

# **NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY**

## **AUTHORITY MEETING**

**14 JUNE 2018**

### **Present:**

Councillor Rebecca Atkinson  
Councillor Ron Allcock  
Councillor Edward Bell  
Emma Brown  
Councillor Kevin Cranney  
Mrs Kirsten Carter  
Councillor David Chance  
Professor Mike Elliott  
Mr Andrew Faichney  
Councillor Stephen Harness  
Mr Bob Houghton  
Councillor Chris Matthews (Chair)  
Mr Philip Macmullen  
Mr Michael Montgomerie  
Councillor Robert Norton  
Christian Proud  
Councillor Tony Randerson  
Mr Gary Redshaw  
Mr Andrew Wheeler  
Mr Jon Whitton  
Mr Shaun Wood

### **Representing:**

Sunderland City Council  
North Lincolnshire Council  
Durham County Council  
Natural England  
Hartlepool Borough Council  
MMO appointee  
North Yorkshire County Council  
MMO appointee  
MMO appointee  
North East Lincolnshire Council  
MMO appointee  
East Riding of Yorkshire Council  
MMO appointee  
MMO appointee  
Redcar & Cleveland Borough Council  
MMO Representative  
North Yorkshire County Council  
MMO appointee  
MMO appointee  
MMO appointee  
MMO appointee

Mrs Caroline Lacey, Clerk, Mr David McCandless, Chief IFC Officer, Mr Neal Beckett, Treasurer, Mr Ian Davies, Deputy Chief Officer, Mr Tim Smith, Senior Environmental & Scientific Officer, Mr Steven Mallinson, Senior Inshore Fisheries & Conservation Officer, Miss Georgina Innes-Myers, NEIFCA, Bex Lynam, YWT and Callum Williams, MMO also attended the meeting.

The Committee met at the Royal York Hotel, York. The meeting started at 10:30.

**39.**

### **MINUTES SILENCE**

Members observed a minutes silence at 12 noon to mark the one year anniversary of the Grenfell Tower Fire and in remembrance of those who lost their lives.

**40.**

### **APOLOGIES**

Apologies of absence were received from MMO member Acker and Axford, Councillor Members Allen, Gibson, Owen and Smith, EA nominee Slater.

**41.**

### **DECLARATION OF 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.

**42. MEMBERSHIP OF THE AUTHORITY**

The Clerk reported that the following new Members had been appointed to the Authority:

Councillor Rebecca Atkinson – Sunderland City Council  
Professor Mike Elliott – MMO Appointee  
Mr Philip Macmullen – MMO Appointee  
Mr Michael Montgomerie – MMO Appointee

**43. TO ELECT A CHAIRMAN**

The Clerk reported that the Authority had received one nomination in writing from Councillor Chris Matthews, East Riding of Yorkshire Council member and asked the Authority if there were any other nominations. There were no further nominations. Councillor Chris Matthews was proposed and seconded and was elected Chairman by a unanimous vote by the Authority.

**Resolved** - That Councillor Chris Matthews be elected as Chairman for the ensuing year.

**TO ELECT A VICE CHAIRMAN**

The Clerk reported that the authority had received one nomination in writing from Dr Stephen Axford, MMO Appointee, and asked the Authority if there were any other nominations. There were no further nominations. Dr Stephen Axford was elected Vice Chairman by a unanimous vote by the Authority.

**Resolved** - That Dr Steven Axford be elected Vice-Chairman for the ensuring year.

**44. TO APPOINT AN EXECUTIVE COMMITTEE**

**Resolved** –

That the Chairman, Vice-Chairman  
Councillors Bell, Randerson and Allcock  
Mrs Kirsten Carter, Mr Gary Redshaw and Professor Mike Elliott be appointed for the ensuing year.

**45. TO CONFIRM MEMBERSHIP OF STANDARDS COMMITTEE**

**Resolved** - That Councillors Bell, Randerson and Clerk be appointed for the ensuing year.

**46. TO CONFIRM MEMBERSHIP OF THE SCIENCE ADVISORY GROUP**

**Resolved** – That Chair, Vice-Chairman

Mrs Kirsten Carter, Mr John Whitton, Mr Robert Houghton, Professor Mike Elliott, Mr Philip Macmullen, Mr Michael Montgomerie and representatives from the Marine Management Organisation, Natural England and the Environment Agency be appointed for the ensuing year.

**47. TO APPOINT REPRESENTATIVES TO SERVE AND REPORT  
QUARTERLY**

**Resolved -** (a) That the following be appointed for the ensuing year to serve and report quarterly on :-

**Flamborough Harbour Commissioners (2 representatives):**

Councillor Chris Matthews

Mr Bob Houghton

**Staithes Harbour Board (2 representatives)**

Councillor David Chance

Mr Steven Mallinson

(b) That the following be appointed for the ensuing year to attend meetings of:

**The Association of Inshore Fisheries & Conservation Authorities Forum (3 representatives):**

Chairman/(the Vice-Chairman to substitute when the Chairman is unable to attend)

Clerk or Deputy Clerk

Chief IFC Officer

(c) That it be noted that the Chief IFC Officer was a Director of The Association of Inshore Fisheries & Conservation Authorities .

