Members expressed concern that other agencies need to be doing further investigations to determine the route cause, concerns there could be both commercial and reputational damage for the fishing industry.</p> <p>The Chief Officer also highlighted to members that following the last Authority meeting held on 14 July 2021, in accordance with the supporting byelaw regulation and agreed policy, applications for 8 permits to set fixed nets along the Holderness Coast of East Yorkshire were processed, 5 intertidal and 3 sub-tidal. During the application process no appeals were received and the permits were issued on 28 September 2021 with a valid commencement date of 1 October 2021. On 23 September 2021, as part of a national programme of education on the work and role of IFCAs, organised by the Angling Trust, the Chief Officer facilitated a virtual discussion evening which was recorded. At the end of that evening the Chief Officer</p>

	<p>took some very specific questions about the re-opening of the permitted intertidal fixed net fishery. Following that event on 15 November 2021, the Chief Officer advised that he had received a legal letter from an organisation called 'Fish Legal' acting on behalf of the Bass Anglers Sport Fishing Society. The letter outlined concerns that the Authority had acted unlawfully in the re-opening of the permitted intertidal fixed net fishery which they considered to be a directed sea bass fishery and therefore not permissible under the revised UK legislation. The letter reserved the right to instigate a Judicial Review against the Authority and the associated decision-making processes. The letter had been referred to the Authority's legal advisors who submitted a formal response on 22 November 2021. The Authority's position was that the supporting byelaw sets out a clear legal framework which underpins the management of the fishery and the issue of permits and the associated fisheries capture a range of different species, including sea bass.</p>
	Resolved – That the report be noted.
09.	BUDGET MONITORING 2021/2022
	<p>The Treasurer presented a report to advise Members of the budget position at the end of month 06 (September) in 2021/22. At the end of September 2021, the Authority has net expenditure of £434,557 against an expected £498,328 underspending by £63,771. The forecast outturn underspend is £78,629 mainly due to employee underspends due to vacancies. All posts have now been recruited to and the forecast outturn is based on the agreed start dates. Patrol vessel overspends of £7,938 mainly due to £24,218 increased vessel insurance costs and £9,118 capital overspend relating to the new Cabin RIB which was previously agreed to be funded from in-year underspend in offset by savings of £7,798 on rent. It was anticipated that the outturn position will be an underspend of £78,629 in addition to the planned transfer of £102,900 plus accrued interest into the Renewals Fund and £10,000 into the Vehicle Replacement Reserve. It is proposed that any underspend is transferred to the Renewals Fund towards the replacement of the patrol vessel.</p>
	<p>Resolved – (a) That the revenue budget monitoring position is noted. (b) That any remaining underspend at the year-end be transferred to the Renewals Fund towards the replacement of the patrol vessel.</p>
10.	FISHERIES STATUTES AND REGULATIONS – PROSECUTIONS
	<p>The Clerk submitted a report on the fisheries enforcement activities taken by the Authority for the period July 2021 to November 2021. The Clerk highlighted to members that there had been a reduction in the original fine imposed on John Macalister Ltd following an appeal.</p>
	Resolved – That the notes be received.
11.	NEIFCA UPDATED STAFF HANDBOOK
	<p>The Clerk and Chief Officer presented a report which provided members with an</p>

	<p>updated version of the NEIFCA ‘Staffing Handbook’. The first draft of the Handbook was provisionally approved by the Authority at its meeting held on 14 July 2021 pending consideration of any further comments received from staff and or Trade Union representatives. Authority members delegated authority to the Executive Committee to consider any such comments and finalise the Handbook. two staff members emailed feedback and comment to the Chief Officer on Tuesday 24 August 2021. That feedback related primarily to the duties and responsibilities attached to the Deputy Chief Officer role and representation within the staffing structure. The feedback also queried the need for an additional policy to support the operational management of the Authority’s patrol vessels. That feedback was briefly considered by the Executive Committee on 2 September 2021 and referred to the Chief Officer and Clerk in consultation with HR for further consideration. Following further considerations, an adjustment had been made to the staffing structure within the final version of the staffing handbook to enhance the understanding of the role of the Deputy Chief Officer which currently sits with the Offshore Operational Manager.</p>
	Resolved – That the notes be received.
12.	REPORTS FROM PARTNER AGENCIES AND BODIES
	<p>Partner reports were unavailable at the time of printing, Natural England had informed the Chief Officer prior to the meeting that they did not have any information to provide as their workstreams had been severely impacted due to the Covid-19 pandemic. Paul Slater, EA provided a verbal update at the meeting on current consultations which were open for comment. Christian Proud, MMO also provided a verbal update, the MMO were engaging with partner agencies investigating the shellfish mortalities in the district and increasing their sea patrols.</p>
13.	ANY OTHER BUSINESS
	Nothing to report.
	The meeting closed at 11:20am

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

MEETING OF THE EXECUTIVE COMMITTEE

10 MARCH 2022

Present

Dr Stephen Axford
Mr Graham Collins
Prof Mike Elliott
Mr Gary Redshaw
Councillor Ronald Allcock
Councillor Tony Randerson

Representing

Chairman
MMO appointee
MMO appointee
MMO appointee
North Lincolnshire County Council
North Yorkshire County Council

Clerk Caroline Lacey, East Riding of Yorkshire, Stephen Chandler East Riding of Yorkshire Council and David McCandless, Chief Officer also attended the meeting.

The meeting took place at County Hall, Beverley, members also had the option to dial into the meeting via Zoom, the meeting commenced at 09:30.

21.	APOLOGIES
	Apologies for absence were received from Mr Andrew Wheeler.
22.	DECLARATION OF PERSONAL OR PREJUDICIAL INTERESTS
	Resolved – The Clerk asked Members to declare any personal or prejudicial interests with respect to items on the Agenda and the nature of such interests. No such interests were declared.
23.	TO TAKE NOTES OF THE MEETING HELD ON 02 SEPTEMBER 2021 AS A CORRECT RECORD
	Resolved – That the minutes of the meeting held on 02 September 2021 be approved as a correct record and signed by the Chairman.
24.	NEIFCA ANNUAL PLAN
	The Chief Officer presented a report for members to review the Annual Plan for the year 2022/2023. The Chief Officer discussed with members the revision of the plan to include more local workstreams for the year ahead. Members were advised that the plan had been drafted before current world events that were likely to have an impact on budgetary pressures during the new financial year. The Clerk proposed making some minor changes to the narrative within the draft plan to reflect NEIFCAs monitoring response to the Shellfish Mortality Incident.

	Members were asked to forward any further comments on the plan to the Chief Officer by the 25th March for consideration.
	Resolved - (a) The annual plan for 2022/2023 was reviewed. (b) Members authorised the draft of the accompanying annual report, summarising the Authority's main activities and outputs during the 2022/2023 year.
25.	INFORMATION GOVERNANCE & FEEDBACK SUPPORT SLA
	The Clerk offered to excuse herself along with Stephen Chandler from the presentation of this report because of the potential conflict of interest. The chief and all members present were happy for both to remain present.. The Chief presented a report to seek the Committee's urgent approval for the provision of information governance & feedback support through East Riding of Yorkshire Council with immediate effect until end of March 2024. The costs of this SLA would be met from current budgetary provisions. Members considered some of the detail within the draft SLA including the level of service anticipated and narrative surrounding intellectual property rights but approved the request.
	Resolved – (a) Members noted the report (b) Members approved the provision
26.	REVENUE BUDGET 2022/2023
	The Treasurer presented a report to inform Members of the draft budget for 2022/2023. Members were informed the 3% levy increase approved at the Authority Meeting in December 2021 had been incorporated into the budget. The supplementary budget for the ECDIS has been fully funded through the Patrol Vessel Maintenance Reserve and the European Lobster Settlement Project has been fully funded through an external source.
	Resolved – (a) The draft budget for 2022/23 is approved (b) The level of general reserves is maintained at £228,450 (17%) of the annual levy
27.	BUDGET REPORT 2021/2022
	The Treasurer presented a report to advise Members of the budget position at the end of month 09 (December) 2021/2022. At the end of December 2021, the Authority has net expenditure of £682,328 against an expected £775,971 underspending by £93,643. The forecast outturn underspend is £108,806 33, mainly due to employee underspends due to vacancies in the first half of the financial year (£104,849). It is anticipated that the outturn position will be an underspend of £108,806 in addition to the planned transfer of £102,900 plus accrued interest into the Renewals Fund and £10,000 into the Vehicle Replacement Reserve. Approval was requested to transfer £30,000 of the outturn underspend to the Patrol Vessel Maintenance reserve to fund the additional cost in 2022/23 financial year and for any remaining underspend to be transferred to the Renewals Fund towards the replacement of the patrol vessel.
	Resolved – (a) The revenue budget monitoring position is noted. (b) That £30,000 of underspend at the year-end be transferred to the Patrol Vessel Maintenance Reserve to fund the cost of replacing the Electronic Charting Display and Information System (ECDIS) as outlined in paragraph 2.4. (c) That any remaining underspend at the year-end be transferred to the Renewals Fund towards the replacement of the patrol vessel.

28.	RISK MANAGEMENT STRATEGY & STRATEGIC AND OPERATIONAL RISK REGISTER REVIEW
	<p>The Clerk presented a report to inform members that in accordance with the Authority's Risk Management Strategy, a sixth monthly review of the Strategic and Operational Risk Registers has been undertaken and is reported for information.</p> <p>Considerations surrounding the impacts of the Covid-19 pandemic on operational risk remain at the forefront alongside more strategic risks associated with increasing national workstreams and replacing the Authority's main vessel. Increasing concerns surrounding unexplained shellfish mortalities locally have also been incorporated into the revised operational risk register alongside associated elevated risk surrounding negative publicity and compliance with FOI legislation. During February 2022 officers agreed a £262K contract to deliver a two-year project to examine larval settlement indices in partnership with the Holderness Fishing Industry Group. Associated risk surrounding the delivery of this contract has also been included within the revised registers. Members also considered developing risks following the commencement of the conflict in the Ukraine.</p>
	Resolved - That the revised Strategic and Operational Risk Register be reviewed in six months' time
29.	NEIFCA HEALTH AND SAFETY POLICY & SAFE WORKING PRACTICES 2022/2023
	<p>The Chief Officer presented a report to inform members of the completion of the Annual review of the Authority's Health & Safety provisions. Since the last review in September 2021 the Chief Officer was pleased to advise that there had been no notable incidents or accidents to report. Over and above the standard operational risk assessments and associated safe working practices, NEIFCA officers continued to respond rapidly to the unprecedented impacts and risks associated with the ongoing Covid-19 pandemic to both protect staff and comply with all current governmental advice. Alongside responding to Covid-19 the Chief Officer also highlighted additional Health and Safety work that had been completed in relation to the use of pots from North Eastern Guardian III and the active use of 'stab vests' during enforcement and control work.</p> <p>The Chief also reassured members that all staff are correctly trained in all aspects of their role and will continue to monitor this on a regular basis.</p>
	Resolved – Members noted the report.
30.	CHIEF OFFICERS REPORT & INVESTIGATION INTO SHELLFISH MORTALITIES
	<p>The chief officer presented a report to provide an operational update covering the period December 2021 to February 2022.</p> <p>The report focused heavily on NEIFCA operations in response to the Shellfish Mortality Incident and the workstreams involved in this presently and going forward.</p> <p>The chief highlighted that NEIFCA will be producing a resourced forward plan. Elements of that plan will include a desk top review of monthly shellfish catch and effort returns supplemented by further data from the MMO; the completion of questionnaires at the point of landing in key ports; observer trips with fishing vessels operating in the affected area; working pots from NEG III at stations within the affected area and deploying baited and fixed underwater cameras. The resulting analysis and findings from the Authority's work will be incorporated into a report for further consideration.</p> <p>The Clerk recommended that the Science and Advisory Group meet more frequently from</p>

	April 2022 to receive regular updates on the planned work and provide guidance and oversight to both officers and the wider membership. The Science Advisory Group would then provide updates on the work through the Executive and Authority meetings.
	Resolved – (a) Members noted the report (b) Science and Advisory Group Meeting dates to be arranged in advance
31.	ANY OTHER BUSINESS
	Nothing to report.
	The meeting closed at 11.20am

DRAFT

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
8 June 2022

FINANCIAL OUTTURN 2021/22

Report of the Treasurer

A. Purpose of Report

To report the outturn position for the Authority for the year ended 31 March 2022.

B. Recommendation

That Members approve the outturn position

1. Introduction

- 1.1 This report provides the final income and expenditure account and balance sheet for the year ended 31 March 2022.
- 1.2 NEIFCA, which is classified as a joint committee, has no statutory obligation to prepare accounts which are externally audited. From 1 April 2015 any expenditure overseen by a joint committee was subject to audit as part of the main accounts of the constituent audited body, in this case the contributing local authorities. However, a set of accounts is prepared to inform the Authority of the position at the financial year end.

2. Responsibility of the Authority

- 2.1 The North Eastern Inshore Fisheries and Conservation Authority is required –
- to make arrangements for the proper administration of its financial affairs and to secure that one officer has the responsibility for the administration of those affairs. That officer is the Treasurer.
 - to manage its affairs to secure economic, efficient and effective use of resources and safeguard its assets.

3. Responsibility of the Treasurer

- 3.1 The Treasurer is responsible for arrangements for the proper administration of Authority's financial affairs. The Treasurer is also responsible for the maintenance and preparation of its accounts in accordance with proper practices.

4. Comprehensive Income and Expenditure

- 4.1 The Comprehensive Income and Expenditure Statement is attached as Appendix A.
- 4.2 Detailed monitoring of expenditure against the profiled budget has been undertaken on a monthly basis and reported to the Authority and Executive meetings throughout the year. At the Executive meeting on 10 March 2022, it was reported that the projected outturn was a £108,806 underspend.
- 4.3 The total net expenditure for 2021/22 of £1,063,562 is shown in Appendix A. The revenue outturn underspend is £121,938 offset by £9,118 overspend on capital, resulting in a net underspend of £112,809. The £9,118 capital overspend relates to the purchase of a new 9.5m Cabin Rigid Inflatable Boat (RIB) and was approved to be funded from 2021/22 underspends at the Executive Meeting on 2 September 2021. It was agreed at the Executive meeting on 10 March 2022 that £30,000 of the underspend at outturn be transferred to the Patrol Vessel Maintenance Reserve to fund the cost of replacing the Electronic Charting Display and Information System (ECDIS) with the remainder of £82,809 to be transferred to the Renewals Fund to contribute towards the replacement of the patrol vessel.

5. Balance Sheet

- 5.1 The Authority's Balance Sheet, attached as Appendix C, is a representation of its net worth. As expected, the Authority's main asset, North Eastern Guardian III, forms the majority of its worth. The vessel is being depreciated over its anticipated useful working life, leaving an estimated residual value of £539,440
- 5.2 A Special Authority meeting on 17 August 2020 authorised a contract for £383,773 for the build and commission of a new 9.5m Cabin RIB, one of the three individual components which together make up the project to replace the Authority's main patrol vessel. At the Executive meeting on 5 March 2021 the purchase of a dynamic vessel stabilisation and charting and radar plotting system at a value of £31,318 was approved to maximise the operational capabilities of the new Cabin RIB, increasing the total approved budget to £415,091 (see Appendix B). Capital expenditure is complete and £424,209 has been spent against the £415,091 contract budget, resulting in an £9,118 overspend (See Appendix B). The overspend is due to the addition of ultrasonic anti-fouling system, engine bay camera and delivery costs and was approved to be funded from 2021/22 underspends in the Budget Monitoring report to the Executive on 2 September 2021.
- 5.3 The Cabin RIB has been included on the Authority's Balance Sheet and is being depreciated over its anticipated useful working life, resulting in an estimated residual value of £395,787 as at 31 March 2022.
- 5.4 Usable Reserves of £1,681,404 have reduced by £8,252 as a result of transfers to the Vehicle Replacement and Renewals Fund reserves of £10,000 and £185,709 respectively

as well as a transfer of £30,000 to the Patrol Vessel Maintenance reserve. The transfers to reserves are offset by £205,261 transfer from the Renewals Fund towards the purchase of the new Cabin RIB and £28,700 from the Vehicle Replacement Reserve towards the replacement of two 4x4 'pick up' vehicles.

6. Reserves

- 6.1 The final outturn has increased the value of reserves held which are shown at Appendix D. The general reserve enables the Authority to demonstrate its financial standing as a 'going concern' and to be in a position to meet unforeseen liabilities. The closing balance at 31 March 2022 is £228,450. The reserve represents 17% of the annual levy for 2022/23, which is considered to be a reasonable level of balances for the Authority to hold.
- 6.2 The Authority also maintains specific reserves. In 2011/12 the Authority created a reserve to manage the risk associated with patrol vessel maintenance. Due to its nature, certain maintenance is cyclical rather than annual and other maintenance may be of an exceptional and urgent nature. At the Executive meeting on 10 March 2022 it was agreed that £30,000 of the underspend at outturn be transferred to the Patrol Vessel Maintenance Reserve to fund the cost of replacing the Electronic Charting Display and Information System (ECDIS). The closing balance on the reserve is £80,000 as at 31 March 2022.
- 6.3 A vehicle replacement reserve was established to fund the maintenance and replacement of vehicles. Maintaining a vehicle replacement reserve enables the fleet programme to be effectively managed and an annual set aside of £10,000 was approved by the Executive. Two 4x4 'pick up' vehicles have been replaced at a net cost of £28,700 funded from the reserve, reducing the closing balance to £12,782. Currently the Authority owns one small multi-purpose van, one large transporter van, two 4x4 'pick up' vehicles, one all-terrain two-seater 'gator' and leases a further 4x4 'pick up' and a pool car. Owning vehicles has proven much more cost effective in terms of flexibility of managing mileage and additional 'end of term costs' which are applied with each lease agreement.
- 6.4 The levy included £102,900 to be transferred to the renewals fund, which is funding set aside towards the replacement of the patrol vessel. The balance has increased by a further £82,809 due to the transfer of the remaining 2021/22 outturn underspend, offset by utilisation of £205,261 to fund the expenditure on the Cabin RIB. The balance now stands at £1,360,172. There is a report on the meeting agenda which updates members on progress relating to the replacement of the vessel.

7. 2022/23 Financial Risks

- 7.1 The 2022/23 Budget report presented to the Executive on 10 March 2022 forecast that the pay award would be at least 2% in 2022/23 along with a 1.25% increase in Employers' National Insurance. It is anticipated that the pay award will be higher than 2% in 2022/23 possibly up to 4.5% which would equate to a £20,000 budget pressure. The budget will be monitored closely throughout the year and a call on the general reserve may be required. The impact of any increased pay award will be taken into account in the levy and budget setting for 2023/24.

Contact Officer

Liz Smith

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Principal Accountant, East Riding of Yorkshire Council

Stephen Chandler

Treasurer

Appendix A

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY						
COMPREHENSIVE INCOME AND EXPENDITURE STATEMENT						
2020/21		2021/22				
Net Expenditure		Expenditure	Income	Net Expenditure	Original Budget	Variance
£		£	£	£	£	£
402,087	Central / Headquarters	411,720	5,505	406,215	419,430	-13,215
121,931	Land Based Operations	123,720	5,964	117,755	129,760	-12,005
359,735	Offshore Operations	467,861	12,034	455,827	508,680	-52,853
54,532	Environment	84,215	450	83,765	127,630	-43,865
-871	Grant Aided Projects	21,342	21,342	0	0	0
937,413		1,108,858	45,295	1,063,562	1,185,500	-121,938
Net Income		Expenditure	Income	Net Income	Original Budget	Variance
£		£	£	£	£	£
SOURCES OF FINANCE						
1,285,536	Annual levy on Local Authorities	0	1,298,390	1,298,390	1,298,400	10
0	Contribution from Reserves	0	233,961	233,961	205,261	(28,700)
12,500	Cont (to)/from Capital	278,879	35,800	(243,079)	-205,261	37,818
-112,900	Contribution to Earmarked Reserves	112,900	0	-112,900	-112,900	0
1,185,136		391,779	1,568,151	1,176,372	1,185,500	9,128
Net Underspend						-112,809
Contributions to earmarked reserves					£	
Renewals Fund					102,900	
Vehicle Replacement					10,000	
					112,900	

Appendix B

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY						
CAPITAL						
			2020/21	2021/22		
	Date Approved	Budget	Outturn	Outturn	Total	Scheme Variance
		£	£	£	£	£
Cabin Rigid Inflatable Boat						
9.5m Cabin Rigid Inflatable Boat	17/08/2020	383,773	191,887	191,887	383,774	1
Dynamic Vessel Stabilisation & Radar System	05/03/2021	31,318	17,943	13,376	31,319	1
Ultrasonic Anti-Fouling				5,988	5,988	5,988
Engine Bay Camera				1,658	1,658	1,658
Delivery				1,470	1,470	1,470
Total		415,091	209,830	214,379	424,209	9,118
Financed by						
Vessel Replacement Reserve		415,091	209,830	205,261	415,091	0
21/22 Underspend				9,118	9,118	9,118
Total		415,091	209,830	214,379	424,209	9,118
Vehicle Replacement						
Isuzu D-Max D340 Pick Up x 2		0	0	64,500	64,500	64,500
Total		0	0	64,500	64,500	64,500
Financed by						
Sale of Assets (Part Exchange)		0	0	35,800	35,800	35,800
Vehicle Replacement Reserve		0	0	28,700	28,700	28,700
Total		0	0	64,500	64,500	64,500

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY				
BALANCE SHEET				
31 March 2021		31 March 2022		
£		£	£	£
LONG TERM ASSETS				
2,124,578	Waterborne Assets - Gross Book Value	2,338,957		
-1,371,212	Waterborne Assets - Depreciation	<u>-1,399,634</u>		939,323
169,984	Vehicles and Equipment - Gross Book Value	234,484		
-117,710	Vehicles and Equipment - Depreciation	<u>-128,925</u>		105,559
	Work in Progress			
<u>805,640</u>				<u>1,044,882</u>
CURRENT ASSETS				
Debtors				
34,136	HMRC - VAT	34,993		
136,047	Other	103,907		
3,568	Prosecution Costs	3,318		
-2,328	Provision for Bad Debt	<u>-2,328</u>	990	
479	Payment in Advance	<u>479</u>		140,369
Short Term Investments				
Cash and cash equivalents				
1,448,531	Temporary Investments	1,350,000		
259,200	Cash at Bank and in Hand	379,735		
350	Petty Cash	<u>350</u>		1,730,085
CURRENT LIABILITIES				
-173,827	Creditors	-172,550		
	Receipt in Advance			<u>-172,550</u>
<u>2,511,795</u>	NET ASSETS			<u>2,742,786</u>
FINANCED BY				
1,689,656	Usable Reserves			1,681,404
822,139	Unusable Reserve			1,061,382
<u>2,511,795</u>	TOTAL RESERVES			<u>2,742,786</u>

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

RESERVES

General Reserve	2021/22	2022/23
	£	£
Balance brought forward	228,450	228,450
Usage	0	0
Transfer to Renewals Fund	0	0
Balance carried forward	<u>228,450</u>	<u>228,450</u>
Patrol Vessel Maintenance	2021/22	2022/23
	£	£
Balance brought forward	50,000	80,000
Transfer from Revenue	30,000	
Transfer to Revenue	0	-30,000
Balance carried forward	<u>80,000</u>	<u>50,000</u>
External Projects	2021/22	2022/23
	£	£
Balance brought forward	0	0
Transfer from Revenue	0	0
Balance carried forward	<u>0</u>	<u>0</u>
Vehicle Replacement Reserve	2021/22	2022/23
	£	£
Balance brought forward	31,482	12,782
Transfer to Revenue	-28,700	0
Transfer from Revenue	10,000	10,000
Balance carried forward	<u>12,782</u>	<u>22,782</u>
Renewals Fund	2021/22	2022/23
	£	£
Balance brought forward	1,379,723	1,360,172
Transfer from Revenue	185,709	102,900
Transfer from General Reserve	0	0
Transfer to Revenue	-205,261	0
Balance carried forward	<u>1,360,172</u>	<u>1,463,072</u>
TOTAL USEABLE RESERVES	<u>1,681,404</u>	<u>1,764,304</u>

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
08 June 2022

Draft NEIFCA Annual Report 2021/2022

Report by the Chief Officer.

A. **Purpose of Report**

To provide members with a draft Annual Report covering the period, 2021/2022, summarising the Authority's outputs and activities during the year.

B. **Recommendation**

1. That members note and endorse the report

1. **Background**

- 1.1 Section 178 of the 2009 Marine and Coastal Access Act places a statutory duty on Inshore Fisheries and Conservation Authorities (IFCA's) to prepare and publish an annual report on their activities.
- 1.2 A draft annual report covering the period 2021/2022 and summarising the Authority's main outputs and achievements during its eleventh operational year is attached for member's information and review.
- 1.3 The report must be formally submitted to Defra but there is time for members to provide feedback which can be incorporated into the final draft. If member's have any additional comments please submit them via email return to me by **Friday 29 July 2022**.

Contact Officer

David McCandless
Chief Officer
Tel: 07771936501

Background Papers

Draft NEIFCA Annual Report 2021/2022

North Eastern
Inshore Fisheries
and Conservation
Authority

ANNUAL REPORT

2021/2022



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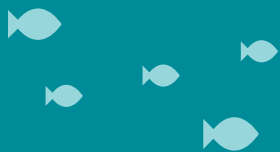
FOREWORD

This report covers the eleventh year of operations and provides a summary account and review of the authority's main outputs and achievements up to the year end on 31 March 2022.

The reporting year continued to be dominated by the impacts of the Covid-19 global pandemic which first started to spread across the UK during the beginning of 2020. In response the Authority has had to balance service delivery against ensuring that the health and wellbeing of its staff and members has remained protected throughout.

Despite the obvious challenges there have been some notable achievements during 2021/2022. Throughout the year the Authority has managed to maintain an effective front line service, both onshore and offshore. During May 2021 officers took delivery of a new 9.5m cabin rigid inflatable boat which had be built and commissioned through the pandemic. During October 2021 officers completed a major recruitment exercise successfully filling five key full time operational positions and during March 2022 a new Authority website 'went live'.

Clerk of the Authority





NATIONAL VISION

“ To lead, champion and manage a sustainable marine environment and inshore fisheries by successfully securing the right balance between social, environmental and economic benefits to ensure healthy seas, sustainable fisheries and a viable industry. ”

EXECUTIVE SUMMARY

On 6 April 2021, at Scarborough Magistrates Court, the owner and skipper of two scallop dredging vessels received combined fines of over £180,000 and costs of £7000 for a number of offences detected by Authority officers between March and May 2019. Although these penalties were reduced on appeal they still represented the largest fines ever imposed in England for breaches of inshore fisheries regulations.

North Eastern Inshore Fisheries and Conservation Authority (NEIFCA) was formally established on 1 April 2011 under provision contained within the 2009 Marine and Coastal Access Act. The Authority replaced North Eastern Sea Fisheries Committee (NESFC), assuming new duties and responsibilities for managing the sustainable exploitation of sea fisheries resources within its district.

This eleventh Annual Report produced by North Eastern Inshore Fisheries and Conservation Authority (NEIFCA) covers the period 1 April 2021 to 31 March 2022. It provides a comprehensive review of the authority's tenth year of operations and charts its main outputs and achievements across key work areas including: Organisational, Legislative Enforcement; Environmental and Scientific Research; Staff training and development; Communications; Partnership working and the delivery of national work streams. The report also provides a summary of the authority's performance and progress against both its national and local working objectives.

EXECUTIVE SUMMARY ACHIEVEMENTS

Main achievements and outputs during 2021/2022 included the following:

- Agreement achieved on an uplifted sound and stable operational budget of £1,298,400.
- During 2021/2022, despite the significant impacts of the COVID-19 pandemic, officers still managed to deliver an effective fisheries patrol service throughout the region which included over 174 active inspections and 994 vessel observations resulting in the authority issuing 21 informal warnings, 28 formal warnings 5 financial administrative penalties and 4 cases successfully prosecuted in the Magistrates Court.
- During October 2021 officers successfully completed a major recruitment drive, appointing five new staff into key operational positions within the administrative support team, environmental and science team and the offshore team. All newly appointed staff are progressing positively through their respective probationary programmes.
- On 7 February 2022 the Authority received formal notification from Defra that a grant application for over £264K of funding had been approved. The approval under the Defra UK Seafood Scheme will fund a two year project to investigate marine larval settlement within the Authority's district and is a joint partnership project with the Holderness Fishing Industry Group. This is the largest external funding bid ever awarded to the Authority.
- Throughout 2021 the ongoing impacts of the Covid-19 pandemic continued to bring unprecedented challenges for the authority, its members, officers and support staff; requiring rapid and dynamic changes to working practices to both protect staff and maintain core service provision. Without exception everyone has continued to meet and embrace the challenges faced.
- On 19 May 2021 officers took delivery of a new 9.5m cabin rigid inflatable boat (RIB) built and commissioned by Northern Marine Power Ltd based in Stockport. The new vessel is already making a significant contribution to the delivery of the Authority's offshore operations.
- During March 2022 a new innovative and interactive Authority website 'went live'.

EXECUTIVE SUMMARY

ACHIEVEMENTS CONTINUED

Partnership Working

- ▶ The authority retains a strong commitment to active partnership working and is seeking to build on that commitment. In many ways in managing the impacts of the COVID-19 pandemic, officers have strengthened active partnership working with all key partner agencies particularly the Marine Management Organisation (MMO) and the Environment Agency (EA). Active engagement in monthly tasking and coordination group meetings continued throughout the year alongside active sharing of intelligence and undertaking several joint enforcement operations to target illegal activities.
- ▶ During 2021/2022 extensive joint working was undertaken in conjunction with the Gangmasters and Labour Abuse Authority (GLAA), the Borders Agency and local policing and public protection teams in response to an upsurge in the illegal gathering of intertidal shellfish across the Authority's district. This work resulted in the issue of a number of formal sanctions for fisheries offences and led to wider national investigations into Organised Crime Groups engaged in modern day slavery.



North Eastern Guardian III

Whitby Harbour 2019



INTRODUCTION

Introduction

This eleventh Annual Report was developed in consultation with authority members. It provides a summary of the main outputs and achievements across the Authority including: Central policy, encompassing strategic development and legislative review; Legislative enforcement; environmental and scientific research, encompassing fisheries stock assessment, marine survey and monitoring, data management, review of marine consents and licensing applications and marine habitat protection; staff training and development; communications and partnership working. The report complements the authority's 2021/2022 annual plan and also provides a summary of progress against the national IFCA success criteria and high level objectives.

Background

North Eastern Inshore Fisheries and Conservation Authority (NEIFCA) was established in October 2010 under provisions contained within the Marine and Coastal Access Act 2009. On 1 April 2011, the authority assumed full statutory responsibility for managing the exploitation of sea fisheries resources within its jurisdiction. The authority continues to draw professional service provision including legal, financial and human resource support from its lead Local Authority member, East Riding of Yorkshire Council. NEIFCA membership comprises of 13 elected councillors representing eleven coastal local authorities together with 14 members appointed by the Marine Management Organisation and singular members representing Natural England, the Environment Agency and the Marine Management Organisation. The total membership of the authority is 30 which is the maximum level permitted under statute.

Financial Overview

The authority's total annual budget for the reporting period 2021/2022 was agreed by members during March at £1,298,036. The budget is allocated across four main areas:

Corporate

Expenditure relating to corporate governance.

Headquarter

The cost of management and administrative support.

Operations

Direct expenditure incurred in the performance of the Authority's objectives comprising of offshore, land-based and environmental activities.

Grant aided projects

Projects which are specific or time bound and wholly funded by external sources.

See table on Page 10

COMPREHENSIVE INCOME AND EXPENDITURE STATEMENT

2020/2021		2021/2022				
Net Expenditure		Expenditure	Income	Net Expenditure	Original Budget	Variance
£402,087	Central / Headquarters	£411,720	£5,505	£406,215	£419,430	-£13,215
£121,931	Land Based Operations	£123,720	£5,964	£117,755	£132,200	-£12,005
£359,735	Offshore Operations	£467,861	£12,034	£455,827	£508,680	-£52,853
£54,532	Environment	£84,215	£450	£83,765	£127,630	-£43,865
-£871	Grand Aided Projects	£21,342	£21,342	£0	£127,630	£0
£937,413		£1,108,858	£45,295	£1,063,562	£1,185,500	-£121,938

Income	Sources of Finance	Expenditure	Income	Net Income	Original Budget	Variance
£1,285,536	Annual levy on Local Authorities	£0	£1,298,390	£1,298,390	£1,285,540	£10
£0	Contribution from Reserves	£0	£233,961	£233,961	£205,261	(£28,700)
£12,500	Contribution to/from Capital - Vehicles	£278,879	£35,800	(£243,079)	-£205,261	£37,818
-£112,900	Contribution to Earmarked Reserves	£112,900	£0	-£112,900	-£112,900	£0
£1,185,136		£391,779	£1,568,151	£1,176,372	£1,185,500	-£112,809.45

NORTH EASTERN GUARDIAN III

Fisheries Patrol



ORGANISATIONAL REVIEW 2021/2022

Main Achievements

- Throughout 2021/2022 the impacts of the COVID-19 pandemic continued to bring unprecedented challenges for the authority, its members, officers and support staff, requiring rapid and dynamic changes to working practices to both protect staff and maintain core service provision. Without exception, everyone has met and embraced the challenges faced and successfully maintained front line service provision.
- During April 2021, the authority endorsed and fixed an operational budget of £1,298,400 providing a stable and uplifted funding base.
- During October 2021 officers successfully completed a major recruitment drive, appointing five new staff into key operational positions within the administrative support team, environmental and science team and the offshore team. All newly appointed staff are progressing positively through their respective probationary programmes.
- On 7 February 2022 the Authority received formal notification from Defra that a grant application for over £264K of funding had been approved. The approval under the Defra UK Seafood Scheme will fund a two year project to investigate marine larval settlement within the Authority's district. The project will be delivered jointly with the Holderness Fishing Industry Group and is the largest external funding bid ever awarded to the Authority.
- On 19 May 2021 officers took delivery of a new 9.5m cabin rigid inflatable boat (RIB) built and commissioned by Northern Marine Power Ltd based in Stockport. The new vessel is already making a significant contribution to the delivery of the Authority's offshore operations.
- During March 2022 a new Authority website 'went live'. The new website carries more interactive news stories and feeds, on line application facilities to apply for fishing permits and provide direct feedback on a wide range of issues.



CENTRAL POLICY 2021/2022

Central Policy and Strategic Development

Central policy and strategic development is supported by two key internal sub-groups, the Executive Committee and the Science Advisory Group. The Science Advisory Group comprises of MMO appointees and representatives from Natural England, the Environment Agency and the MMO and is responsible for overseeing regulatory review, development and implementation, scientific and survey work, projects and licensing applications and consents.

The Executive Committee comprises of elected and appointed MMO members and provides a smaller more focused decision making group to undertake any work delegated by the full authority, including ratifying emergency byelaw provisions and considering appeals against process. These groups work in tandem with recommendations passing through the Executive Committee for final endorsement by the full authority.

Risk Management

The effective management of risk remains a key priority for officers and members of the authority. A formal strategy supporting the identification and management of risk was first agreed and adopted by members of the

shadow authority on 25 January 2011. The strategy and its provisions are reviewed on an annual basis to ensure that it remains 'fit-for-purpose'. Alongside the strategy, the identification and management of risk is supported through a number of risk registers covering both strategic and operational risk, including a risk based enforcement matrix. All risk registers are subject to six-monthly review with updates reported to authority members and posted on the authority's website. During the reporting year, these reviews and updates were completed during March and September 2021.

Emergency IFCA Byelaws

Section 157 of the Marine and Coastal Access Act 2009 provides a mechanism for IFCA's to introduce emergency byelaw regulations to deal with unforeseen issues requiring urgent action. Emergency byelaws are time limited to a maximum period of eighteen months.

Since its inception in 2011, the authority has effectively utilised its emergency byelaw making powers on five separate occasions, most recently on 13 August 2019 to ensure continuity of minimum size regulations.

LEGISLATIVE ENFORCEMENT

Legislative enforcement forms a key element of the authority's drive to achieve the sustainable management of sea fisheries resources within its district. Enforcement is undertaken by fourteen warranted Inshore Fisheries and Conservation Officers (IFCOs) who are responsible for monitoring and inspecting fisheries activities, both offshore and along the coast. Enforcement work is supported by a dedicated 26 metre patrol vessel, North Eastern Guardian III, which carries a 6.4 metre rigid inflatable boat (RIB) that is utilised to board and inspect fishing vessels at sea. During May 2021 the authority took delivery of a new 9.5 metre cabin RIB to support its offshore operations.

The COVID-19 pandemic continues to have a notable impact on enforcement outputs. In managing risks to staff, the majority of enforcement work has been observational and conducted within social distancing guidelines with the primary objective to maintain a front line presence. Resourcing has been targeted in response to intelligence feeds. As a result, the number of physical inspections recorded reduced significantly from circa 600 pre pandemic to between 170 and 250 pandemic although more routine working patterns are anticipated through the forthcoming 2022/2023 year.

On 6 April 2021, at Scarborough Magistrates Court, the owner and skipper of two scallop dredging vessels received combined fines of over £180,000 and costs of £7000 for a number of offences detected by Authority officers between March and May 2019. Although these penalties were reduced on appeal they still represented the largest fines ever imposed in England for breaches of inshore fisheries regulations.

ENFORCEMENT OUTPUTS 2021/2022

Enforcement Output	Frequency
Vessel Inspections	125
Vessel observations	994
Inspection Reports completed	174
Verbal Warnings	21
Written Warnings	26
Offences Reported	35
Formal Cautions	2
Financial Administrative Penalties	5
Formal prosecutions	4

ENVIRONMENTAL AND SCIENTIFIC RESEARCH

Marine environmental and scientific research functions continue to develop and expand in line with the developing role and remit of the authority.

The environmental and science team undertake fisheries stock assessment work, collate and analyse seabed habitat and water column data generated by NEG III, review marine licensing applications and consents, support marine habitat conservation and management through engagement with European Marine Site (EMS) management schemes and Marine Conservation Zone (MCZ) programmes and oversee the internal management of data. This work is guided by an annual research and evidence plan and a five year strategic plan. Separate to this annual report, findings from the environmental and scientific research work are published within an annual research report.

Fisheries Stock Assessment work

The majority of species exploited within the NEIFCA district are a component of wider stock units which extend beyond the six mile limit. During 2011/2012 officers proposed and presented multiple indicator frameworks, a combination of specific reference points and proxies for measuring progress towards achieving sustainable fisheries. Alongside and

at the request of authority members, officers have incorporated a broader overview, detailing information on gear types, additional species, economic and socio-economic factors. This analytical work is supported, in the main, by a comprehensive stock assessment programme which includes quayside sampling at four main ports including Hartlepool, Whitby, Scarborough and Bridlington and an offshore monitoring programme covering each of the five main ICES areas located within and surrounding the authority's district.

During August 2020, officers received notification from the Marine Conservation Society (MCS) that they had upgraded their sustainability score for North Sea dredge caught scallop which continues to be a developing focus. This decision had been taken in recognition of the improvements that the authority had made to the management of the inshore fishery during the last four years.

Throughout 2021/2022, the primary focus has been to manage the risks associated with the COVID-19 pandemic. This has had a significant impact on the authority's planned stock assessment work as officers have had to limit direct contact with the industry and prioritise work streams accordingly.

Seabed Habitat Assessment and Mapping Work

The development of the authority's capabilities to assess and map seabed habitats has been one of the main areas of focus for both the offshore and environmental teams. Ongoing work in this area has included the full commissioning of an onboard WASSP multi-beam system and the development of underwater camera technologies. The focus of underwater video camera work during 2019 was to collect evidence on which to assess the impact of the scallop dredge fishery on habitats and commercially important shellfish species. Over 16km of video footage was collected and analysed, allowing a comparative study of impacts based on varying levels of fishing intensity. The information will form a baseline which may be used to support any future management decisions.

ENVIRONMENTAL AND SCIENTIFIC RESEARCH

Marine Licensing and Consents

During the reporting period, authority officers reviewed 16 licensing and consent applications covering a wide range of projects from maintenance and capital dredging to discharge and infrastructure applications. Further consultation was undertaken regarding major infrastructure projects and planned changes to partner statutory agency fisheries management measures.

Shellfish Mortality - Tees & North Yorkshire

During early October 2021 officers started to receive reports of large numbers of dead or dying crabs and lobsters being washed up on shore in the outer Tees Estuary. These reports were confirmed and the Authority supported a multi- agency response, commissioned and coordinated by Defra to investigate the cause. This work involved extensive testing and sampling of water, sediment and biological samples recovered from the affected area.

The effects of the 'event' continued through November and December 2021 with fishermen reporting much reduced catches.

During March 2022 the multi-agency investigative work concluded that the most likely cause had been a harmful naturally occurring algal toxin. The work also highlighted the previously unknown presence of an anthropogenic chemical 'pyridine' within some crab samples although it was considered unlikely that this had contributed to the cause of the observed mortalities.

Working alongside the affected fishing industry, Authority officers have implemented a comprehensive stock monitoring programme to try and establish the extent of any impacts that the event may have had on key commercial stocks such as edible crab and lobster. This work will continue through 2022/2023.

Education and Outreach

Scarborough 2019



MARINE PROTECTED AREAS

European Marine Sites (EMS)

The NEIFCA district contains five European Marine Sites (EMSs); Northumbria Coast, Teesmouth and Cleveland Coast, Flamborough Head, Humber Estuary and the Greater Wash. Flamborough Head and the Humber Estuary are each supported by a management group comprising statutory authorities and other relevant bodies and NEIFCA plays an active role in each. NEIFCA workstreams within the EMSs focus on four main areas; active participation in the EMS management schemes and associated projects; the provision of guidance to developers and input into the licensing conditions of development consent orders within and adjacent to EMSs; stock assessments of commercially important finfish and crustacea; and the appropriate assessment and management of fisheries within EMS boundaries through both voluntary and regulatory measures.

Significant progress was made during 2019/2020 in reducing risk to designated Marine Protected Area (MPA) features associated with fishing activity.

A seasonal netting prohibition in the waters surrounding Flamborough Head and Filey Brigg came into force to protect the largest mainland UK breeding seabird colony; home to 412,000 seabirds. In addition, a trawling permit management system was introduced for the Humber Estuary. Control of trawl effort will help to protect the valuable habitats and species within the estuary, which also acts as vital spawning and nursery grounds for a range of fish species. Regulations to improve fishery data collection have also been approved.

Marine Conservation

The NEIFCA district contains two MCZ sites; Runswick Bay and Holderness Inshore. Full assessments have been completed on both sites and appropriate management measures supporting their protection are already in place. Work to establish a new Management Group to encompass both MCZs is underway through the Flamborough Management Group.