**48. MINUTES OF THE QUARTERLY MEETING HELD ON 07 DECEMBER 2017**

The Chief Officer informed members that following the decision made at the full Authority meeting on the 7 December 2017, the internal auditing team had reviewed the asset disposal limit and recommended that the level is set at £10,000. The disposal of any assets above that limit and or purchase by either an officer or a member of the Authority would require Committee approval.

**Resolved –** (a) That the minutes of the Quarterly meeting held on 07 December 2017 be approved as a correct record and signed by the Chair.

(b) The threshold for disposal of un-required inventory items be set at £10,000.

**49. MINUTES OF THE EXECUTIVE MEETING HELD ON 08 MARCH 2018**

**Resolved –** That the minutes of the Executive meeting held on 08 March 2018 be approved as a correct record and signed by the Chair.

**50. NEIFCA ANNUAL ACCOUNTS 2017/2018**

The Treasurer of the Authority presented a report of the Annual Accounts for NEIFCA for the year ended 2017-18. The report provided the income and expenditure account, detailed balance sheet and position on reserve accounts.

**Resolved -**

a) That the Statement of Accounts were approved as presented

b) That Members Approved the Outturn position

**51. MANAGEMENT OF SCALLOP DREDGING 2018/201 PERMITTING SCHEME**

The Chief Officer presented a report to support consideration of recommendations for the 2018/2019 fishery. A detailed background was included in the report for members information. The Chief Officer informed members that following the decision made by the Authority to support a continuation of the trail, allowing 3 permitted vessels to operate during the 2017/18 season, no major issues were reported and no infringements had been detected. During the 2017/2018 fishery over 198 tonnes of scallops were landed for an estimated first sale value of £553K across 166 days of active fishing within the specified area. The sampling and monitoring regime carried out by the Authority's Officers had been significantly enhanced with an emphasis on active onboard monitoring and catches of discards. The Chief Officer informed members that the outputs from the sampling and monitoring work undertaken during 2017/2018 season had been presented at a special meeting of the Science Advisory Group held on the 23 May 2018, Dr Bryce Beukers Stewart from York University also attended the meeting and offered valuable input. Members of the Science Advisory Group had considered the officer recommendations in detail, along with the supporting evidence and advice of Dr Bryce-Beukers Stewart, whilst members agreed that data relating to the stock provided some confidence that the fishery could re-open during 2018/19, they also requested some additional recommendations which included a maximum of 3 permits to be offered, additional environmental monitoring and officers to develop a longer term strategy for the fishery. The Chief Officer requested that members considered the recommendations made by the Science Advisory Group and support the re-opening of the fishery on 1 November 2018 accordingly.

**Resolved –**

- (a) That members note the report.
- (b) That members support the recommendation that a maximum of three scallop dredging permits be made available for the 2018/2019 season.
- (c) Officers extend the environmental monitoring component of the supporting research to include seabed habitat comparisons both inside and outside the fished areas.
- (d) Officers undertake additional potting surveys across the fished areas to monitor any changes in the presence of crab and lobster species.
- (e) Officers develop a long-term strategy for the fishery and an update be provided at the December Authority meeting.

**52. MARINE & COASTAL ACCESS ACT 2009 – MAKING OF BYELAW XXVIII CRUSTACEA CONSERVATION BYELAW 2018**

The Clerk and Chief Officer presented a report to inform Members of the intention to make the following byelaw 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 Chief Officer informed members that the new byelaw would replace the Authority's current Crustacea Conservation Byelaw, retaining and rationalising existing management regulations covering the exploitation of lobster, edible crab, velvet crab and nephrops within the Authority's district, as well as incorporating existing provisions for V Notch lobsters, protection for egg bearing lobsters and a new protection for 'soft' lobsters. A copy of the draft byelaw regulation including a supporting regulatory impact assessment was included for members information.

**Resolved –**

- (a) That the Authority approves the making of the byelaw.
- (b) That the Authority instructs the Clerk to give requisite notice by advertisement of the intention to apply to the Secretary of State for confirmation of the said byelaw.

53.

**EXCLUSION TO THE PUBLIC**

That the public be excluded from the meeting for consideration of the following item (Minutes 54) on the grounds that it involves the likely disclosure of exempt information defined in Paragraphs 8 and 9 of part 1 of Schedule 12A of the Local Government Act 1972.

**Resolved –** that the public be excluded from the meeting for consideration of the following item (minutes 54).

54.