Data Management

All raw data gathered from the authority's district is stored electronically in spreadsheet and database format enabling ease of manipulation, import into other programmes and statistical analysis. Spatial data is stored in shape file format for presentation and analysis in the GIS platform 'Map Info'. This is a developing workstream that aims to generate key data layers that present information related to the authority's district, such as management regimes, fishing effort, habitat types and commercial species ranges.

EXTERNALLY FUNDED PROJECTS AND INITIATIVES

European Lobster Larval Settlement Index Project

Funded through the Defra UK Seafood Scheme this is a two year partnership project with the Holderness Fishing Industry Group which is scheduled to commence during May 2022.

The project aims to capture and assess the extent of marine larval settlement occurring within the NEIFCA district. This information can then be utilised to support stock assessment work.

STAFF TRAINING AND DEVELOPMENT

A new staffing appraisal system was implemented during November 2021 which will strengthen the identification of individual training and development needs across all the operational teams. Alongside this new system progress against staff training and development needs is now monitored centrally and reviewed on a six monthly basis. Further work also commenced during 2021/2022 on supporting leadership and management development across the Authority's senior management team.



COMMUNICATIONS, PUBLIC ENGAGEMENT AND PARTNERSHIP WORKING

NEIFCA Website

The authority's website and social media, such as Facebook, remains at the forefront of its drive to improve overall communications, accessibility to information and associated services. A new Authority website 'went live' at the end of the reporting year, during March 2022. It carries a much clearer, simpler format which is more straightforward to navigate. Authority staff can now edit and update the content directly which means that information can be updated on a much more regular basis. Stakeholders can access a range of services from the website including applications for fishing permits and provision of feedback on a wide range of topical issues.

Tyne to Tees, Shores and Seas - SeaScapes Partnership

The SeaScapes project is a partnership of local, regional and national organisations working in the coastal, marine and heritage sectors that have come together to better protect and celebrate the unique coastline between the rivers Tyne and Tees. The first National Lottery Heritage Fund supported Marine Landscape Partnership will deliver around 23 projects over the next four years worth £5 million to the communities of South Tyneside, Sunderland, Durham and Hartlepool.

Yorkshire Marine Nature Partnership

Delivery of a well managed network of Marine Protected Areas (MPAs) is a key work area for NEIFCA. With the growing number of MPAs, effective site management requires new ways of working and a collaborative approach. As a member of the Flamborough Head European Marine Site Management Group, National Lottery Heritage Funding was obtained to establish the Yorkshire Marine Nature Partnership. The emerging partnership is focussed on supporting, understanding, managing and caring for Yorkshire's seas, coastline and hinterland, working with cross-sector partners to achieve shared aims and promote holistic action in the marine and coastal environment.

Feedback System

Throughout 2021/2022 the authority continued to utilise a formal electronic feedback system supported by East Riding of Yorkshire Council. All feedback is captured and recorded on a database via a dedicated feedback officer. Any complaints are subject to a fixed response time with systems to deal with any vexatious issues. All recorded feedback is then reported back to authority members on an annual basis. During 2021/2022, only one formal complaint was received by the Clerk officer. During March 2022 NEIFCA agreed a new service level agreement with East Riding of Yorkshire Council for the provision of enhanced support covering both feedback and information governance

Partnership Working

During April 2011, the authority signed a number of 'High Level' MOUs with key partner organisations. These endorsed the principles of communication and positive partnership engagement and continue to support positive working relationships. NEIFCA actively engages in the national intelligence gathering project in collaboration with other IFCA's and the MMO, which includes monthly regional tasking and co-ordination meetings. Since the project was first established NEIFCA has captured and shared 656 fisheries intelligence reports. Active operational partnership working took place throughout 2021/2022 including joint enforcement work with both the MMO and EA. During the year the shore operations team continued to support a national project to encourage

anglers to recycle discarded fishing line. Despite the impacts of the COVID-19 pandemic active operational partnership working took place on several occasions with both the Marine Management Organisation (MMO) and the Environment Agency (EA) to monitor the setting of illegal fixed nets from the shore and check compliance on the quayside. During 2021/2022 extensive joint working was also undertaken in conjunction with the Gangmasters and Labour Abuse Authority (GLAA), the Borders Agency and local policing and public protection teams in response to an upsurge in the illegal gathering of intertidal shellfish across the Authority's district. This work resulted in the issue of a number of formal sanctions for fisheries offences and led to wider national investigations into Organised Crime Groups engaged in modern day slavery.

National IFCA Association

A national association was established on 24 March 2011 to represent and support the work of IFCA's. NEIFCA continues to play an active role in this association through the chairman, clerk and chief officer. Throughout 2021/2022 the national IFCA Association has played a very active role in supporting the development of new national marine and fisheries legislative frameworks following the UK's formal exit from the EU on 31 December 2020. This work will continue into and beyond the next reporting year and includes the Joint Fisheries Statement and Fisheries Management Plans.



North Eastern IFCA staff and BBC presenter Tom Heap courtesy of BBC Countryfile following a film shoot on 18 June 2021 which aired on 4 July 2021

NATIONAL IFCA SUCCESS CRITERIA

IFCAs are recognised and heard, whilst working in partnership and engaging with stakeholders;

IFCAs implement a fair, effective and proportionate enforcement regime;

IFCAs use evidence based and appropriate measures to manage the sustainable exploitation of sea fisheries resources and deliver marine environmental protection within their districts;

IFCAs have appropriate governance in place and staff are trained and professional;

IFCAs make the best use of evidence to deliver their objectives;

NEIFCA work streams and organisational priorities are geared towards the positive achievement of the national vision: outlined on page 4.

To support the positive delivery of the above national vision, IFCAs have agreed a set of national success criteria matched with corresponding working-level objectives. The vision, success criteria and national working objectives are designed to assist in the creation of a shared understanding of the aims and objectives of IFCAs nationally, and focus positive service delivery towards achievement of the national vision. These national IFCA performance criteria also link directly to the UK Marine Policy Statement.

Focus and Priorities for the Year - Annual Plan 2021/2022

Each year authority members agree and set their objectives and priorities for the year ahead which are outlined within the summary work programme contained within the authority's 2021/2022 Annual Plan. The 2021/2022 plan was adopted by members on 5 March 2021.

NATIONAL IFCA WORKING LEVEL OBJECTIVES

The following tables provide a summary of the authority’s progress towards achieving the Success Criteria and supporting Working Level Objectives (WLO) during the 2021/2022 reporting period.

31 March 2022



Completed



Ongoing



Not started

WORKING LEVEL OBJECTIVE

The IFCA will maintain and implement an effective communication strategy.

OUTCOME(S)

The IFCA will maintain a database of stakeholder contacts that will have been reviewed and updated by 31 March each year.

The IFCA will have completed a review of its communication strategy and implementation plan by 31 March each year.

PERFORMANCE INDICATOR(S) UPDATE 2021/2022

Through its fishing permitting schemes NEIFCA maintains an annual database of some 3,000 individual contacts covering both commercial and recreational fishing.

The authority maintains a formal communication strategy which is reviewed annually.

Copies of annual plans are sent to the Department for Environment, Food and Rural Affairs (Defra) Secretary of State by 30 April each year.

The IFCA will maintain its website ensuring public access to current fisheries and conservation information for the district, including management requirements and byelaws. non-reserved IFCA Committee papers will be published.

The IFCA will have reviewed its website by the last working day of each month.

A new Authority website 'went live' during at the beginning of April 2022 and information is updated on a daily basis which includes information on live projects or events occurring within the NEIFCA district.

Copies of annual reports are sent to Defra's Secretary of State by 30 November in the year in which they are published.

WORKING LEVEL OBJECTIVE

The IFCA will contribute to coordinated activity at a national level.

OUTCOME(S)

By 31 March each year the IFCA will have participated appropriately, proportionately and at the right level of delegation, in regional and national fisheries and conservation activity identified within the annual plan.

PERFORMANCE INDICATOR(S) UPDATE 2021/2022

Throughout the reporting year Authority Officers have engaged extensively in a wide range of nationally coordinated work streams including joint training and joint intelligence gathering through the National Association of IFCAs, the National IFCA Chief Officers Group, the National IFCA Technical Advisory Group and the National Inshore Marine Enforcement Group. In addition, throughout 2021/2022 NEIFCA played a full and active role in newly established Regional Fisheries Groups and maintained active engagement and participation in the national fisheries intelligence gathering programme.

The IFCA and its principle partners will have a clear understanding of the roles and responsibilities. Memoranda of Understanding (MoU) with MMO, Natural England, Environment Agency and Centre for Environment, Fisheries and Aquaculture Services (CEFAS) will be maintained.

The IFCA will have reviewed all of its MoUs by 31 March each year. There will be a clear plan in place to update MoUs where necessary, to an agreed standard.

The National Association of IFCAs supports the regular review of MoUs with partner organisations.

WORKING LEVEL OBJECTIVE

The IFCA will publish its enforcement risk register and strategy, clearly setting out its approach to achieving regulatory compliance and potential sanctions that may be applied for infringements and/or offences.

OUTCOME(S)

The IFCA will ensure its enforcement risk register and strategy are published and available on its website from 1 April each year.

The IFCA will compile records of enforcement activity in a standard format; provide them to NIMEG and publish them on its website.

PERFORMANCE INDICATOR(S) UPDATE 2021/2022

The authority publishes a comprehensive annual risk register which covers all aspects of risk including enforcement.

The authority publishes details of its enforcement activity within its annual report and provides statistics to the National Association of IFCAs in a standard format.

The IFCA will manage operational activity and capture, record, evaluate and disseminate intelligence that is compatible with partner organisations. It is engaged in joint working with partner organisations.

Working to the National Intelligence Model (NIM) and participating actively through Tasking and Coordination Groups (TCGs).

Throughout 2021/2022 Officers have been actively engaged in the joint fisheries intelligence gathering programme, collating, assessing and exchanging intelligence in accordance with NIM principles. This involved active participation in the TCG process including joint TCGs with MMO officers.

WORKING LEVEL OBJECTIVE

Warranted Inshore Fisheries and Conservation Officers (IFCOs) will be trained and accredited to nationally agreed standards. They will maintain professionalism and make appropriate interventions to deliver efficient, effective enforcement activity.

OUTCOME(S)

The IFCA will adopt the national code of conduct for IFCOs which will be reviewed annually and published on its website.

Warranted Officers attain accreditation. ALL undertaking continuing professional development.

PERFORMANCE INDICATOR(S) UPDATE 2021/2022

Authority Officers undergo a wide range of training supported by a twelve month probationary process. That training incorporates an induction, an IFCA residential course and 'on-the-job' training and evaluation.

A national code of conduct for IFCA enforcement officers was agreed in 2010 and was adopted by the authority. It is reviewed annually.



WORKING LEVEL OBJECTIVE

The IFCA will identify issues likely to affect sustainable management of the marine environment in the IFC District; undertake risk assessment and gap analysis; review appropriateness of existing measures; evaluate management options and develop and implement proportionate marine management solutions.

OUTCOME(S)

The IFCA will record site-specific management considerations for Marine Protected Areas and report progress to the authority.

The IFCA will publish data analysis and evidence supporting new management measures, on its website management information (e.g. sampling and/or survey results) will be collected periodically after new management measures have been implemented, to demonstrate the extent of effectiveness of the intervention.

PERFORMANCE INDICATOR(S) UPDATE 2021/2022

Authority officers have completed extensive site feature/activity interaction risk matrices for all Marine Protected Areas (MPA's), including European Marine Sites (EMS's) and Marine Conservation Zones (MCZ's) occurring within the NEIFCA district. A significant supporting management programme commenced during 2013 prioritised towards high risk activities. This work was advanced during 2019/2020 with the confirmation of two regulations protecting features at Flamborough Head, Filey and the Humber Estuary.

The IFCA actively supports implementation of a well managed network of marine protected areas by: developing a range of criteria based management options; implementing management measures to ensure that inshore fisheries activities comply with the Marine and Coastal Access Act 2009 and the revised approach to managing commercial fisheries in European Marine Sites; and that local management contributes to delivery of targets for the Marine Strategy Framework Directive, Water Framework Directive and Marine Plans.

WORKING LEVEL OBJECTIVE

The IFCA will develop Fisheries Management Plans for priority species where appropriate. Shared objectives will be developed with identified partners; actions identified and best practice reflected so that management makes a contribution to sustainable development.

Proportionate regulation (for example introducing a legal mechanism such as a byelaw) is used as a last resort; The effectiveness of interventions to improve the delivery of beneficial outcomes is continuously monitored; and

There is a clear IFCA Committee process for dealing with agreed interventions quickly, efficiently and effectively, particularly for emergency byelaws.

OUTCOME(S)

The IFCA will include shared agreed objectives and actions from Fisheries Management Plans in its own Annual Plan, which will be published by 31 March each year.

Progress made in relevant Fisheries Management Plan areas, including maximum sustainable yield commitments, will be noted in the IFCA's Annual Report.

PERFORMANCE INDICATOR(S) UPDATE 2021/2022

The sustainable management of key lobster and edible crab stocks was further enhanced during 2019/2020 through measures introduced in the revised Crustacea Conservation byelaw. Protection for soft shelled and berried lobsters will help to bolster spawning stock of this species, while the introduction of a maximum pot size and reducing the maximum size of vessel permitted to fish within inshore areas are important effort controls that will help to ensure the continued viability of the regionally significant fishery. A new minimum size byelaw, developed in collaboration with a number of other IFCAs, was also introduced, confirmed during February 2021. As was a catch return byelaw aimed at improving data capture to inform future management decisions.

A new Fisheries Management Plan has been adopted to support the inshore scallop dredging fishery. The plan has been informed by a four year pilot trial which commenced following the introduction of emergency control measures at the beginning of 2015. The plan describes the state of the stocks and the fishery derived from research undertaken by the authority, it outlines current national and local management policy and objectives, and highlights the conservation and fishery management measures in place to ensure a sustainable fishery. The plan will guide development of the dredge fishery, balancing the needs of different stakeholders.

WORKING LEVEL OBJECTIVE

The IFCA will demonstrate its long-term strategic approach to sustainable marine management by having appropriate plan-making, review, update and amendment procedures in place. The IFCA will record its performance against corporate outcomes and indicators as soon as practically possible following the end of the financial year.

OUTCOME(S)

The IFCA will publish a plan on its website by 31 March, setting out the main objectives and priorities for the next financial year. A copy will be sent to the Secretary of State.

After the end of each financial year, the IFCA will publish a report on its website describing its activities, performance and a summary of audited financial information in that year by 30 November. A copy will be sent to the Secretary of State.

PERFORMANCE INDICATOR(S) UPDATE 2021/2022

The authority has produced an Annual Plan and Annual Report since 2010. The 2021/2022 plan was considered and endorsed by the committee on 5 March 2021 and submitted to the Secretary of State. The Annual Report covering the 2020/2021 period was submitted to the Secretary of State during August 2021.

Staff performance management systems will be in place that link to the IFCA success criteria. There will be an induction procedure for new joiners. Staff training and development needs will be identified. Performance will be managed and where necessary, improvement procedures will be followed.

IFCA staff will have annual performance management plans in place. Annual appraisals for all staff will have been completed by 31 May each year.

A new staffing appraisal system commenced during November 2022 which incorporated performance related pay progression. This system enables a bespoke annual training plan to be set to meet individual staff needs underpinned by personal set of work objectives for the year ahead. All staffing appraisals were completed by 1 April 2022.

WORKING LEVEL OBJECTIVE

The IFCA committee will be supported by an organised, efficient and effective secretariat. New members will receive an induction pack and briefing from the authority. There will be a rolling twelve month schedule of quarterly authority meetings. Notices of meetings and documentation will be made available in line with standing orders.

IFCA committee meetings will be held in public unless material is either confidential or exempt within the meaning of the Local Government Act 1972.

OUTCOME(S)

An efficient secretariat of IFCA staff support IFCA authority meetings which are held quarterly and are quorate. Meeting documentation will meet standing orders.

PERFORMANCE INDICATOR(S) UPDATE 2021/2022

During 2021/2022 in response to the ongoing COVID-19 pandemic the Authority established a system of 'hybrid' meetings providing for attendance in person combined with virtual engagement to conduct its business. Agendas, supporting papers and minutes were published in accordance with the authority's standing orders and posted on the authority's website.

A strategic research plan that contributes to greater understanding of the marine environment and delivery of cost-effective management of sea fisheries resources.

The IFCA will demonstrate progress that has made towards identifying its evidence needs by publishing a research plan each year

The authority incorporates its research planning and delivery into both its overarching annual plan and annual report. These are produced in consultation with members and in accordance with statutory procedures. These annual planning and reporting processes are underpinned by an annual research work programme and a five year strategic plan.

WORKING LEVEL OBJECTIVE

Standard operating procedures describe how data is captured and shared with principal partners.

OUTCOME(S)

The IFCA's contribution to Technical Advisory Group (TAG) and progress that it has made towards a national evidence needs programme will be recorded in the IFCA's annual report.

PERFORMANCE INDICATOR(S) UPDATE 2021/2022

The authority's environmental and scientific leads are fully engaged with other IFCA colleagues through the national IFCA Technical Advisory Group. Through this group, the authority's officers have developed and implemented standard operating practices across most of its work streams. During 2021/2022 NEIFCA provided the Chair to the group.

Non-confidential meta-data collected through the IFCA research programme should be recorded in a database available to the marine research community.

Non-confidential data is shared reducing the need for duplication of survey effort.

Authority officers share non-confidential meta data through MEDIN and 'dropbox' and improving internal data sharing within the authority's membership remains an ongoing workstream.



**North Eastern Inshore Fisheries
and Conservation Authority**

**2021/2022
Annual Report**

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
8 June 2022

NEIFCA Vessel Replacement Programme – Main Vessel

Report by the Clerk, Treasurer and Chief Officer

A. Purpose of Report

1. To update members on progress relating to the replacement of the Authority's main vessel.
2. To seek delegated authority to the Executive Committee to act as the principle working group responsible for overseeing and finalising all associated preparatory work relating to the replacement of the main vessel including the supporting financing model, final vessel specification, procurement processes and proposed process for the sale of the current vessel.

B. Recommendations

1. That members note the report.
2. That members support the delegation of authority to the Executive Committee to act as the principle working group responsible for finalising all associated preparatory work relating to the replacement of the main vessel including the supporting financing model, final vessel specification, procurement processes and proposed process for the sale of the current vessel.
3. That following the completion of the preparatory work, a further special meeting of the Authority is convened to agree next steps.

1. Background

- 1.1 At a meeting of the Authority held on 10 September 2015 members received a detailed report from the Clerk and Chief Officer setting out the intended process for the replacement of the Authority's main patrol vessel *North Eastern Guardian III*. Following consideration of the report members supported the commencement of associated work including procurement and letting of contracts subject to securing the necessary level of anticipated funding required (Minute item 6 refers).
- 1.2 NEIFCA's current vessel, the North Eastern Guardian III (NEG III), is an aluminium hulled semi-displacement vessel with an overall length of 26.3m. The vessel was commissioned in 2006 and entered service in 2007, with a maximum projected operational lifespan of 15 years. The vessel is now in its fifteenth year of service and during 2015 the Authority agreed to support the procurement of a suitable replacement vessel package subject to financing.
- 1.3 NEG III was primarily designed and built for speed and short patrol work which suited statutory requirements at the time but since then the complexity of NEIFCA's statutory duties and

responsibilities have increased significantly, and the current capabilities of NEG III have become extremely limiting. Outside considerations surrounding the age and depreciation of the vessel up to three operational days can be lost reconfiguring for marine survey tasking and it is further restricted to carrying a maximum of 1 tonne of additional equipment. The vessel's fresh and waste-water carrying capacities also restrict at sea operations to a maximum of 1 or 2 days.

- 1.4 A detailed options appraisal was carried out and considered -
- Do nothing
 - 'Like for like' replacement
 - A major refit
 - Maintaining the existing vessel and procuring an additional support vessel
 - Maintaining the existing vessel and chartering a suitable vessel
 - The purchase and refitting of a second-hand vessel
 - Procurement of a new bespoke vessel
- 1.5 This work concluded that the only economically viable option was to build and commission a new bespoke vessel, which is estimated to have a total project cost of circa £4.5m

2. Funding of the Vessel

- 2.1 The Authority has and continues to set aside funds to replace the vessel into a renewals reserve. The reserve as at 1 April 2022 is projected to stand at £1.360m. The current vessel has a second-hand value currently estimated at £0.900m, giving total funding available of £2.260m and a shortfall in funding of circa £2.25m.
- 2.2 Section 179 of the Marine and Coastal Access Act 2009 gives IFCA's the legal power to acquire or dispose of land or property but excludes them from being able to borrow money. The current vessel was purchased with the aid of substantial grant funding. Grant funding has been explored with DEFRA and the MMO and at present there is no available funding to support the purchase of a new vessel and no prospect of grant funding in the short/medium term. DEFRA have confirmed that there is no will to change the underpinning statutory order to enable IFCA's to borrow and have suggested that one of the constituent authorities could borrow monies to support the funding of the vessel. Discussions have also taken place with Hull University and a range of other partners who would be interested in chartering the vessel but have not resulted in any capital contributions.
- 2.3 There are two possible routes to fund the shortfall –

Option 1

Levy on all of the relevant councils – this would spread the risk across all Councils in proportion to their levy share. Councils were approached and concerns were raised about the funding of a significant capital asset with effectively 100% revenue funding. The impact over two years levy funding was not supported as this would significantly increase the levy by 100% in each of the years with the potential for higher increases to take account of the cashflow requirements of the build prior to the sale of the current vessel. The regulations set out that the levy may be vetoed by a vote of those members of the IFCA authority who are members of a relevant council.

Option 2

One of the Councils purchases the boat and leases it to NEIFCA

Under this option a Council would effectively borrow the money for the vessel and then lease that vessel to NEIFCA.

The costs would be recovered over the useful life of the vessel (20 years) and would include a lease premium that incorporates the cost of the borrowing, NEIFCA is a local authority joint

committee but with the statutory power to enter into contracts under section 181 of the Marine and Coastal Access Act 2009 and as such are allowed to enter into leasing agreements and currently lease vehicles.

The finance lease agreement could be structured to include a large repayment in year one which would reflect the amount held in reserves by NEIFCA (£1.360m) and the sale of the current vessel (£0.900m), with the remainder spread over the remaining useful life of the vessel. This would reduce the financial risk to the Council undertaking the borrowing. The risks and rewards of purchasing and owning such an asset would need to be carefully considered in the finance lease agreement.

All Councils would need to agree an increase to the annual levy to fund the ongoing lease costs over and above the annual set-aside to the reserve of £0.103m, if required, and the lease would need to be structured so that insurance, repairs and maintenance etc were the responsibility of NEIFCA. In addition, the council undertaking the borrowing could seek a guarantee from the other relevant councils to further mitigate any financial risks.

Procurement regulations would need to be followed due to the cost of the vessel and specialist legal advice is likely to be required. This is because it may be that the vessel is purchased from overseas. Whilst it is anticipated that English law will apply, it is appropriate to engage the services of a legal firm that has international contacts, and experience of contracting with foreign companies. In addition, given the anticipated value of the contract, it will be necessary to undertake due diligence into any proposed contractor. Tender documents would be prepared in conjunction with the specialist solicitors.

- 2.4 Clarity on funding would enable the project to proceed. The current vessel is approaching the end of its economic life and will shortly start to incur major costs alongside a spiralling depreciation in its saleable value. Alternatives have been considered to the purchase of a main vessel but not found to be either economically viable or suitable for the operating conditions in the North Sea. Work would continue to secure further grant funding to mitigate the value and duration of the financial lease thereby mitigating risk to the Council undertaking the borrowing.

Defra have recently advised that some capital funding may be set aside to support IFCA asset renewal during the next three financial years with indications that this programme would continue beyond 2024/2025. NEIFCA have put the replacement of their main vessel forward within this proposed programme but it has not yet been formally confirmed and if it is, it will be a competitive process. It is anticipated that the project would take two years from start to a commissioned vessel.

- 2.5 From a purely financial perspective, East Riding of Yorkshire Council (ERYC) have the capability to facilitate such an arrangement. However, there will be an administrative cost, in addition to the cost of borrowing, which would need to be included within the lease premium and ERYC would need to be assured that the arrangement would not adversely impact its financial position.

ERYC would finance the purchase of the vessel through borrowing from the Public Works Loan Board (PWLb) to avoid any significant impact on its liquidity. It is likely that, following a recent Government consultation on borrowing regulations, a Minimum Revenue Provision charge would need to be charged to the General Fund over the period of the lease agreement. Based on current estimates, this would amount to £0.125m per annum and so this would also need to be covered by the lease premium. Even with all costs met by NEIFCA, further work would need to be undertaken to provide assurance that there would be no adverse impact on the General Fund due to the complexity of accounting regulations in this area.

Risk of payment default is considered to be low as NEIFCA is a statutory body with levy raising powers. ERYC would also retain ownership of the asset until the end of the lease period which further mitigates risk in the event of default.

3. Next Steps

- 3.1 It is proposed that members delegate authority to the Executive Committee to act as the principle working group to oversee all the preparatory work including finalising the proposed financing plan through ERYC, developing procurement documentation including a vessel specification and a parallel process to support the sale of the current vessel. Once all the preparatory work is complete a further special meeting of the Authority will be convened to approve the next steps.

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Chief Officer
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NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
8 June 2022

Shellfish Mortality – Tees and North Yorkshire - Update

Report by the Chief Officer

A. Purpose of Report

To update members on the ongoing issues surrounding shellfish mortality in waters surrounding the Tees and North Yorkshire.

B. Recommendation

That Members note the report.

1. Background

On 8 October 2021 officers started to receive reports of dead or dying lobsters and crab species coming ashore in the lower and outer Tees estuary around South Gare. During November 2021 further reports were received from local fishermen who started to experience reduce catch rates and 'in pot' mortality as far South as Scarborough, particularly on fishing grounds closer inshore. These reports were immediately investigated and verified by officers. The observed mortalities consisted of mainly smaller edible and velvet crabs with the occasional lobster indicating very weak 'twitching' behaviour when handled.

Following confirmation of the reports a joint agency response and investigation was launched and coordinated through Defra with the Environment Agency (EA) and the Centre for Environmental Fisheries and Aquaculture Science (CEFAS) taking the lead in gathering and analysing both biological, water and sediment samples. Alongside the joint agency response, the local fishing industry engaged an independent marine specialist to support a parallel investigation.

During March 2022 Defra closed the multi-agency response concluding that naturally occurring algal toxins were the most likely cause of the observed shellfish mortalities. A copy of the summary report outlining the findings of the Defra led multi-agency response are attached for members information. Two independent reports produced by the marine specialist acting on behalf of the fishing industry concluded that an anthropogenic chemical, pyridine, was the most likely cause of the mortalities following release from sediments during dredging operations taking place within the Tees Estuary.

2. NEIFCA Response

Since the last Authority meeting held on 2 December 2021, officers have implemented a comprehensive stock monitoring programme in full consultation with the affected industry with preliminary results and findings reported back to a dedicated joint working group at meetings held on 24 January, 24 February and 21 April 2022. Further oversight of the Authority's response has also been provided through regular meetings of the Science Advisory Group held on 4 March, 19 April and 27 May 2022. This stock monitoring programme includes an assessment of trends in catch rates of lobster and crab species, onboard monitoring trips on vessels working in the affected area, potting assessments carried out by North Eastern Guardian III and quayside observational work.

3. Current Situation

Up until the first half of April 2022, outputs from NEIFCA's monitoring work were generally encouraging with some positive signs of healthy lobsters although catches of crab species remained relatively low. That position changed somewhat towards the end of April beginning of May when a further wash up was confirmed close to South Gare at Redcar consisting of weed material and other marine life including lobsters, crab and some fish species. Alongside this new wash up event officers also started to receive reports of reduced lobster catches, in pot mortality, shellfish displaying symptomatic 'twitching' behaviours and the presence of residues of marine detritus on fishing gear. In response to this new reports officers put a general call out for information on the Authority's website alongside maintaining the established monitoring programme, active communication with the fishing industry and weekly call updates with Defra and other key partners.

Despite extensive national multi agency investigations and the conclusion that naturally occurring algal toxins were the most likely cause of the observed mortalities both the fishing industry and local community representatives remain extremely concerned that dredging within the Tees estuary is also playing a major or primary contributing role. Further extensive dredging work has been licensed and is due to commence within the Tees during the next few months. In advance of this work the fishing industry, supported by local community representatives, instigated a day of direct action and protest on the Tees on 19 May 2022. It is extremely important that this work is closely monitored against the conditions of the licenses that have been granted to provide confidence that it is not adversely impacting on the marine environment and to adequately address the growing concerns coming from the fishing industry and local communities. These concerns have been expressed in writing on behalf of NEIFCA by both the Chief Officer and the Chairman to the Head of Licensing within the Marine Management Organisation.

4. Next Steps

The next steps or 'recovery phase' of the multi-agency response has now commenced under the leadership of Defra. Within that process NEIFCA Officers will continue to closely monitor trends and incidents occurring within the affected fisheries in partnership with the local industry and other key agencies including the Marine Management Organisation (MMO), Environment Agency and the Centre for Environment, Fisheries and Aquaculture Science (CEFAS). Parallel to that work the Chief Officer has been closely following a developing collaborative approach between local fishing industry representatives and universities including York, Hull and Newcastle. This work, which is drawing on partnerships, networking and local knowledge and scientific expertise has been instigated by the Whitby Fishing Group to further investigate the cause of the mortalities

and is something that NEIFCA officers are championing for inclusion within the ongoing 'recovery phase' programme and additional resourcing support through Defra.

Contact Officer

David McCandless,
Chief Officer,
Ext. 3690



Department
for Environment
Food & Rural Affairs



Environment
Agency



Centre for Environment
Fisheries & Aquaculture
Science



Marine
Management
Organisation

Joint Agency Investigation into Teesside and Yorkshire Coast Crab and Lobster Mortalities

Investigation summary

Date: May 2022

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1. Executive summary

- Between October and December 2021, dead and dying crabs and lobsters were washed ashore in unusually high numbers along parts of the Northeast coast of England.
- Animals displayed 'twitching' and lethargic behaviour as well as an inability to self-right. Crabs and lobsters appeared to be predominantly affected in large numbers.
- Environment Agency (EA) led the initial emergency response, with Defra taking responsibility for the ongoing investigation in December 2021 and in doing so coordinating a multi-agency response involving the EA, Centre for Environment, Fisheries & Aquaculture Science (Cefas), NE Inshore Fisheries and Conservation Authority (NEIFCA), Marine Management Organisation (MMO), Food Standards Agency (FSA) and the UK Health Security Agency (UKHSA). The investigation concluded in March 2022.
- The EA, MMO and Cefas investigated a range of potential causes including licensed dredging activity, chemical contamination, activities related to offshore windfarms, presence of algal blooms and aquatic animal disease.
- No single, consistent causative factor was identified. However, a harmful algal bloom present in the area coincident with the event was identified as of significance.
- The presence of a harmful algal bloom was indicated by satellite imagery and confirmed by the consistent detection of lipophilic algal toxins (specifically the diarrhetic shellfish toxins okadaic acid and dinophysistoxin 2) in washed up dead crab and lobsters, confirming that animals had been exposed to algal toxins.
- The significance of these algal toxins in the context of the mortality event is not yet fully understood. This will be explored in Defra funded research at Cefas.
- Healthy crabs and lobsters are now being caught in the region and, while crab and lobster stocks will continue to be monitored, the investigation was closed in March 2022.

2. Incident summary

In early October 2021 the Environment Agency (EA) received reports that crabs, and lobsters were washing up dead and dying on Teesside beaches. The EA immediately launched an emergency investigation, working with a range of government agencies including, Cefas, MMO, FSA, UKHSA, and Defra. The roles of each agency were as followed:

- EA – Investigating pollution related incidents.
- Defra – Coordinating the investigation from December 2021 onwards.
- Cefas – Investigating disease and biosecurity threats.
- MMO – Investigating whether licensable activity, including dredging and disposal, cabling and offshore windfarm activity, might have caused the mortality event.
- NEIFCA – Liaison with local fishing community and intelligence on stranding.
- Food Standards Agency – Advising on food safety implications
- UKSHA – Advising on any threat to human health.
- Local councils – Local outreach and advice on local areas.

Reports of dead and dying crabs and lobsters found washed up on beaches and in fishing pots continued throughout October and into December 2021. The most significant wash-ups occurred in October. The incident affected a stretch of coastline stretching approximately from County Durham and Teesside to Robin Hoods Bay, with the fishing community reporting a significant drop in catches to at least 4 nautical miles offshore.

Defra took on overall responsibility for the Investigation from the EA in December 2021.

Affected moribund crabs and lobsters displayed clinical signs including lethargy, inability to self-right (turn off their backs) and a twitching behaviour before dying. The event seemed to affect crabs and lobsters only, and this was supported by the EA *in situ* observations through survey of the area - no other taxonomic groups appeared to be impacted either intertidally (observations made around rockpools) or sub tidally (vessel grab samples and trawls).

Several primary causes were considered including:

- Licensed activities – dredging and disposal of sediment from local ports
- Chemical pollution from land-based source including from sewage or industry discharge, and contaminants potentially released from dredging or offshore activities in the Tees area
- Aquatic animal diseases
- Harmful algal blooms and associated algal toxins
- Seismic activity
- Electromagnetic fields from undersea power cables
- Unusual environmental conditions such as sudden drops in temperature, storm events etc.

3. Investigation summary

The following were reviewed.

3.1. Licenced Activities (including dredging)

Capital and maintenance dredging activities in English waters require a Marine Licence, unless [exempt](#) under Section 75 of the Marine and Coastal Access Act 2009- where a Statutory Harbour Authority have their own powers to carry out dredging provided specific criteria are met. The MMO, as the licensing authority, are responsible for issuing Marine Licences to cover all relevant activities not covered by exemptions. Some Marine Licences will, therefore, include both dredging and disposal, while others may only licence particular activities of the wider project, such as disposal to sea. As part of the licensing process, the MMO consider all relevant legislation and policies, potential impacts, and carry out consultation with key stakeholders. Further information can be found here for [impact assessments](#) and the [licensing process](#).

Following the reports of the incident, the MMO reviewed marine licenced activities within the area which supported the conclusion that based on the evidence available the licenced activities including cabling and offshore windfarm activity and dredging/disposal of sediment to designated disposal grounds was not likely to be the cause of the decapod mortalities.

Prior to considering options for the disposal of sediment to sea, dredged material undergoes rigorous regulatory testing, in line with international guidance, to ensure that deposit of such material will not cause significant harm to marine life. Uncontaminated material from dredging operations on the Tees is deposited at the designated Inner and Outer Tees disposal grounds off Teesmouth. As part of the initial response to the incident, the EA tested environmental media for a wide range of contaminants (see Section 3.2) including contaminants that are routinely tested to support marine licence applications for the disposal of dredged material to sea. This additional screening undertaken by the EA as part of this investigation supports the conclusion that the licenced disposal of dredged sediment to designated disposal grounds was not likely to be the cause of the mortalities.

Information pertaining to a Marine Licence can be found by searching the reference number on the Public Register [here](#).

Additionally, Cefas completed an indicative 2D tracking model of the potential sediment plume from the designated Tees dredge material disposal site. The model indicated that any plume extents were relatively confined along the tidal excursion at the disposal site and did not have the same geographic extent that would be consistent with the known mortalities.

3.2. Chemical pollution

Analysis of water, sediment, and biological tissue samples detected no indicative chemical cause that could explain the scale of impact observed. Following extensive investigations, the EA did not consider chemical pollution or sewage as a likely cause of the mortalities.

The Tees Estuary has both current and historical industry activity, with a century of the iron, steel, and chemical industry activity in the area. Given the location of the initial findings of moribund and dead crabs in and around the Tees Estuary, a possible contaminant cause was the focus of the EAs investigation at the earliest stage. However, it was essential that all analysis results were put into context of the pre-incident period, to differentiate between identified chemicals, present in samples from this area and a chemical, or group of chemicals, that could cause the mortalities observed at this time.

A range of possible sources of contamination were considered such as industrial and wastewater discharges, as well as sediment disturbance activities (dredging). EA regulatory officers checked for any unusual activity in industry or water companies that discharge into the Tees Estuary and immediate coastal area. No abnormal site activities or non-conformances with numeric permit conditions at any of the sites were noted. Furthermore, no significant sewage or surface water outfall incidents were reported to the EA.

As the spatial scale of the incident became more obvious and mortalities occurred over several weeks, it became highly improbable that there was a point source contaminant cause as there was no indication of dilution mitigation over time and space.

The EA analysed water, surface sediment and blue mussel and crab tissue, considering over 1000 different chemicals (The EAs scheduled contaminant sample data can be found in the Water Quality Archive on data.gov.uk as part of the public archive. [Open WIMS data](#)). As well as processing samples using their standard, fully established laboratory methods, the EA's laboratory service modified their water screening methods to look for unusual traces of contamination in the sediments and crab flesh. Although these matrices have not previously been analysed using these methods, it was hoped that they could provide an indication that could then be investigated in more detail. This was the case with the pyridine findings (see below).

The EA's analysis focused on organic pollutants, including pesticides, based on the behaviour of the dying crabs and the targeted nature of the impact. However, Cefas also conducted metal analysis (chromium, nickel, copper, zinc, arsenic, cadmium, lead, selenium, manganese, iron and mercury) of the soft tissues from crabs. The concentrations of all metals analysed in the body tissues were consistent with baseline levels for healthy brown crab.

Cyanide was not initially analysed for as, had this been the cause, a highly visible impact would have been observed from the start of the incident across the whole biological community rather than the more targeted impact on the crabs and lobsters. However, at the request of the fishing sector, sediment, and water samples, collected by the EA from the impacted area around Teesside in early October, were subsequently screened for free cyanide. Results from these samples were below the detection limit of the test.

In summary, no chemicals tested were identified at levels which would consistently explain the cause of the mortality event over the spatial and temporal scale observed.

3.2.1. Pyridine

Pyridine was identified in the crab soft tissue using the investigative, semi-quantitative screening technique. However, concentrations could not initially be put into context as this analysis had not previously been carried out on crab tissue and background levels were unknown. To provide some immediate comparison, healthy crab tissues from outside the area of impact (St. Mary's Lighthouse,

South Shields, Norfolk Wash and Cornwall) were analysed and they were also found to contain varying amounts of pyridine. It is also thought that pyridine could be being formed naturally post-mortem in the crab tissue. It has been reported amongst other amines monitored as indicator of freshness in fish.

- The pyridine finding illustrates how the EA further explored investigative findings from the screening results to provide potential lines of enquiry. Upon the initial pyridine findings in the first crabs analysed, follow up steps were immediately taken to explore whether this was the cause:
- On the assumption that pyridine was causal, a potential source of the contaminant was sought. This included taking a formal water discharge sample from a possible industrial source. Using validated, fully quantifiable, tests no pyridine was present in water samples. No source could be identified. (Note: As the impacted area and length of time of the Incident increased, with no dilution mitigation, a contaminant source became increasing improbable).
- Literature searches for information including the ecotoxicology and background levels of, and impact of, pyridine in crabs and lobsters, were carried out.
- Comparison crabs from outside the known impacted area were sourced to provide an indication of the 'background' levels of pyridine in crab tissues. Comparison crabs were obtained from St. Mary's Lighthouse, South Shields, Norfolk Wash (Eastern IFCA), Cornwall, and analysed using the same indicative screening technique. Levels found ranged from low to medium.
- Pyridine was analysed for in other materials in the area – water, sediment, and blue mussels. Pyridine was detected at low levels by the screening method in blue mussels but not in the sediment samples. Pyridine was generally not detected in the water samples (Note: historically we do see some positive detects of pyridine in saline wasters, including in the Tees). Pyridine is readily soluble in water, considered to be "mobile" in soil/sediments, and has a low potential for bioaccumulation in aquatic habitats.
- A laboratory pyridine standard was obtained to validate that the screening technique was identifying pyridine. It has been confirmed that the substance detected was pyridine but the 'concentrations' remain indicative only.

Taken together the findings from the different parts of the Investigation could not support the hypothesis that pyridine was the cause of the mortalities.

3.3. Aquatic Animal Disease

The Fish Health Inspectorate (FHI) at Cefas is responsible for investigating suspected outbreaks of listed and emerging aquatic animal diseases under the Aquatic Animal Health Regulations (England and Wales) 2009. The FHI, working with partner agencies including the EA and NEIFCA, took a number of samples from the affected area through October and November 2021.

There was no evidence of the major listed disease of crustacea, White Spot Syndrome Virus (WSSV) in any of the samples. Bacteria were detected in a number, but not all samples, bacteria were identified as *Vibrio* spp. and *Marimonas aquiplantarum*. Many *Vibrio* spp. are autochthonous members of marine environments and thus detection is not uncommon. *Vibrio* spp. were likely to be either commensal flora or opportunistic and not expected to be linked to primary mortalities. Likewise, *Marimonas aquiplantarum* is regularly found in marine environments, often associated with

seagrasses and has not been implicated in crustacean mortalities previously. In summary it was concluded that an infectious disease agent was not responsible for the mortalities observed.

In March 2022, an additional report of 2 unhealthy lobsters in pots was received amongst an otherwise healthy commercial catch. On examination at Cefas, both animals were found to be heavily parasitised by the 'lobster louse' *Nicothoe astaci* which has been linked to impaired respiratory function. *Nicothoe astaci* is commonly found in samples of lobster from around the UK. It was not observed in any other sample as part of the investigation and is not considered the cause of the wider mortalities reported in the Autumn of 2021.

3.4. Harmful algal blooms and algal toxins

As the investigation continued, consideration was given to the possible involvement of a harmful algal bloom(s) (HAB). Sea temperatures in the Tyne/Tees were higher than normal ($>15^{\circ}\text{C}$ until 26 September) in the run up to the incident (Figure 1) and potentially conducive to the formation of a HAB. It was also noted that the autumnal decrease in temperatures were severe in 2021 as shown in Figure 1 (red box). Over the period 26 September to 7 October the water temperature dropped by $>2^{\circ}\text{C}$, following discussion this rapid temperature perturbation was considered unusual.

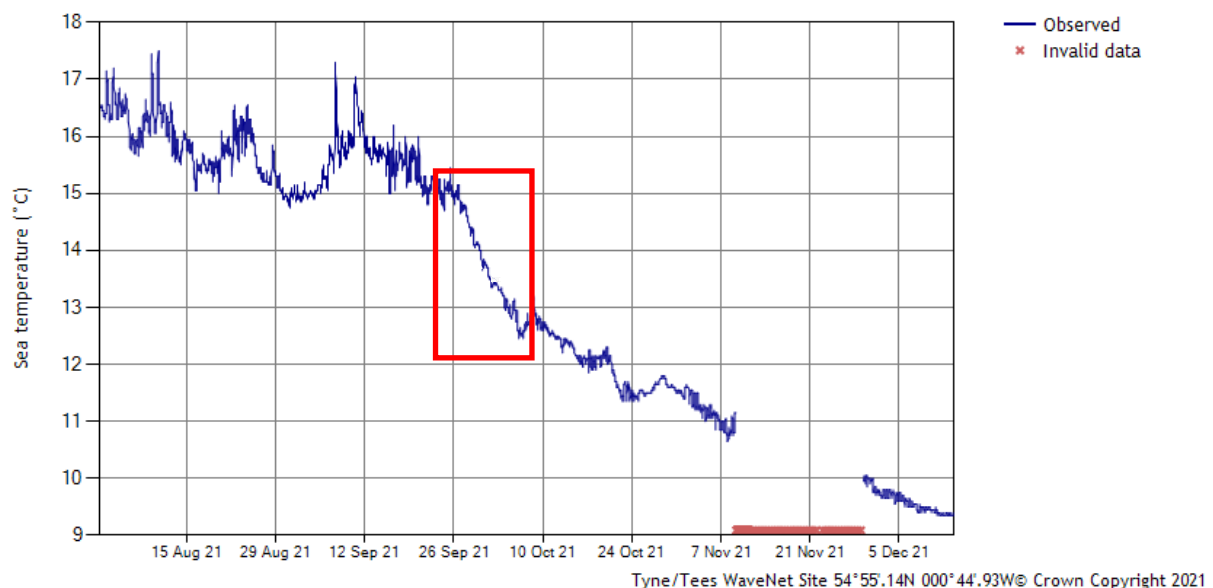


Figure 1. Tyne/Tees WaveNet Site seawater temperature August – December 2021.

Data from the EA routine phytoplankton samples showed that HAB were occurring in early September in high densities in the NE region (Detection and enumeration of *Karenia mikimotoi* bloom of 385,000 cells per litre in Beadnell Bay, Northumberland, 50 nm north of the Tees). Multiple other phytoplankton species were identified, and cell densities measured, including various potentially toxic genera such as *Dinophysis* and *Cyanobacteria* in the NE region. Data from the EA monthly routine phytoplankton sampling programme provided a 'snapshot' of phytoplankton assemblages and abundance during September but because of monitoring frequency (monthly), not an inclusive systematic record of all HAB presence. These data are not available; therefore, a relatively short-lived algal bloom would not have been confirmed during the period.

However, harmful algal bloom, was indicated by satellite imagery across multiple platforms, which appeared to be of significance given the apparent timing of the potential bloom as well as spatial scale. Satellite data from two online platforms ([Eutro Viewer \(cefasci.fish.gov.uk\)](https://cefasci.fish.gov.uk/EutroViewer/) & [s-3 EUROHAB](#)) appeared to indicate that an algal bloom occurred along the coastal area in question prior to the onset of mortalities from 20 to 26 September 2021.

The University of Plymouth was also contacted as part of the investigation and provided a separate report detailing *K. mikimotoi* HAB risk around the Tees Estuary in September – October 2021 using Earth observation data (NERC Earth Observation Data Acquisition and Analysis Service (NEODAAS)). The report showed an elevated risk of HAB in the region at different times through September and October 2021 (Figure 2).

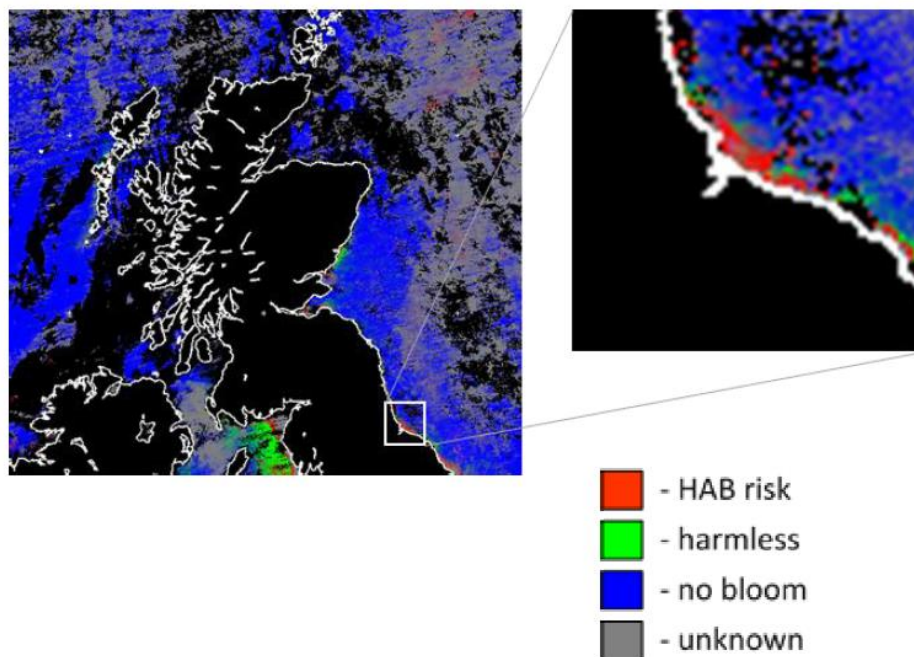


Figure 2. *Karenia mikimotoi* HAB risk map, 7-day composites, Suomi VIIRS sensor (9-15th October 2021) Courtesy of Plymouth University / NEODAAS data.

Furthermore, *Karenia mikimotoi* was also identified (albeit at low concentrations) at depth on Teesside in EA samples taken as part of the investigation in November 2021 (approximately 1.5 months after the onset of the mortality event). This species of algae has previously been implicated in mortality events in crustaceans in the USA - [2 years ago, lobsters started dying in their traps. Now scientists think they know why | WBUR News](#). Where putative cause was reported to be reduced oxygen / hypoxic conditions at depth following microbial breakdown of dead algal blooms. *K. mikimotoi* species have also been linked to negative impacts on aquatic animal health. Gill damage in farmed fish exposed to *K. mikimotoi* was reported in Scotland in 2006 as well as mortalities in benthic organisms ([Davidson et al., 2006](#)). It should be noted however that no evidence of hypoxia or consistent gill pathology was confirmed in this event.

Whilst satellite data indicated algal bloom formation in the region at the time of the mortality event it is important to recognise the limitations of this approach. Uncertainties mainly relate to interpretation

of satellite data in near shore waters, where it can be difficult to confidently identify species composition and bloom density. Further supporting evidence relating to HABs in the region, was confirmed however through detection of algal biotoxins (produced by certain species of HAB) in dead and moribund animal tissues sampled during, but not after, the event.

Initially, samples of frozen dead crab and lobster were screened for two classes of marine algae-produced neurotoxins (ASP and PSP) which are known to have impacts on animal health within the marine food web. There was no evidence for these marine neurotoxins (domoic acid and saxitoxins) being present in the samples received at levels which would cause a concern. However, further samples of dead crab and lobster from the early wash-ups (8th October) were sent to the Cefas laboratory to be screened for additional algal toxins in light of the new information on the presence of *Karenia* algal blooms in the broader vicinity.

Analysis of these tissues was conducted for toxins in the crab tissue (hepatopancreas / brown meat). Samples were subjected to methanolic extraction to assess the potential presence of brevetoxins – natural lipophilic toxins which have been reported in other countries as produced by various *Karenia* species of phytoplankton. Whilst brevetoxins were not detected, other lipophilic toxins, either okadaic acid and dinophysistoxin 2, were detected and quantified in all samples. Lipophilic toxin concentrations, in some instances, exceeded the regulatory limits applied for bivalve molluscs. This finding was reported to the FSA. The consistent detection and quantitation of these compounds, sometimes at high concentrations, in washed up dead crab and lobster tissue confirmed exposure to algal toxins. Two lobsters sampled in March 2022 (see section 3.3) were also tested for a full suite of algal toxins – only trace levels were detected. Further work is underway to explore the potential physiological impact of high levels of okadaic acid and dinophysistoxin 2 on crustacea.

4. Further work

The Defra led investigation into the mortality event was stood down in March 2022. Subsequently Defra have commissioned Cefas to further investigate a number of lines of enquiry to (1) ensure better preparedness for any future incident, (2) to further investigate the indicative results relating to pyridine, particularly in relation to its formation as part of a 'normal' biological process during decomposition and (3) to examine the physiological impacts of high levels of algal toxins on crustacean physiology.

5. Sources of further information

Throughout the incident investigation information was collected and variously communicated to stakeholders, where this information is not indicated in the body text links are provided here:

[Update on investigation into the deaths of crabs and lobster in the North East - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/update-on-investigation-into-the-deaths-of-crabs-and-lobster-in-the-north-east)

[Environmental scientists and experts investigate Teesside crab deaths - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/environmental-scientists-and-experts-investigate-teesside-crab-deaths)

[Environment Agency rules out chemical pollution as likely cause of Teesside crab deaths - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/environment-agency-rules-out-chemical-pollution-as-likely-cause-of-teesside-crab-deaths)

In addition, to assist the public and other stakeholders during the investigation a series of FAQs was developed. This is included in Annex 1.

[Annex 1.](#)

Frequently asked questions

Is this an ongoing issue? Should levels of catch, more instances of dead or dying shellfish, and other issues continue to be reported and how?

- Anecdotal evidence suggests that dead and dying crabs and lobsters are no longer being found in significant numbers, but local industry and the public should continue to report any instances. This will help us get a better picture of what is still happening.
 - The public can report via the EA phone line
 - Local industry can do this through the NEIFCA office

Has dredging been ruled out as the cause? What testing has been done to reach this conclusion?

- Dredging has been ruled out as a likely cause. Samples of dredge material must meet the highest international standards protecting marine life before it is permitted to be disposed of at sea. If samples analysed for contaminants do not meet the standards, the disposal to sea of that material will not be licensed.
- Nothing in the testing of sediment prior to disposal or evidence from EA sampling suggests a chemical contaminant is a cause. Testing of sediment at the Inner Tees disposal site has already taken place in April 2021 and there was no evidence of significantly elevated contaminants in sediment at locations around and within the disposal site.
- Sediment that is proposed to be dredged in the Tees Estuary is tested and sampled across the footprint of the area to be dredged at least every three years prior to disposal.
- Cefas completed an indicative 2D tracking model of the potential sediment plume from the dredge disposal site. The model indicates that the plume extents are relatively confined along the tidal excursion at the disposal site and do not have the same geographic extent that would be consistent with the reported scale of mortalities.

Will the disposal of dredged sediment be stopped?

- No. The MMO uses the best available evidence to inform its decision making. There is no evidence to suggest that the disposal of dredged sediment responsible for the crab and lobster mortality – this has been tested in accordance with international (OSPAR – Oslo/Paris convention (for the Protection of the Marine Environment of the North-East Atlantic)) obligations.

Has cyanide in the sediment/water been tested for?

- Sediment and water samples collected by the EA from the impacted area around Teesside in early October have now been screened for free cyanide. Results from these samples were below the detection limit of the test.

Is it only crabs and lobsters affected? What about other species?

- The incident only appears to have affected crabs and lobsters. Reports of other animals, including octopus, limpets and shrimp found dead in the area appear to be unconnected and are more likely to be a result of storms and bad weather in the area.

- Please continue to report instances of dead or dying animals through the helpline or NEIFCA representative so we can investigate.

Are there links to seabird deaths reported earlier in the year?

- The seabird death incidents were during late August and September and cases have significantly reduced since then. Samples of liver and kidney from guillemots and razorbills were analysed at Cefas for the neurotoxic marine biotoxins (saxitoxins and domoic acid), but only trace concentrations of saxitoxin detected in some samples, providing very little evidence for any natural toxin impacts on bird health, assuming samples provided were representative of the affected bird population and toxin levels remained in tissues post death and sample shipment. Further samples will be received at Cefas for analysis late March 2022, and will be assessed for ASP, PSP as well as DSP toxins.

What about dogs which have been reported as falling ill recently?

- We are aware that there has been an increase in reports of vomiting and diarrhoea in dogs in the Northeast, and across England. The University of Liverpool Small Animal Veterinary Surveillance Network (SAVSNET) have been investigating and found no link to the affected dogs and the incident. While they cannot definitively point to a common cause, they do suggest this is a transmissible infection rather than contact with the beach area or sea water.

And seals?

- There is no evidence linking reports of dead seals to the investigation on crab and lobster deaths in the North East.
- If a member of the public observes a seal they deem in danger or distress, they should contact an appropriate helpline for advice and assistance (e.g. the RSPCA hotline in England and Wales; SSPCA hotline in Scotland; and USPCA in Northern Ireland, or the British Divers Marine Life Rescue on 01825 765546).
- The APHA Disease of Wildlife Scheme in conjunction with a network of collaborators from across GB undertake surveillance for new and emerging diseases in seals, however, large die-offs can occur for many reasons, including storm surges, food shortages, trauma, predation or disease outbreaks.
- The APHA Wildlife Expert group has commented that they have carried out post mortems on seal samples, taken from a range of sites in Great Britain, over the last year and not seen any evidence of an emerging disease.
- We will continue to engage with wildlife experts and remind the public not to approach dead or sick seals.

How are you measuring the impact on shellfish stocks in the area?

- We are continuing to work with fishers in the areas. Any information provided – especially in comparison to previous years' catch – will help us get a better picture of the impact on stocks. Please report this via your NE IFCA representative.

Are you sure that crabs and lobsters are safe to eat and sell? What about eating species which feed on crab/lobster?

- There is currently no evidence of food safety risk from fishery products caught off the North East coast. Businesses should continue to ensure that food placed on the market is safe and meets the relevant legislative requirements in relation to food safety and hygiene.

How are you sure that disease is not the cause?

- Cefas has taken further samples from the area recently, to investigate whether an aquatic animal disease is the cause of this incident. There is no evidence in the samples analysed that there is an infectious disease agent responsible for the mortalities.

What about compensation/support for the industry?

- The priority of the government is to investigate and understand the cause of the issue. At this stage, while investigations into the cause are ongoing, we are not considering financial support.

What about the possibility of natural causes?

Mass crustacean mortality events can occur from natural causes. For example, a mortality event was evident off the Kent coast in December 2011 that was linked to unseasonal low temperature.

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
08 June 2022

Science Advisory Group Update

Report by the Chair of SAG & the Environmental & Scientific Manager

1. Purpose of Report

To update members on the most recent proceedings of the Science Advisory Group (SAG) following meetings held on 4 March and 19 April 2022.

B. Recommendation

That members note the report and consider the Group's recommendations.

1. Background

1.1 Since the last Authority meeting held on 2 December 2021, two meetings of the SAG were held on 4 March and 19 April 2022 and is summarised below.

1.2 4 March 2022

At the meeting members considered the following items:

- Tees and North Yorkshire shellfish mortalities
- European lobster settlement index project
- Annual Research Plan 2022/2023
- Humber Fishing Byelaw review, eelgrass protection

1.2.1 *Tees and North Yorkshire shellfish mortalities*

The Senior Marine Advisor for the EA, Alison Miles, provided an in-depth presentation on the Environment agencies response and findings from the beginning stages of the mortality incident (Oct 2021) to the current day.

The presentation highlighted the individual elements that were sampled at the beginning of the investigation and the reasons behind this as well as discussing theories from the early stages about the possible causes of the event whilst keeping in mind the main mortalities have arisen in the crab and lobster population.

Pyridine was discussed at length, after being pinpointed as a possible cause by an external report and picked up by media outlets and the industry. The EA have, through extensive research and analysis, ruled out pyridine as a likely cause.

Because of the in-depth nature of the presentation given by the EA, members discussed how to convey the findings to industry in the best way. DEFRA, in particular, are keen to engage with industry about how communication are having an impact and to improve on this where necessary.

Adam Baker from DEFRA was introduced as the new lead of the Shellfish Mortality Industry Working Group.

CEFAS representative, Chris Evans gave a presentation to members discussing CEFAS involvement in the testing and a further explanation about the main theories to causation that have been discussed since the beginning. Particularly looking at heavy metal analysis, dredging, pyridine and algal blooms and CEFAS' analysis and findings from all of these areas.

The Senior Environmental & Scientific Officer Tim Smith provided an update on the current involvement of NEIFCA in the next steps as the investigation moves towards sustaining the fishery for the future. Tim outlined the NEIFCA's commitment to analysis of catch and effort data from previous years, looking at shellfish health and sending out questionnaires to industry to collate this information, working closely with effected fishermen and having officers constantly on the ground.

Members were informed about the introduction of the Industry Working Group, to better communicate directly with industry.

1.2.2 *European lobster settlement index project*

The Senior Environmental & Scientific Officer Tim Smith presented members with an update on the successful bid for funding for the European Lobster Settlement Index project (ELSI) in conjunction with HFIG. Members were advised that the project will primarily be focused on lobsters but could, in time, include other species. The project is the first of its kind in Europe and will be used for developing a predictive metric for the future of the species. Initial stages of the project will be to develop the equipment needed to conduct the research. A member suggested North Western IFCA could have some monitoring information that might be useful to the project.

1.2.3 *Annual Research Plan 2022/2023*

The Senior Environmental & Scientific Officer Tim Smith presented the draft annual research plan for 2022/2023. The plan includes additional evidence gathering in response to the Tees and North Yorkshire Shellfish Mortalities. Some workstreams have been removed from the plan as they are considered development areas with no specific outputs planned for the coming years. The newly funded ELSI project has been added to the plan. There will be a workshop in the coming months focusing on Aquaculture Strategy.

New NEIFCA scientific officers Ralf Bublitz and Samira Anand were introduced to members.

1.2.4 *Humber Fishing Byelaw review, eelgrass protection*

The Senior Environmental & Scientific Officer Tim Smith discussed the proposed extension to the Spurn Point Seagrass area. Annual surveys of the eelgrass bed have been conducted in conjunction with Yorkshire Wildlife Trust since the introduction of the byelaw, with data compared across years to determine the stability (number of years present) of the eelgrass bed. The initial boundary of the protected areas was defined based on the presence of the eelgrass bed in 2014. There is now sufficient data to indicate stable presence of eelgrass outside the existing protected area. To ensure sufficient protection of the designated feature officers propose altering the offshore extent of the protected area.

1.3 **19 April 2022**

At the meeting members considered the following items:

- Tees and North Yorkshire shellfish mortalities monitoring work

1.3.1 *Tees and North Yorkshire shellfish mortalities monitoring work*

The Environmental and Scientific Manager Tim Smith presented members with a progress report of NEIFCA's Shellfish Monitoring Programme in response to the shellfish mortality events which began in October 2021. A summary of all engagement activity, data gathered from both industry observational trips and NEIFCA potting surveys were shared.

NEIFCA shore-based enforcement officers and environmental officers have been conducting regular industry engagement visits to the ports affected by the shellfish mortality events of 2021 with an aim of obtaining information on any changes to catch rates, shellfish health and to determine the spatial and temporal extent of the impact on the lobster and edible crab fisheries.

A total of 41 industry engagement visits were conducted by NEIFCA officers between 1st February to 31st March 2022. NEIFCA officers engaged with industry members on 53 occasions across the 41 port visits. NEIFCA officers used questionnaires to gather information from industry members, with a total of 21 questionnaires completed.

Industry feedback for the period February to March 2022 was mixed with some fishers reporting none or very little catch, while others reported that catch rates were currently what would be expected at this time of year. The continued absence of velvet crabs was noted. There were no reports of observed symptomatic animals.

Between 1 and 24 March 2022, 7 observer trips were carried out on industry vessels with a further 4 surveys being undertaken by NEG III. In total, over 1500 pot hauls were observed. Data from observer and survey trips were compared with historic catch return data (March 2017-19). This showed a significant increase in landings per unit effort for lobster but a significant decrease in the same metric for crab. Further assessment of contemporary and historic landings data was also presented. The Environmental and Scientific Manager highlighted current concerns surrounding data treatment and interpretation of results.

The Environmental and Scientific Manager concluded that the report is intended to give an initial insight into the impacts that the events have had on key crab and lobster stocks. While some positive indicators were noted, results should be treated with caution at this stage given complications in the comparison of varied data sources. Further analysis and

refinement of the available data will be undertaken in the coming months and updated findings will be reported to members.

Contact Officer

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NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
08 June 2022

NEIFCA Internal Audit Report 2021/2022

Report of the Clerk

A. Purpose of Report

To inform Members of the findings of the annual audit report.

B. Recommendation

1. That Members note the report.

1. Background

- 1.1 SWAP internal audit services in partnership with the East Riding of Yorkshire Council undertakes an annual audit of the Authority's operational activity.
- 1.2 The purpose of the audit is to provide management with assurance about the effectiveness of the controls identified and the exposure to risk that any control weaknesses may cause.
- 1.3 The objectives of the audit process are included within the scope of the audit that took place during April of this year and should re-assure members that appropriate control objectives are being tested by internal audit.

2. Internal Audit

- 2.1 The Audit Plan is designed to provide the Authority with assurance on key financial controls for the operation of NEIFCA. Inadequate processes or inconsistent application of procedures can lead to legal challenge or financial penalty in areas such as enforcement, health and safety or data protection

2.2 The key objectives were to provide assurance over the operational and governance processes noted below:

- Risk management arrangements
- Licensing/permits and enforcement
- Income and Expenditure (including purchase & fuel cards)
- Inventories
- Travel & subsistence
- Budget monitoring and bank reconciliations
- Health & Safety
- Recruitment (including staff handbook, induction process and staff development reviews)
- Payroll
- Data protection/records management

3. Opinion.

3.1 The overall assurance opinion is substantial. A sound system of governance, risk management and control exists, with internal controls operating effectively and being consistently applied to support the achievement of objectives in the area audited.

3.2 A copy of the report is appended for Members information.

Contact Officer

Caroline Lacey, Clerk
Ext 3000

North Eastern Inshore Fisheries & Conservation Authority Final Report

Issue Date: May 2022

NEIFCA – Final Report May 2022

Audit Objective

To provide assurance on key financial controls for the operation of the North Eastern Inshore Fisheries & Conservation Authority

Assurance Opinion



A sound system of governance, risk management and control exists, with internal controls operating effectively and being consistently applied to support the achievement of objectives in the area audited.

Number of Actions

Priority	Number
Priority 1	0
Priority 2	0
Priority 3	1
Total	1

Risks Reviewed

1. Inadequate controls over income and expenditure may impact on the ability of NEIFCA to deliver its objectives
2. Inadequate processes or inconsistent application of procedures may lead to legal challenge or financial penalty in areas such as enforcement, health and safety, and data protection.

Assessment

Low

Low

Key Findings



The previous audit noted that the inventories needed refreshing as they were carrying a large number of legacy items for which there was little available information. New inventories have been compiled however would benefit from greater detail to uniquely identify assets and their purchase history. Detail on this finding is included in the appendix



The 2021/22 year saw the launch of the new website which gives ease of access to information and improved transparency with records of Authority meetings being straightforward to find. There are also links to the revised and standardised permit forms together with clear information on the relevant byelaws. This is a significant improvement on the previous website offer.

The agreed actions identified in the last audit report were found to have been generally implemented although the inventory records do require some further work as noted above.

Audit Scope

The review focussed on key system controls, including routine management assurance checks as below:

- Risk management arrangements
- Income & expenditure (including purchase and fuel cards)
- Budget monitoring
- Recruitment (inc. Staff Handbook)
- Payroll
- Licensing/permits & enforcement
- Health and safety
- Data protection/records management
- Travel and subsistence
- Inventories

Matters for consideration

The threshold value for inclusion of items in the inventory was discussed as the current level of £200 was felt to be too low having not been subject to review and revision. This is ultimately a decision for management and the Authority. Whilst the auditor supports consideration of an uplift in the threshold, it should be set at a level that is reasonable and proportionate to the risk of loss or misappropriation.

Appendix I Findings & Action Plan

Findings	Action	Responsible Officer
Inventories Records should enable the identification of specific items. It was found that in the transfer of assets to the new inventory records, a number of items such as monitors and computers had been recorded using a model number not a unique serial number. Similarly, records should hold acquisition dates and values. It is appreciated that not all assets carry a unique identifier such as serial number and many of the items on the inventory are legacy items for which the information is not known, however, some of this detail which was held on the old inventory had not been brought forward to the new one. The old inventory had not been annotated to indicate those items which had not been transferred to the new inventory and the reason for this (disposal/no longer of sufficient value etc).	Asset registers will be updated to record serial number or other unique identifier where this is available, and acquisition dates/values will also be shown. When a new inventory is created in future, it will be cross referenced to the old version which will be annotated to show the reason for any items not being carried forward.	Operational Support Manager
		Timescale 30 September 2022
	Priority <div>3</div>	

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
08 June 2022

Management of Permitted Intertidal & Sub-tidal Fixed Net Fisheries 2022/2023

Report by the Chief Officer.

A. Purpose of Report

To update members on the planned process and timelines for opening the Holderness Coast permitted intertidal and sub-tidal fixed net fisheries on 1 October 2022.

B. Recommendation

1. That Members note the report.

1. Background

- 1.1 Following the introduction of new national fisheries legislation namely, 'The Sea Fisheries (Amendment etc) Regulations 2021', which permitted by-catches of seabass to be retained by 5 shore operators within the NEIFCA district, the Authority endorsed the recommendation to re-open its permitted intertidal fixed net fishery along the Holderness coast on 14 July 2021 (Minute 79 refers). Specifically, in terms of commercial fixed netting from the shore, this supporting legislative framework is not expected to change through 2022/2023 so officers are planning now for the re-opening of both the permitted intertidal and sub-tidal fixed net fisheries from 1 October 2022. If there are any unforeseen changes to the existing legislative framework officers will consult with members prior to taking any further action.
- 1.2 It is proposed that applications for both intertidal and sub-tidal permits are opened on 11 July 2022 with a provisional closing date of 29 July 2022. All applicants will be notified in writing on the outcome of their applications by 15 August 2022 and unsuccessful applicants will be offered the right of appeal which will close on 26 August 2022. Any appeals will be considered by the Executive Committee on 8 September 2022. Following consideration of appeals the final allocation of permits will be confirmed in writing and under the terms of the byelaw regulation a £500 fee will be charged. Once payment is received the permits will then be issued in advance of the commencement of the fisheries on 1 October 2022. A draft procedure outlining the application and allocation process is attached for members information.

Contact Officer

David McCandless, Chief Officer
Tel: 07771936501

Procedure for NEIFCA Area C Fixed Netting Permit Allocation

Issue Date – 08 June 2022

Review Date – June 2023

Contact Officer – David McCandless (Permit Allocation Officer)

PURPOSE	To Ensure Allocation of NEIFCA Fixed Netting Permits to Fish Within Area C of the Holderness Coast
AIM	Allocation of permits are undertaken in a fair, efficient and transparent manner and that there is a clear and consistent appeals procedure
SUCCESS CRITERIA	All permits will be issued in a consistent and timely manner.



1. Permit Applications

- 1.1 Applicants can only apply for one type of permit, intertidal or sub-tidal, not both.
- 1.2 **Applications must be received by the Authority by the 29 July 2022.** Applications will only be accepted after the closing date if vacancies remain following initial allocation.
- 1.3 Vacancies for permits will be advertised on the NEIFCA website (www.neifca.gov.uk) subject to NEIFCA discretion.

2. Permit Allocation Process

- 2.1 The Permit Allocation Officer shall consider all applications against the following selection criteria:

Phase 1 Criteria (Listed in order of Priority)

- 1) The applicant has previously held a permit to fish in Area C.
- 2) Can demonstrate a historical track record of fishing in Area C.
- 3) Can demonstrate a historical track record of catching fish using fixed nets.
- 4) With respect to sub-tidal permits the operating vessel is registered 10 m and under and carries a national MMO licensing entitlement to catch and take sea bass.

Phase 2 Criteria

Beyond the application of Phase 1 criteria, judgement will be required on the part of the permit allocation officer and will include the following:

- A) Should there be more applicants than the 10 available permits (5 intertidal and 5 sub-tidal) who can demonstrate Phase 1 criteria, then the permit allocation officer will need to make a formal assessment of the available evidence supplied for Phase 1 criteria, this assessment will be based on the following information, using a sliding scale and in the following priorities:
 - 1) If a track record has been proven, over how long can the applicant demonstrate that track record and what were the total quantities of fish caught during the reference period?
 - 2) What track record can be proven for the use of fixed nets within Area C and for how long?

- B) Should there be fewer applicants than the 5 available permits who meet the Phase 1 criteria, then the permit allocation officer will need to make a formal assessment of the available evidence supplied for Phase 1 Criteria from the remaining applicants, based on the following information:
- 1) Track record – What evidence has been supplied to support a track record for catching fish using fixed nets. Over what time period is this available and how much fish can be demonstrated to have been caught?
- a. The permit allocation officer shall allocate a permit to those applicants who meet Phase 1 criteria (subject to Phase 2 assessment if required)
 - b. The permit allocation officer shall make a list of all unsuccessful applicants; these applicants will be held on the relevant waiting list for the permit applied for. The position of each applicant on this waiting list will be subject to annual review and submission of completed applications forms and evidence. Should any permit become available during the course of the permit year the permit will be allocated to the applicant at the top of this waiting list. The position of each applicant on the waiting list will be determined by their application form and Phase 1 and 2 Criteria.
 - c. Each applicant will be required to submit an annual application form with supporting evidence as per section 1 'Permit Applications'.
 - d. **All applicants successful or otherwise will be notified by 15 August 2022.**

3 Right of Appeal

- 3.1 **Any decision by the permit allocation officer that an applicant is not entitled to a permit should be sent together with notification of the right of appeal by 15 August 2022.**
- 3.2 Included within the right of appeal should be information used to assess the application by the permit allocation officer summarising the reason why the applicant was not successful as well as a copy of the Appeal Procedure.

4 Appeal Procedure

- 4.1 The Appeal panel will consist of the members of the NEIFCA Executive Committee.
- 4.2 Appeals must be addressed to NEIFCA Executive 'Fixed Net Permit Appeal', Town Hall, Quay Road, Bridlington, YO16 4LP.
- 4.3 **All Appeals must be submitted in writing by 26 August 2022** and will be considered by the Executive Committee on 8 September 2022.

- 4.4 The permit allocation officer must satisfy the NEIFCA Executive Committee that the correct application procedure has been followed and that the unsuccessful applicant (appellant) has been provided with all relevant information used to assess their application.
- 4.5 Based on the information supplied by the permit allocation officer and the applicant in writing the NEIFCA Executive Committee will make a decision.
- 4.6 Immediately after the hearing the NEIFCA Executive Committee will provide the permit allocation officer with their decision. The officer will notify the appellant within 7 working days of this decision together with details of how this decision was reached.
- 4.7 The decision of the NEIFCA Executive Committee is final.

5 Further Conditions of Permit Allocation

- 5.1 The issue of NEIFCA intertidal permits will be subject to the following additional conditions:
 - 1) Following the conclusion of any appeals process written confirmation will be sent to all the successful applicants and permits will be issued upon full receipt of the £500 permit charge specified in paragraph 6(l) of Byelaw XVIII 'Method and Area of Fishing (Fixed Netting) Byelaw 2016.
 - 2) The right is reserved to refuse the issue of a permit until such time as a successful applicant provides any outstanding monies or information required for the issue of a permit or from a previous year in accordance with Byelaw XVIII 'Method and Area of Fishing (Fixed Netting) Byelaw 2016 and or Byelaw XXXI Catch Returns Byelaw.
 - 3) Permits may be subject to suspension, at any time, for a number of reasons in accordance with the processes outlined within paragraphs 7 and 8 of Byelaw XVIII 'Method and Area of Fishing (Fixed Netting) Byelaw 2016.
 - 4) All permits issued are subject to the prohibitions and conditions contained in Byelaw XVIII 'Method and Area of Fishing (Fixed Netting) Byelaw 2016.
 - 5) All permit holders MUST have in place before commencing any netting/fishing activity from the beach Third Party Business Liability Insurance. This is non negotiable and must be in place. A certificate of Insurance can be submitted with the application or after the permit has been allocated.
 - 6) All permit holders must sign a Health and Safety Code of Practice which stipulates how fishing gear must be used in accordance with Health and Safety procedures. Any additional criteria or stipulation from ERYC must also be strictly adhered to. Any breaches, either of the Code of Practice and or such additional criteria or stipulation set, could render the permit holder liable to prosecution by the ERYC and their permission to fish in the inter-tidal zone revoked.

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
8 June 2022

Chief Officer's Operational Report

Report of the Chief Officer

A. **Purpose of Report**

To provide members with a comprehensive and detailed operational report covering the period December 2021 to April 2022.

B. **Recommendation**

That Members note the report.

1. **Overview**

1.1 **NEIFCA**

Covid-19 Pandemic

Since the last update provided to members at the meeting held on 2 December 2021 a number of operational staff have contracted Covid-19 and although most have experienced strong symptomatic conditions, in general, they have been able to return to work following a week's recovery at home. From an operational perspective the Authority has now moved to more 'normalised' work arrangements with staff operating from office based locations rather than from home alongside more routine active engagement both onshore and offshore. In terms of ensuring the continued protection of staff from the Covid-19 virus the emphasis has now shifted to maintaining sensible precautionary measures such as testing at the beginning of the working week or when any main symptoms are experienced (all staff have been provided with free testing kits), maintaining hygiene systems at work, maximising space and ventilation in working environments and the appropriate use of face coverings as and when required.

Tees & North Yorkshire Shellfish Mortalities

The ongoing response to observed shellfish mortality observed in waters surrounding the Tees and North Yorkshire continues to occupy a significant amount of officer time and resourcing. The multi-agency investigations, led by Defra, into potential cause, concluded at the end of March 2022 and the response has now entered a 'recovery' phase with Defra

again leading and coordinating the associated work. A separate, more detailed report has been included elsewhere on the meeting agenda for members information.

Review of North East Coast (Limitation of Net Licences Order) 2012

The management of licenced commercial fishing for salmon and sea trout in coastal waters within the NEIFCA district is provided by the Environment Agency through the North East Coast (Limitation of Net Licences Order) 2012. The provisions of this order are set to expire in December 2022 and the Environment Agency has recently launched a consultation on future management options to replace the order. The consultation expires on 17 June 2022. Options under consideration include:

- Do nothing – The current Order expires and restrictions removed on the issuing of licences
- Replace ‘like for like’ – no new licences issued with the number of licenses reducing if not taken up or surrendered.
- New NLO capping the number of available licences at current levels meaning a fixed number of licenses will be available year on year.
- New NLO setting the number of licences at zero.

The following consultation link has been posted on the NEIFCA website:

<https://consult.environment-agency.gov.uk/north-east/north-east-coast-nlo-2012/>

The NEIFCA district still supports a number of EA licence holders who target salmon and sea trout during the spring and summer period and it remains an important commercial inshore fishery. Given the local importance of this consultation it is the intention to submit a response on behalf of NEIFCA in consultation with the Chair. This will then be shared with members prior to submission to meet the deadline of 17 June 2022.

1.2 National

Section 183 of the Marine and Coastal Access Act 2009 places a duty on the Secretary of State to lay a report before Parliament on the conduct and operation of IFCA's. This report must be carried out every four years and is scheduled for this year, 2022. This will be the third time that IFCA's have been subject to statutory review since inception during 2010. The process is normally electronic, questionnaire based and Defra, who lead the review on behalf of the Secretary of State, have completed some informal consultation with the IFCA Chief Officer's Group on the content of the questionnaire and approach to be adopted.

In terms of fisheries, current work streams continue to focus on the development of national fisheries management plans, a statutory requirement under the Fisheries Act. This work remains at an early stage and Defra have opened a number of working groups with key fishing industry sectors to facilitate direct engagement and input. In parallel, the national Association of IFCA's is currently developing a range of projects aimed at galvanising the IFCA response to national work streams including fisheries management plans.

1.3 **Summary of meetings and events attended**

Defra group call shellfish mortalities	7 th December 2021
Defra group call shellfish mortalities	14 th December 2021
Defra group call shellfish mortalities	21 st December 2021
Defra group call shellfish mortalities	4 th January 2022
Defra group call shellfish mortalities	11 th January 2022
Defra group call shellfish mortalities	18 th January 2022
Defra/IFCA marine & fisheries group call	26 th January 2022
Defra group call shellfish mortalities	1 st February 2022
Defra group call shellfish mortalities	8 th February 2022
IFCA and MMO Licensing engagement meeting	9 th February 2022
Defra group call shellfish mortalities	15 th February 2022
IFCA Chief Officers Group call	16 th February 2022
IFCA competent officer training course	22 nd to 25 th February 2022
Defra group call shellfish mortalities	22 nd February 2022
Natural capita meeting	24 th February 2022
Whitby Fishing Industry Group meeting, Whitby	24 th February 2022
IFCA Technical Advisory Group	28 th February 2022
Defra group call shellfish mortalities	1 st March 2022
IFCA Technical Advisory Group	2 nd March 2022
NEIFCA Scientific Advisory Group meeting	4 th March 2022
Joint Fisheries Statement consultation meeting	7 th March 2022
Defra group call shellfish mortalities	8 th March 2022
IFCA NIMEG meeting	8 th March, 2022
Humber Estuary Relevant Authorities Group AGM	9 th March 2022
Defra Joint Fisheries team visit Scarborough	14 th March 2022

Defra fisheries team call	14 th March 2022
Defra social science team visit	15 th March 2022
Yorkshire Marine Nature Park Exec Board	15 th March 2022
WFA pre-meeting	15 th March 2022
IFCA Chief Officers Group call	16 th March 2022
Defra led Whitby Fishing Industry Group & agencies call	17 th March 2022
IFCA Technical Advisory conference call	17 th March 2022
Defra group call shellfish mortalities	22 nd March 2022
Association of IFCAs Directors Meeting	22 nd March 2022
NEIFCA internal Audit pre-meeting call	28 th March 2022
Defra group call shellfish mortalities	29 th March 2022
Association of IFCAs catch up call	31 st March 2022
NE catch up	4 th April 2022
Defra group call shellfish mortalities	5 th April 2022
Senior Management Team meeting	6 th April 2022
MMO Regional Fisheries Group call	7 th April 2022
IFCA Drone Group	7 th April 2022
IFCA Technical Advisory Group conference call	8 th April 2022
Lobster settlement index project meeting call	11 th April 2022
Defra group call shellfish mortalities	12 th April 2022
IFCA Chief Officers Group meeting call	13 th April 2022
NEIFCA staff meeting	14 th April 2022
Defra group call shellfish mortalities	19 th April 2022
NEIFCA Science Advisory Group meeting	19 th April 2022
Whitby Fishing Industry Group meeting, Whitby	21 st April 2022
Defra group call shellfish mortalities	26 th April 2022
MMO/NEIFCA shellfish mortality meeting	2 nd May 2022

Defra group call shellfish mortalities	3 rd May 2022
IVMS update meeting	3 rd May, 2022
MMO NE Region TCG call	4 th May 2022
IFCA conduct & operation review call	9 th May 2022
Defra group call shellfish mortalities	10 th May 2022
Whelk working group call	12 th May 2022

1.4 **Priority Work streams for the next six months**

- Support the continuing investigation and response to shellfish mortalities
- Advance work on the development of flexible fisheries management systems including a new draft byelaw regulation for making.
- Complete re-drafting of the Humber Estuary Fishing Byelaw and supporting regulatory impact assessment documentation.
- Further progression with the new fisheries database.

2.0 **NEIFCA Operational Reports**

2.1 **Land-based Work streams**

2.1.1 *December 2021 to April 2022*

Land-based Enforcement Work

As weather conditions began to deteriorate into the winter months many vessels worked longer days and capitalised on the good weather days when they could before strong winds and heavy swells prevented them from going to sea. The shore enforcement team maintained an intensive schedule of patrols and inspections at all the districts ports day and night. Officers have been actively engaging with fishermen ensuring that the industry across the NEIFCA district remain fully aware of legislation and current Byelaws

The shore based team have maintained engagement with the local fishing fleet throughout the period particularly within those areas affected by the shellfish mortality event surrounding the River Tees, Hartlepool, Redcar, Staithes, Runswick Bay, Whitby and Scarborough. Shore Officers also conducted offshore observational trips at sea, collecting shellfish data from those affected areas alongside gathering further information from the local fishing community.

To the South of the District the start of the year saw good numbers of crab and lobsters landed into the ports of Scarborough and Bridlington attracting record prices for lobster up to £34 per kilo.

The shore team also conducted regular patrols along the Holderness coast where 5 nets men are permitted to catch sea fish working from Fraisthorpe down to Tunstall

Throughout the reporting period the shore team worked alongside the Environmental and Scientific team assisting with Eel grass surveys at Spurn Point and also cockle survey work at Middleton Basin Hartlepool, Bran sands Redcar, Cleethorpes beach.

Shore staff maintained intelligence gathering systems throughout, reporting in any information and prioritising key targets. Intelligence gathering and reporting has led to a number of successful operations targeting illegal activity through the reporting period

During reporting period, **97** inspections were completed by the shore team covering the following fishing activities:

- Potting
- Angling
- Scallop Dredging
- Netting
- Limited Shellfish Permits
- Unattended inspections
- Prawn Trawlers
- Premises Inspections

Outreach and Joint Working

During the reporting period the shore team facilitated an outreach session with the local primary school at Egton educating the children on the marine environment and the importance of conservation and the work that NEIFCA does to keep fishing sustainable for years to come. This event was very positively received.

The shore team work alongside a wide range of organisations and agencies on a regular basis and it is important that active links with these groups are maintained. During the reporting period contact was made with the following groups:

- Tees Harbour Police
- Northumbria Marine Police
- Marine Management Organisation
- Whitby and Scarborough Harbour Staff
- Angling Trust
- HM Coastguard
- Gang Masters & Labour Abuse Authority GLAA
- Environment Agency
- Food Crime

2.2 Offshore Work streams – Monthly Activity Summary

JANUARY

Scallop dredging monitored throughout the month both inshore, following the three permitted vessels and offshore, with the larger nomadic fleet. Levels of offshore compliance appeared better than previous years particularly surrounding the active display of vessel Automatic Information System transmissions.

Limited prawn trawling activity observed inshore with the bulk of the fleet operating around the extreme northern limits of the NEIFCA district.

General running maintenance was conducted on both North Eastern Guardian III and Protector III. Protector III is still experiencing some teething issues but these are expected to be resolved with continued warranty support from the manufacturer.

Close monitoring was maintained on the potting vessels working North of Whitby towards Redcar who appeared to be most affected by the events following the shellfish mortality wash up late last year.

FEBRUARY

NEG III conducted some potting survey work to the North of Whitby and Tees area, in support of the NEIFCA response to the shellfish mortality event. Despite concerns over the impacts of the event some good catches of lobster were being made during February with prices per Kilo reported at £22. Several significant ‘named’ storms passed through the region during February including, Dudley, Eunice and Franklin with highest wind speeds recorded at 122 mph. Monitoring of scalloping activity both inshore and offshore continued through the month.

MARCH

Some baited camera pots were deployed during March, along with short strings of pots, to continue monitoring the shellfish stock within the affected 'wash up' areas. Some captured lobsters were placed in a keep pot close to the edge of the Tees spoil dredge area. The health of these lobsters were closely monitored over a period of a few weeks for any signs of deterioration. Nothing abnormal was detected and all the lobsters were v notched and returned back to the sea alive.

Monitoring of both inshore and offshore scallop dredging activity continued throughout the month.

Potting activity continued throughout the district with potting vessels still enjoying high prices at £22 per kilo which was normally a price reserved for the run up to Christmas when prices were generally at their highest. Some revisions to onboard practices were made to assist the safer handling of commercial potting equipment operated by NEG III whilst undertaking required surveys.

APRIL

Some new reports were received during April of reduced shellfish catches to the North of Whitby, whether this is a normal seasonal lull, or related to the earlier Tees bay washup is not yet clear. Fishermen in the area remain very concerned. The reports seem to be localised around the Tees area with areas North and South of the Tees appearing incident free for now. Scalloping activity continued through the month. A new vessel from Hartlepool fitted scallop dredging equipment and is now operating beyond the 6nm. During April local prawn trawlers operating from Hartlepool and vessels from North Shields, were observed fishing within the Authority's district. Throughout April work continued on the Dogger bank Windfarm project, one of the largest in UK waters to date. The current stage is concentrated in Bridlington Bay making landfall close to Barmston. Some vessels involved with the project are currently berthing in Whitby between shifts and during inclement weather.

ENFORCEMENT & COMPLIANCE SUMMARY

North Eastern Guardian III

Number of Patrols:	23
Nautical miles covered:	1328.1
Fishing Vessel Inspections:	154

Protector III

Number of Patrols:	16
Nautical miles covered:	740.67
Fishing Vessel Inspections:	121

Bravo I

Nautical miles covered:	21
Fishing Vessel Inspections:	1

2.3 Environmental/Science Work streams

2.3.1 Consents and Licensing

The NEIFCA district is of great interest to many commercial parties and operators. The list of activities includes, but is not limited to, offshore renewables (wind and tidal), gas cavern development, harbour works, maintenance and capital dredge activities, pipeline and cable corridors/landfall and mine discharge. As a relevant authority, NEIFCA is consulted on all developments within and abounding the district, including the issuing of marine consents or licenses relating to any form of discharge or abstraction.

Applications relating to marine developments can be numerous and each one is considered both independently and cumulatively with any other neighbouring activities. Authority Officers also often play an active role in working groups established for the monitoring and surveillance of developments. The following applications were reviewed between December 2021 and April 2022:

Reference	Date responded
Hornsea Project Two Helideck Guano Removal	01/12/2021
Frederick Ward Way Public Realm Scheme Improvements	01/12/2021
Tees Seagrass Project NZ 53228 29624	10/12/2021
RoRo Teesside	10/12/2021
SOFIA Offshore Wind Farm Dogger Bank	05/01/2022
Renewal of Dredging Licence for 5 years Bridlington	05/01/2022
BEACH Esk - Whitehall Landing	05/01/2022
Dogger Bank A and B Array Site Unexploded Ordnance Investigation OW 43961 59083	05/01/2022
Dogger Bank C Site Unexploded Ordnance Investigation NZ6512323681	18/01/2022
Development Consent Order Sofia Offshore Wind Farm (Dogger Bank Teesside A & B)	24/01/2022
Scarborough Harbour disposal of maintenance dredged material	31/12/2021
8" Condensate Pipeline Humber Crossing Rock Dump Humber	10/03/2022
Brett Wharf Quay Works NZ 25120 63533	01/04/2022
Marine Site Investigation Immingham Eastern Ro-Ro Terminal	29/04/2022

2.3.2 ELSI project update

All necessary equipment and materials required for completing field-based survey work have been procured, this includes all data loggers to record environmental variables and the Neuston plankton tows. The 40 larval settlement collectors have been assembled and the first of these were deployed in May. Partners at Holderness Fishing Industry Group (HFIG) have tested different configurations of rope and floats to establish the most effective means of rigging the larval settlement collectors, to ensure they will remain horizontal while hauling and prevent loss of survey equipment.

Suitable sampling sites have been identified across 10 locations within the NEIFCA district, 4 south and 6 north of Flamborough Head. The Sampling sites are located in areas with high fishing activity and suitable rocky and cobble habitats. The depths for the sampling sites are between 20 and 50m.

The next stage of our project will focus on testing the equipment in the field. Once all equipment has been satisfactorily tested, the 40 larval settlement collectors will be deployed across the 10 selected sampling sites and periodic plankton tows will commence. Additionally, the next stage for the juvenile lobster growth studies will involve further collection of egg-bearing lobsters and commencement of the growth study once larvae have hatched. NEIFCA and HFIG will organise and deliver stakeholder meetings and ELSI project information leaflets will be distributed to industry members at quaysides, via the Whitby lobster hatchery and by a mailshot to all shellfish permit holders.

2.3.3 Survey Programme Update

Intertidal cockle surveys were undertaken in April at the three sites in the Teesside and Humber areas. Results are comparable with previous years, demonstrating very low stock levels. The recommendation to the Science Advisory Group was that no viable fishery currently exists and that no permits should be issued. Further details are contained in the report to the Science Advisory Group.

Observer trips aboard the permitted scallop dredge vessels concluded at the end of the season in April. Biometric data for just under eight thousand scallops was collected, on par with the last surveyed season in 2019/20. Within the report to the Science Advisory Group, Officers highlighted the stability of scallop stocks and recommended three permits be issued for the 2022/23 season.

3.0 National Meetings Update

3.1 *National IFCA Chief Officers Group*

At present the Chief Officer's group meets monthly and is made up of the most senior IFC Officers in the U.K. Group membership also includes Officers from Fisheries Departments located in the Isle of Man, Jersey and Guernsey.

The group provides an extremely valuable mechanism for the discussion and exchange of information relating to operational and legislative matters affecting 'day to day' activities within IFCA's.

Copies of the notes of the most recent meetings held on 9 December 2021, 12 January 2022, 16 February 2022, 16 March 2022, 13 April 2022 and 18 May 2022 are attached to Appendix A of this report for members information.

Contact Officer: David McCandless
Chief Officer
Ext 3690



IFCA COG Meeting
Wednesday 12th January 2022 @ 09:30 hours
'Microsoft Teams' Teleconference

Attending: **Chair** Sam Davis (SD), Julian Gregory (JG), David McCandless (DM), Tim Dapling (TD), Matt Mander (MM), Rob Clark (RC), Mike Hardy (MH), Will Wright (WW), Martin Birchenough (IOM), Pia Bateman (PB), Sam Dell (SDell) NIMEG, Tim Smith (TS) TAG.

Richard Hoskin, DEFRA, attended from 10:00am to provide an update on the national Fisheries Management Plan project programme.

Paul Tyack, MMO, attended from 11:00am to provide an update on MMO operational activity

- 1. Apologies:** Tom Hooper, Paul Tyack (MMO), Dr Stephen Atkins, Ian Jones, Wales & Channel Islands.

SD welcomed everyone to the meeting and noted apologies.

2. Minutes of Previous Meeting – 9 December 2021

DM noted that the date had been noted as the 9 November rather than December 2021 which had been amended. Minutes otherwise agreed.

3. Matters Arising & Actions from last meeting

- 1) Complete – DM to include IFCA H&S Group on agenda
- 2) Complete – DM to include FMP's on agenda, Richard Hosking attending from 10am
- 3) Complete – All to feedback to RC on NEF report. RC to circulate final draft.
- 4) Not Complete – RC to develop summary options on IFCA byelaw process, update to be provided.
- 5) Not Complete – All to feedback to Alex Aitken NIFCA on FISHGIG handbook. Extended to end January 2022, comms from MH noted.
- 6) Complete – DM to include NE PID on agenda.
- 7) Complete – RC provided update on Angling Trust virtual meetings and plans for 2022. No firm arrangements made, discussions ongoing.
- 8) Complete – Details of any allowance schemes supporting Chairs and Vice-Chairs passed onto MM.

4. AIFCA Update

In advance of Richard Hoskin attending to provide an update on progression with Fisheries Management Plans (FMPs) RC commenced his update on AIFCA business. The draft Joint Fisheries Statement (JFS) was expected to be published week commencing 17 January 2022. No further update to report on Spending Review 21 (SR21). RC thanked SD for final comments on the New Economics Foundation (NEF) report on IFCA's. RC advised that some minor adjustments had been made but the substantive draft report remained unchanged. RC provided an update on the development of a revised set of IFCA performance matrices which Defra were expecting April 2022. RC shared a draft outline of his thoughts in commencing the work. Discussions considered collating some operational outputs from data gathered nationally via MCSS or other national systems and the need to work any revised matrices into 2022 IFCA plans.

5. FMP Update

RH joined the meeting and provided an update on the national FMP project work. RH advised that the JFS would be laid before Parliament on 17 or 18 January 2022 following which some pilot FMPs would be announced possibly the Channel areas such as VIID and VIIE first. The overarching project remained in the planning/programming phase. RH re-iterated Defra's commitment to ensuring that IFCA's were fully integrated into the project with the pilot areas likely to involve 5 IFCA's at the outset. RH also recognised the potential impact that the work might have in terms of IFCA resourcing. RH advised that SR21 was still being worked out in terms of any specific funding streams allocated to FMP work. RH agreed to attend future COG meetings during 2021 to provide regularly updates on project.

RC discussed IFCA engagement in the FMP work and funding additional resource to coordinate and support such. The challenges of effectively strategizing the IFCA response to the FMP project and wider national workstreams were discussed at length.

6. MMO Operational Update

Paul Tyack, MMO head of Coastal Operations attended and provided a comprehensive update on current activities including MMO officer representation on IFCA Committees, the national catch reporting App which would become mandatory from 28 February 2022, mobile working technology which was now entering phase 2 and the introduction of mandatory iVMS provision across the fleet in England. The group discussed issues surrounding IFCA access to data and capture of data at an appropriate resolution to accurately inform IFCA statutory functions. MB advised that the App was functioning well in the IOM and providing some good quality data to the IOM fisheries department.

The group discussed perceived and apparent widening disparity in IFCA and MMO approach to compliance work. SD suggested that the matter should be considered at the next COG meeting. SDell advised that NIMEG were planning to hold a conference sometime during July 2022 which would focus on joint compliance work amongst other things.

7. AIFCA Update cont

The group continued discussions on the potential revision of IFCA performance matrices with RC to facilitate further work **(Action RC)**.

RC provided an update on ongoing work to review the IFCA byelaw making process which was currently being facilitated by a small IFCA working group tasked to consider the MRAG report. Potential changes included the use of Regulatory Triage Assessments (RTAs) rather than Regulatory Impact Assessments (RIAs) given the general limited level of economic impact that IFCA byelaws incurred. RC also considered that further 'surgical' interventions could also be made to the process to improve efficiency without any need for fundamental policy process change.

8. IFCA Health & Safety Group

SD provided a detailed summary of the background to the potential development of a new IFCA Health and Safety Group. SDell provided a view and perspective from NIMEG and TS from the IFCA TAG. The consensus of the group was that ultimately primary health and safety provision lay with individual IFCAs and their respective chief operating officers but some form of national reporting mechanism or system to ensure that near misses and serious accidents were signposted and considered was supported. Following discussions and a variety of proposed suggestions to advance such a system JG agreed to take an action to develop a draft proposal for further consideration **(Action JG)**.

9. Natural England Inshore Fish Monitoring PID

TD and TS outlined ongoing national work streams to further develop more cohesive and organised national sampling programmes particularly around benthic and inshore fisheries monitoring work. The project leads wanted more formal IFCA inclusion and involvement. TS advised that the TAG were considering such. SD requested that TS attend the next COG meeting to provide an update **(Action TS)**.

10. AOB

SD advised the group that the MMO were moving at pace developing a range of MPA related work packages. The work was apparently well resourced and would have future implications for IFCAs.

The group discussed the advancement of the Regional Fisheries Groups (RFGs) which had been itemised on the agenda. SD advised that the topic had also been included on the agenda of the next MAFCO meeting scheduled for 26 January and warranted a separate short meeting to consider in more detail. SD informed the group that she would arrange such within the next week **(Action SD)**.

MH advised that he had been asked to raise ongoing concerns over the inability to utilise virtual platforms such as Teams or Zoom to facilitate IFCA Authority meetings given the resurgence of the COVID 19 Omicron strain. MM advised that there had been a significant level of dialogue in his IFCA area over the same topic which he was happy to share with MH **(Action MM)**.

The group considered recent correspondence from Ian Jones regarding his imminent retirement from the role of Chief Officer.

11. ACTION List Summary

1. RC to continue to facilitate further work on revision to the IFCA performance reporting matrices.
2. JG to develop a draft proposal to strengthen national IFCA Health and Safety provision surrounding accident and near miss reporting.
3. TS to provide an update on IFCA/TAG engagement in national marine monitoring PID considerations.
4. SD to arrange a short meeting to consider IFCA views on the RFGs in advance of the January MAFCO meeting.
5. MM to share Devon & Severn IFCA correspondence on the format of Authority meetings with MH.

Date of next meeting 16th February 2022 – Meeting closed at 13:00



IFCA COG Meeting
Wednesday 16th February 2022 @ 09:30 hours
'Microsoft Teams' Teleconference

Attending: **Chair** Julian Gregory (JG), David McCandless (DM), Tim Dapling (TD), Matt Mander (MM), Rob Clark (RC), Mike Hardy (MH), Will Wright (WW), Pia Bateman (PB), Dr Stephen Atkins, Sam Dell (SDell) NIMEG.

1. **Apologies:** Samantha Davis (Chair), Tom Hooper, Martin Birchenough, Tim Smith, Paul Tyack (MMO), Wales & Channel Islands.

JG, Vice Chair, welcomed everyone to the meeting and noted apologies.

2. Minutes of Previous Meeting – 16 February 2022

Agreed

3. Matters Arising & Actions from last meeting

- 1) Not Complete – RC to provide update later on the agenda on the revision of IFCA performance matrices.
- 9) Not Complete – JG still to complete draft proposal on IFCA 'near miss' reporting.
- 10) Not Complete – DM advised that TS would not be attending to provide an update on the national marine monitoring PID and in discussions with SD items 6 and 8 have been moved onto the next COG meeting in March. RC and TD advised that the EA were working to strengthen and build community marine monitoring capacity and capability. COG advised of Tim Smith's decision to step down as Chair of TAG at the next meeting.
- 11) Complete – IFCA RFG meeting held
- 12) Complete – Information shared between MM and MH

4. AIFCA Update

RC provided a comprehensive update on three key national workstreams including HPMAs, IFCA byelaw process review and the development of a revised set of IFCA performance matrices.

HPMA

RC advised that a set of proposed sites would shortly be confirmed by the Secretary of State for formal consultation towards the end of March 2022. RC anticipated that there would be 3 inshore sites and 5 to 6 offshore sites. RC would provide AIFCA support to affected IFCAs.

SR20 Bid

RC advised that there was no further update on progress with the IFCA NB funding bid within SR21.

Byelaw Process Review

RC advised that he would be taking the draft paper that he had circulated previously to COG to the next meeting of the Association. He requested receipt of any further feedback by the end of February 2022 (**Action all**). RC felt that improvements in the process could be made with some minor adjustments.

IFCA Performance Matrices

RC provided a detailed presentation on the development of a revised set of Key IFCA Performance Indicators (KPIs) to demonstrate value for money to Defra. RC advised that he was working closely with Defra who remained keen to keep processes as simple and straightforward as possible. RC listed the following areas where information was currently collated that could be incorporated into a revised set of performance indicators:

- Byelaw tracker data
- MPA management data
- Compliance & enforcement stats
- Intelligence data
- Research & development info
- Local IFCA data and information
- Stock assessment information
- Licensing consent review etc

In general the presentation was positively received although the challenge of utilising indicators to support meaningful performance assessment was discussed. The group were also keen to get more guidance and information from Defra. RC advised that he would be taking a paper to the next meeting of the Association and welcomed further comment from IFCA CO's (**Action all**)

5. NIMEG Update

SDell provided a detailed briefing on ongoing NIMEG workstreams which focused on IFCA engagement and interaction with national supporting systems including the intelligence system and the primary enforcement and compliance system, MCSS, managed and operated by the MMO. SDell also provided an update on progression with a mobile working system and the development of drone capability.

MMO Intell System

Currently in a transitional phase, the MMO are utilising a share point system to permit general access to input IRs etc. IFCA queries surrounding both the

protection of source information and training remain outstanding. COG fully supported the position that these two issues needed to be addressed before IFCA's fully integrated into any new system. In the interim there was full agreement that IFCA Intell leads would continue maintain existing established processes and collate and submit IR's to the MMO Intell leads under the terms of the current intelligence gathering MoU.

Mobile Working

Jon Butler is the current IFCA interface into this MMO workstream. The project continued to face some challenges in terms of active progression and funding. COG fully supported the NIMEG position of maintaining and 'active watching brief' at present.

MCSS

Currently full commitment from all IFCA's to actively engage with the system including imputing enforcement and compliance data something that is increasing month on month but there remained a need for further training.

MMO Legislative Review

Pressing need identified for COG to engage with the MMO lead, Sean Douglas, as soon as possible **(Action SD/DM)**.

Data Sharing Agreement

Signed off by all IFCA's but still not functioning as initially envisaged.

NIMEG Conference 2022

SDell highlighted the planned NIMEG conference in Poole scheduled for July 2022. SDell envisaged that the conference might consider some of the issues surrounding IFCA interaction with key national systems and set a forward plan for addressing such. Although space would be limited SDell welcomed IFCA Chief Officer attendance.

IVMS

SDell highlighted potential issues with the supporting SI and the ability or otherwise of IFCA's to enforcement the provisions of the legislation. JG recommended that it be referred to the Strategic Operations Group **(Action JG)**.

6. TAG Update

Moved to next COG meeting in March 2022.

7. Angling Trust Communications

RC provided an update on AIFCA ongoing communications with the Angling Trust. TD supported continuing engagement and advised that he would be

attending a national angling strategy board meeting on 17 February 2022. COG remained supportive of continued active engagement with the AT.

8. Natural England Inshore Monitoring PID

Moved to the next COG meeting March 2022.

9. NEIFCA District – Shellfish Mortalities Update

DM provided the group with a comprehensive update on the washup of dead and dying shellfish including crabs and lobsters within an area of the NEIFCA district. Despite ongoing and detailed multi-agency investigations no clear cause had been identified. Defra considered the most likely cause to be naturally occurring algal toxins. DM advised that he would keep the IFCA COG updated.

10. AOB

The group considered recent negative articles published on IFCA in the Fishing News. RC advised that he had been working closely with the editor to establish a regular IFCA feature that might provide an opportunity for more positive publicity.

MM raised the matter of apparent differing approaches to enforcement and compliance work between the IFCA and the MMO and how that might be considered and addressed. SDell advised that it had been a constant recurring topic of discussion within NIMEG. The concept of developing joint compliance and enforcement frameworks was considered as a means to drive consistency. COG suggested that it could be added to the NIMEG conference agenda in July.

WW sought clarification on the expiry of IFCA appointees with 10 years service. RC clarified the position.

11. ACTION List Summary

1. All IFCA to feed back on the byelaw process paper circulated by RC.
2. All IFCA to feedback on the performance matrices paper circulated by RC.
3. SD/DM to invite Sean Douglas to the March COG meeting.
4. JG to take IVMS SI and associated IFCA enforcement and compliance to the next meeting of the Strategic Ops group.

Date of next meeting 16th March 2022 – Meeting closed at 12:15



IFCA COG Meeting
Wednesday 16th March 2022 @ 09:30 hours
'Microsoft Teams' Teleconference

Attending: Chair Samantha Davis (SD), Julian Gregory (JG), David McCandless (DM), Tim Dapling (TD), Matt Mander (MM), Rob Clark (RC), Mike Hardy (MH), Will Wright (WW), Pia Bateman (PB), Dr Stephen Atkins, Tim Smith (TS) TAG.

Sean Douglas (SDs), MMO, attended from 10:00 am.

1. **Apologies:** Tom Hooper, Martin Birchenough, Paul Tyack (MMO), Wales & Channel Islands.

SD welcomed everyone to the meeting and noted apologies.

2. **Minutes of Previous Meeting – 16 February 2022**

MM queried the minute record under AOB, relating to MMO/IFCA approach to enforcement and compliance work. It was clarified that the matter would be referred to the joint Strategic Ops Group and also considered for further discussion at the NIMEG conference scheduled for July 2022. Minutes agreed.

3. **Matters Arising & Actions from last meeting**

- 1) Complete – RC thanked those who provided feedback on the IFCA byelaw making process
- 13) Complete – RC thanked SD and others for providing further feedback on the development of new IFCA performance matrices.
- 14) Complete – Sean Douglas attending the meeting from 10:00.
- 15) Not complete – JG to confirm a meeting date of the Strategic Ops Group with Sean Douglas.

4. **MMO Update – Operational & Legislative Review**

Sean Douglas (SDs) attended from the MMO and provided a comprehensive update on the ongoing review of UK fisheries legislation post exit from the EU. SDs advised that the review had been split into 8 key areas:

- Control Regs – including submission rates and data tracking legislation
- Technical Conservation

- IUU
- RBS – linking into traceability, catch recording and IVMS
- Scallop management
- Shellfish management
- MMO internal functioning – Licensing & consents
- Sea bass management

Further considerations around scallops, shellfish and sea bass were expected to be taken up within the current FMP processes.

SDs also provided an update on data sharing arrangements between IFCA's and the MMO. Currently all requests for data were being processed through formal routes at present. SDs advised that in the medium to longer term the MMO were progressing towards a single system which would capture all data feeds. SDs advised that requests for scientific data were not being processed through the DPA route and often were very broad which increased processing time. SDs advised that any IFCA requiring scientific data should refine their supporting requests as far as possible which would in turn shorten the response time.

SDs provided further detailed updates on progression with the catch reporting app and the iVMS project.

JG requested that a provisional date for the next meeting of the Strategic Ops Group be confirmed as soon as possible (**Action SDs**).

SD thanked SDs for attending and providing a comprehensive and detailed update to the group.

5. AIFCA Update

RC provided a detailed update on key national workstreams including the MMO appointment process, the Joint Fisheries Statement (JFS) and the IFCA SR21 bid.

MMO Appointment Process

RC welcomed further comment on the revised process and indicated his intention to utilise CO's to support his involvement in the recruitment of new members across the IFCA's. RC advised that the MMO were keen to develop an online training video for new IFCA members. The group broadly welcomed the improvements in the process alongside the MMO commitment to provide additional resourcing to enhance the supporting service.

JFS

RC advised that formal consultation on the JFS had been delayed to April 2022. This was expected to be a 'high' level document and the IFCA focus would then move to implementation and delivery. The group briefly discussed the progression of the associated Defra port visits.

IFCA/Defra Relationship

RC provided an update on ongoing discussions between AIFCA and Defra in relation to the status of IFCA's as 'Arms Length Bodies' (ALBs) within the Defra family. This status also linked to funding, support for the delivery of national workstreams and performance monitoring. RC advised that Defra were intending to issue 'hand shake' letters to IFCA's confirming that relationship. RC had cautioned Defra against potential confusion over 'new burdens' which remained a direct payment to coastal Local Authorities in England to support the additional statutory burdens placed on IFCA's following the 2009 Marine and Coastal Access Act. SD advised that the matter had been included on the agenda of the next MAFCO meeting scheduled for 23 March 2022. The group fully supported RC's position. RC reassured the group that AIFCA would not enter any formal agreement with Defra without the full endorsement of the member IFCA's.

Marine Natural Capital Ecosystem Assessment delivery

RC advised that Defra had indicated that funding was available to provide additional IFCA resource to engage and support the delivery of the MNCEA work. Discussions focused on how IFCA's might utilise that funding support.

6. TAG Update

TS advised the group that he had provided notice of his intention to step down as TAG Chair having exceeded his original 18 month term. TS cited increasing demands on his time within NEIFCA, endorsed by DM. TS informed the group that both the Chair and Vice-Chair positions would need to be filled but to date no volunteers had been identified. TD thanked TS for all his efforts and emphasised the challenges of filling key posts not only within TAG but also NIMEG and COG given the limited resources available and the increasing workloads that all IFCA's were facing. A range of potential solutions were discussed most notably potential amendment to Terms of Reference requiring a formal fixed term rotation of Chair and Vice-Chair across each of the ten IFCA's. SD agreed to provide an email note from COG to further progress considerations **(Action SD)**.

TS advised the group of TAG plans for a 2022 conference during the summer which included an offer to host from the States of Jersey. SD asked TS to get some further information from Jersey including how much organizational support they could offer to the event alongside IFCA appetite for such **(Action TS)**.

TS provided further updates on the Defra 25 year Environment Plan refresh, the FISHGIG draft handbook, Natural England (building enforcement capacity), egg bearing lobster work FSA testing of crustacea species and provision of environmental training as part of the IFCA competent officer course.

SD thanked TS for his comprehensive update which highlighted the range and scope of the IFCA TAG work.

7. Natural England Inshore Monitoring PID

SD considered that the inshore monitoring PID had already been discussed within the NMCEA item with little further progress to report since the original meeting.

TD advised the group that Sussex IFCA had just commenced formal consultation on a new 'hand gathering' byelaw regulation.

8. AOB

Finfish Industry Advisory Group

SD noted the recent email that had been circulated within COG and that MM had agreed to engage with the group.

Asset Funding Support

DM sought an update on the progression of a national funding programme to support the replacement of key assets such as patrol vessels noting that it had been highlighted within the IFCA SR21 bid. RC advised that Defra were currently non-committal on it. The EMFF programme had been drawn into domestic fisheries funding programmes. The need for additional support to replace IFCA assets was endorsed by the group. RC recommended waiting for the SR21 bid to be settled. DM updated the group on advice that Defra had provided to NEIFCA in relation to borrowing.

Net Zero Emissions

SD recommended moving to the April COG meeting.

IFCA Conduct and Operations Review

The group noted the impending review. Defra had indicated commencement sometime around May 2002. RC considered that Defra would likely utilise a combination of self- assessment/questionnaire processes alongside narrative from the recently published independent review.

9. ACTION List Summary

1. SDs/JG to agree a date for the next meeting of the IFCA/MMO Strategic Ops Group.
2. SD to provide an email note from COG to TAG to further considerations surrounding the Chair and Vice Chair positions.
3. TS to obtain further information from Jersey on the potential hosting of a TAG conference during the summer 2022.

Date of next meeting 13th April 2022 – Meeting closed at 12:30



IFCA COG Meeting
Wednesday 13th April 2022 @ 09:30 hours
'Microsoft Teams' Teleconference

Attending: Chair Samantha Davis (SD), Julian Gregory (JG), David McCandless (DM), Tim Dapling (TD), Matt Mander (MM), Rob Clark (RC), Dr Stephen Atkins, Sarah Clark (SC) Devon & Severn IFCA.

Paul Tyack (PT), MMO, attended from 11:00 am.

1. **Apologies:** Tom Hooper, Mike Hardy, Will Wright, Pia Bateman Martin Birchenough, Paul Tyack (MMO), Wales & Channel Islands.

SD welcomed everyone to the meeting and noted apologies.

2. **Minutes of Previous Meeting – 16 March 2022**

Minutes agreed.

3. **Matters Arising & Actions from last meeting**

- 1) Not Complete – Paul Tyack (attending) to provide a date for the next meeting of the Strategic Operations Group (SOG).
- 16) Not Complete – Issues surrounding TAG Chair and Vice Chair roles still to be resolved, discussions ongoing.
- 17) Complete – Tim Smith has provided further information on the proposed TAG conference in Jersey 2022, DM to circulate (**Action DM**)

Joint Fisheries Statement

RC provided a brief update on the AIFCA response to the JFS consultation which he then circulated electronically to the group.

4. **FMPs – IFCA Involvement with the national crab and lobster group**

Sarah Clark (SC), Devon and Severn IFCA attended and provided a comprehensive update on proceedings to date of the Seafish led national crab and lobster group. The group comprises of a very wide spread of members from government departments, devolved administrations and fishing industry

representatives. The expectations are that the group will deliver species specific plans within two years. Currently the narrative and structure of the plans are being formulated. Significant concerns expressed over the potential impacts on inshore fishermen including the risk of displacement of vivier operators inshore. The group discussed how best to engage and what information might assist Sarah in terms of her active engagement within the group. SD requested that IFCA reps provide SC with any information on harvest control rules that they have in place within their respective districts **(Action All)**. SC advised that some additional support from other IFCAs would also be welcomed. Concerns were expressed by the Group that FMPs might be seen as potential replacement for IFCA byelaws. SC agreed to share her notes on all future proceedings of the group with COG **(Action SC)**. SD requested that SC provides periodic updates to COG on the work of the group.

5. AIFCA Update

RC provided a detailed update on key national workstreams including the Joint Fisheries Statement (JFS), the IFCA SR21 and asset funding support bids.

JFS & FMPs

RC considered the developing landscape surrounding the JFS and FMP work including the proliferation of groups and sub-groups. RC proposed that specialist leads could be identified from the COG to support representation at key groups with overarching strategic engagement provided by AIFCA via the FMP steering group. Concerns were expressed that IFCAs could not fully resource the work without some certainty on national funding support. SD felt that an intersessional COG meeting could be arranged to finalise the IFCA approach to the JFS and FMP work **(Action SD)**..

IFCA Asset Funding Support Bids

RC praised all the IFCA reps who responded to the short notice call for information to support a collective IFCA asset funding support bid to Defra. RC advised that he was still awaiting feedback from Defra but the deadline for bids had been extended to 22 April 2022. RC presented a summary table of information provided to Defra which covered local delivery priorities across the IFCAs. SD advised that 9 other bids had been submitted to Defra by other partner organisations. TD highlighted that the original sums provided had been based solely on depreciation costs.

IFCA SR21 Bid

RC advised that he still had not received a final response to the AIFCA SR21 bid from Defra.

6. MMO Update (moved from item 8 on the agenda)

Paul Tyack (PT) attended from the MMO and provided a detailed update on key operational work streams including progression with the mobile working app, under 10m catch reporting and iVMS roll out.

PT advised that the mobile working app had been rolled out across England and Wales although previous plans to interface it with MCSS had now been shelved. PT encouraged all IFCA's to continue progressing active input of enforcement and compliance data onto MCSS. PT advised that the MMO were still imputing PFV data onto MCSS despite the implementation of the new mobile working app. SD advised that CIFCA were trialing the 'power B 1' app from a data access perspective rather than compliance. SD agreed to liaise with PT on the progression of that work. PT apologised for the last minute change in MMO operational strategy and suggested setting up a call with key leads (**Action PT**).

PT advised that active industry engagement with the catch reporting app had now entered its first enforcement stage and 114 advisory letters had been sent out to those operators not using the app. Opposition to the use of the app remained high with the MMO adopting a graduated approach to compliance.

PT also provided a brief update on the roll out of the national iVMS system. MM queried the approach to non-functioning devices.

7. MAFCO terms of reference and future meeting structure (moved from item 6)

SD advised that she had circulated a revised terms of reference provided by Defra in support of the MAFCO meetings. This placed more responsibility onto Defra to Chair and run the meetings. The revised terms of reference were agreed.

SD updated the group on a new proposed structure with 1 IFCA providing a key update on a topic per meeting. SD advised that she would lead off at the next meeting on behalf of CIFCA. The group were supportive of the proposed changes.

8. Regional Fisheries Groups (moved from item 7)

Individual IFCA reps briefly updated on the recent round of feedback meetings held with Ed Baker surrounding the RFGs.

9. AOB

AIFCA Science Direct Contract

RC advised that the AIFCA Science Direct contract would be shortly renewed with 7 IFCA's participating.

MCA Static Gear Working Group

TD advised that he had recently attended a further meeting of the static gear working group which had been established to agree better marking and visibility of static gear in English waters. A new sub-group had been established to seek improvements with an emphasis on utilising primary legislation.

Purdah

SD advised that purdah covering the local elections was set to commence on 14 April 2022.

MPA Strategic Strategy & Communications Group

RC provided a brief update on the group.

10. ACTION List Summary

1. DM to circulate information provided by TS on the proposed summer Jersey TAG conference
2. All IFCA reps to provide any information on crab and lobster harvest control rules to SC
3. SC to share notes with COG on proceedings of the crab and lobster group
4. SC to attend COG to provide regular updates from the crab and lobster group
5. SD to consider arranging an intersessional COG meeting to discuss IFCA engagement within the JFS/FMP work streams.
6. PT to set up a call with the key leads to discuss the MMO mobile working app programme
7. PT to arrange a meeting date for the joint Strategic Ops Group.

Date of next meeting 18th May 2022 – Meeting closed at 12:30



IFCA COG Meeting
Wednesday 18th May 2022 @ 09:30 hours
'Microsoft Teams' Teleconference

Attending: Chair Samantha Davis (SD), Julian Gregory (JG), David McCandless (DM), Rob Clark (RC), Mike Hardy (MH), Will Wright (WW), Pia Bateman (PB), Dr Stephen Atkins, Martin Birchenough IOM (MB).

1. **Apologies:** Tom Hooper, Tim Dapling, Mat Mander, Paul Tyack (MMO), Wales & Channel Islands.

SD welcomed everyone to the meeting and noted apologies.

2. **Minutes of Previous Meeting – 13 April 2022**

MH identified a minor correction on page 2, otherwise, Minutes agreed. SD thanked DM for providing the meeting record.

3. **Matters Arising & Actions from last meeting**

- 1) Complete – DM circulated TAG conference information with the papers
- 18) Complete – Information on harvest control regs sent to SC where applicable.
- 19) Complete – SC circulated notes from crab and lobster working groups
- 20) Ongoing – SC to update COG on future crab and lobster working group meetings.
- 21) Not complete – SD noted that IFCA engagement in the national FMP work on the agenda for further discussion.
- 22) Not complete – SD provided a brief update on CIFCA engagement with the mobile working app. MH agreed to raise the matter at the next meeting of the SOG.
- 23) Complete – MH informed the group that a meeting of the Strategic Operation Group (SOG) was scheduled for the 19 May 2022.

4. **AIFCA Update – National workstreams, funding etc**

RC provided a comprehensive update on all ongoing national work streams that AIFCA are currently engage in, including:

Highly Protected Marine Areas

Draft public consultation document expected to be released at end May 2022 on the pilot HPMAs.

Fisheries Management Plans

To be discussed as a substantive item elsewhere on the agenda.

AIFCA Policy & Marine Capital posts

Adverts for both positions now live with deadline for receipt of applications end of May 2022. RC clarified a query on the salary offered for the Marine natural capital position in partnership with Sussex which combined two posts under a budget of £60K per annum.

SR21

No further information on the IFCA bid but feedback from Defra remained positive. RC advised that the Defra Research and Development budget had now been set but revenue and capital had not yet been agreed. RC was asked about progression with the IFCA capital asset component and advised that the proposed 'hand shake' letters would include both revenue and capital components.

IFCA MAFCO meetings

SD and RC advised CO's to be prepared for further work and engagement with Defra on the revised set of Key Performance Indicators. This also linked into the planned set of IFCA presentations at future MAFCO meetings.

5. IFCA TAG Chair & Vice Chair roles

SD opened discussions providing a background summary and update on the current situation which left Chairs departing from both TAG and NIMEG without any replacements. COG considered a number of options: Mandating the rotation of Chair and Vice Chair across the IFCAs on an 18 month basis supported by a revised set of ToRs; Placing a temporary pause on meetings pending further consideration at respective conferences during the summer; Merging both groups into a hybrid; More formal integration into AIFCA. MH confirmed that Alex was happy to continue in her secretariat/vice chair role within TAG. COG fully endorsed the importance and need for TAG and NIMEG to continue but no clear action was agreed. Both groups were viewed as crucial in supporting the exchange of information, good practice and consistency across the ten IFCAs. SD agreed to further discuss the options with the departing Chairs and scope a solution (**Action SD**). SD also noted that associated workloads would improve once the Association had strengthened its resourcing.

6. IFCA Engagement Fisheries Management Plans

RC opened discussions reflecting on the paper that he had circulated to IFCA COs previously which provided a summary outline of the established fisheries management groups and the priority work streams that he felt IFCA's should be directly involved in. RC re-iterated the importance of active IFCA engagement within the groups to ensure that inshore fisheries management was fully

integrated into the developing national processes. RC identified 6 priority groups which included crab and lobster, whelks, bass, scallops, Channel non-quota and Southern North Sea. Further groups were soon to be established including cockles and bivalves. RC advised that IFCA representation needed to be at CO/senior leadership level. Once AIFCA had recruited the technical support officer position further resourcing could then be provided. WW suggested that the 2016 IFCA futures paper provided a strategic common vision that could be utilised to inform a consistent high level position. DM to circulate the 2016 document to CO's **(Action DM)**. JG sought a clear action for single points of contact to be identified to lead each group supported by the appropriate senior technical officers. DM offered to draft and circulate a provisional list for review to facilitate that outcome **(Action DM)**.

7. Defra 4 Year IFCA Conduct and Operation Review

SD provided a brief update and thanked those who had supported a short notice review of the planned approach from Defra. Defra are keen to get more voices into the process which is likely to be run over the summer followed by a draft report sometime in autumn. A further update will be provided at next week's MAFCO meeting scheduled for Wednesday 25 May 2022. SD provided a further update on the MAFCO meeting which would include a 15 min presentation from CIFCA, the IFCA SR 21 bid, a review of the standing ToR, reporting processes and KPIs and changes to territorial water limits.

8. MMO Operational Update

Apologies noted from PT.

9. AOB

Marine Insurance

MH advised that NIFCA had recently renewed their marine insurances noting a 10% increase in premiums but their broker had advised that there could be significant savings if IFCA's collectively renewed their policies under one common provider. The majority of reps had recently renewed for 2022/2023 but there was common interest in looking at options for 2023/2024. MH agreed to facilitate further discussions **(Action MH)**.

NEIFCA Shellfish Mortalities

DM advised that there had been some further 'wash up' events comprising of lobster and crab species during the last few weeks as close monitoring of the situation continued.

Localism Act & Declaration of Interests

SA sought advice on how other IFCA's managed prejudicial and pecuniary interests in line with the Localism Act. JG advised that the provision of the Act did apply and EIFCA issued appropriate dispensations, under its internal

procedures, to enable affected members to discuss and vote on matters. RC advised that schemes could be set up but it wasn't a specific legal requirement to do so and it was up to the individual IFCA's in terms of how they chose to approach it. WW highlighted the need to consider the context of the particular topic under discussion and any process tailored accordingly.

10. ACTION List Summary

1. SD to have further discussion with departing Chairs of NIMEG and TAG to seek best way ahead.
2. DM to circulate the 2016 IFCA futures document for information.
3. DM to draft a provisional list of SPOCs and technical leads to support FMP engagement.
4. MH to facilitate further discussions on combined approach to

Date of next meeting 22 June 2022 – Meeting closed at 12:30

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
08 June 2022

Fisheries Statutes and Regulations Prosecutions

Report of the Clerk of the Authority.

A. Purpose of Report

To provide information on prosecutions taken by the Authority during the period 1 December 2021 to 30 April 2022

B. Recommendation

That Members note the report.

1. Background

- 1.1 Information on prosecutions and sanctions taken on behalf of the Authority are submitted to each meeting of member's information.
- 1.2 Attached is a schedule of prosecutions and sanctions covering the period since 1 December 2021.
- 1.3 As an alternative to a prosecution, the Authority can also offer a Financial Administrative Penalty or FAP. The 2011 'Sea Fishing (Penalty Notices) England Order provides the mechanism for the Authority to issue fixed penalties for a range of infringements including breaches of byelaw regulations and national legislation relating to minimum landing sizes. Each offence is categorised to a fixed penalty which can be issued to the skipper and or owner of the respective vessel. The level of penalty issued must exceed the value of the respective catch.
- 1.4 In addition to the formal actions listed in the table, three written warning and advisory letters were sent out to individuals relating to a wide range of other offences.

Contact Officer

David McCandless

Chief Officer

Tel: 07771936501

Name(s)	Offence	Sanction	Court	Date	Fined	Costs Awarded	Costs Requested
Mr R Chen	Taking edible crabs below MLS at Redcar foreshore and exceeding daily limits	HOC	N/A	4 January 2022	N/A	N/A	N/A
Miss Xiao Zia Zhong	Taking more than 10 crabs at Filey Brigg North Yorkshire.	FAP	N/A	4 January 2022	£250	N/A	N/A
Miss Ni Ying	Taking shellfish without a permit at Redcar foreshore	FAP	N/A	4 January 2022	£250	N/A	N/A
Mr T Yeung	Taking shellfish without a permit at Filey Brigg, North Yorkshire.	FAP	N/A	14 January 2022	£250	N/A	N/A

HOC – Home Office Caution

FAP – Financial Administrative Penalty

PROS – Formal Prosecution in Court

OCD – Conditional Discharge

Costs Requested – This is the amount that the solicitor requests the defendant to pay. This is equal to reasonable costs and does not usually include administrative time etc - so does not represent the full cost to NEIFCA. The solicitor asks for a reasonable amount to stand any chance of getting costs back.

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
08 June 2022

Partner Reports

Report of the Chief IFC Officer.

A. **Purpose of Report**

To provide members information on partner organisations activities.

B. **Recommendation**

That Members note the report.

C. **Background**

The Deputy Clerk at the quarterly meeting held in June 2011, suggested that reports are submitted quarterly from partner organisations from the Marine Management Organisation, Natural England and the Environment Agency for consideration at quarterly meetings.

Contact Officer

David McCandless
Chief Inshore Fisheries and Conservation Officer
Ext. 3690

Wheatcroft Outfall Briefing Note

May 2022

This briefing note relates to the Yorkshire Water Limited permit variation application QR.27/27/0035.

Background

The application is to vary the location of the long sea outfall, known as Wheatcroft Long Sea Outfall. This outfall conveys up to 7,000 cubic metres of disinfected treated trade effluent arising from potato processing to the North Sea. The application was duly made by the Environment Agency 2 August 2018.

The original outfall pipe suffered several breaks and the decision was taken to install a new replacement pipeline rather than repair it. The new pipeline follows alongside the original pipe but the final diffuser port has been extended seawards by approximately 500m.

This new location required an assessment as to its suitability. The application also looked to improve treatment to disinfect the effluent.

The disinfection method proposed requires an increase in the settleable solids limit in the current permit.

The new outfall is currently in use and until the permit variation has been determined the regulation of the discharge is managed by a Local Enforcement Position.

Current position

This permit variation has been the subject of extensive discussion between our local and national teams and Yorkshire Water over the last 4 years.

The proposed new permit is to be issued in modern condition format under the Environmental Permitting Regulations (2016).

To date we have:

- Determined the new bacteria limits (*Intestinal enterococci* and *Escherichia coli*) which are included as both 95 percentile limits (*look up table limits*) and maximum limits.
- Moved the compliance sample point to give a representative sample of the effluent.
- Yorkshire Water have agreed to undertake the benthic survey *
- Yorkshire Water have agreed that we can change the solids limit if the benthic survey indicates this is necessary.
- Yorkshire Water have confirmed continued compliance with the Urban Wastewater Treatment Regulations including the revised suspended solids limit.

*Due to the new location of the outfall being 500 metres away from the original location, we have requested Yorkshire Water undertake a benthic survey around the outfall to confirm the acceptability of the new settleable solids limit. The specific requirements of this benthic survey are currently subject to further discussions.