**NATIONAL INSHORE VESSEL MONITORING (IVMS) PROJECT**

The Chief Officer presented a report to update members on the National Inshore Vessel Monitoring (iVMS) project and consider the implications of such on the Authority's parallel Automatic Identification System (AIS) work and supporting byelaw regulation. The Chief Officer highlighted that at a meeting of the full Committee held on 20 July 2017 members agreed to support a funding bid through the national EMFF programme to purchase and commission a district wide AIS vessel monitoring system to support pending confirmation of its AIS byelaw regulation. In consideration, members received a detailed background and were also updated on the progression of a parallel national work stream, across England, involving iVMS in collaboration with the Marine Management Organisation (MMO). NEIFCA has always viewed the use of an AIS platform as a much more suitable, cost effective and preferable system, locally, for monitoring inshore and coastal vessel movement but this view has never been replicated nationally although some of the potential benefits of AIS have been recognised. Subsequently, on 17 April 2018 officers received formal confirmation from the MMO that their bid for EMFF support to purchase a district wide AIS vessel monitoring system had been rejected on the grounds that it did not sit with national policy.

Since the meeting in July 2017 the status and importance of the national vessel monitoring project had increased significantly and the successful implementation of the project was now deemed critical by Defra to accessing future trading arrangements with the EU post exit. Defra now considered that if commercial fishing vessels did not have an iVMS system onboard, following the UK's exit from the EU, they would not be able to trade their catches with the EU. In having the system onboard, vessels would be able to meet future traceability requirements of the EU in confirming that their catches had not come from any illegal, un-reported or un-regulated (IUU) source. In our region over 90% of fishermen trade their catches directly with the EU at present. In addition to the EU requirement to trade, the requirement to have an iVMS system onboard all commercial fishing vessels would subsequently be mandated in secondary national legislation and vessels would not be able to fish in English waters without one.

Members were made fully aware that since 2014, prior to the development of the national iVMS system, officers had been actively working on utilising the existing vessel Automatic Identification System (AIS) platform as a cost effective way of monitoring

vessel activity. This work culminated in the formal making of a supporting byelaw regulation on 27 April 2016 and the submission of an application for EMFF funding support during October 2017. Whilst the grant application had been rejected the supporting byelaw remained in process and on track for formal Ministerial confirmation. Officers considered that from an operational perspective there remained a very strong need to achieve Ministerial confirmation of AIS byelaw to cover expected signal loss in MPA areas, enable ship to ship monitoring of fishing activity, enable monitoring of other commercial fishing activities not covered by the national project, cover any future issues surrounding vessel transmission rates and managing 'geo fences' associated with the national project, enable monitoring of other small vessel sectors potentially not covered by the national project, further reduce gear conflict issues and strengthen maritime safety.

**Resolved –**

- (a) Members note the report.
- (b) Members support the implementation of the national iVMS project within the Authority's district authorise the Clerk, Treasurer and Chief Officer to undertake and oversee the procurement, supporting grant in aid and cost recovery processes through the European Maritime and Fisheries Fund (EMFF).

**55. NEIFCA DRAFT ANNUAL REPORT 2017/2018**

The Chief Officer apologised to members as the draft Annual Report covering the period 2017/2018 was not available, the Chief Officer assured members that a copy would be circulated for comment as soon as it had been received back from the graphic designer.

**Resolved –** That the report be noted.

**56. GENERAL DATA PROTECTION REGULATIONS 25 MAY 2018**

The Clerk and Chief Officer presented a report to advise members of new data protection regulations that came into force on 25 May 2018 and to provide a suite of new and updated policies to support compliance with the new provisions. The Chief Officer highlighted that the Data Protection team within the East Riding of Yorkshire Council had provided valuable support and guidance on the changes regarding Data Protection and the policies required to ensure adequate compliance with the new regulations.

**Resolved –** That the report be noted.

**57. SCIENCE ADVISORY GROUP UPDATE**

The Chief Officer presented a report to update members on considerations and recommendations emanating from the most recent meetings of the Science Advisory Group (SAG) held on 8 March and 23 May 2018. A copy of the draft minutes of the meeting held on the 8 March 2018 were included for members information. At the last meeting of the Science Advisory Group on the 23 May, the Chief Officer highlighted that Mr James Duke from the Environment Agency had attended and provided a comprehensive update on the issues surrounding the McCain's outfall, a further update would be provided at the September meeting. Councillor Randerson requested that he be notified of the date and time of the next Science Advisory Group meeting so that he could attend.

**Resolved** – That the notes be received.

**58. CHIEF OFFICERS OPERATIONAL REPORT**

The Chief Officer presented a report to provide members with a comprehensive and detailed operational summary covering the period December to May 2018.

During the reporting period the region experienced one of the most severe and sustained spells of weather in over a decade. At the beginning of March Easterly gales combined with plummeting temperatures and Spring tides to force large quantities of marine life onto exposed beaches. The effects of this weather event were particularly acute along the Holderness Coast of East Yorkshire and officers estimated that over 814,000 lobsters and 108,000 crabs were washed up onto the foreshore. Officers supported an effort led by the local fishing industry to recover as many live lobsters as possible from the beach and return them back to sea. The Chief Officer took the opportunity to praise the efforts of the Authority's Officers and the industry who worked alongside each other throughout the event.

The Chief Officer also highlighted that since the prohibition relating to the capture and landing of egg bearing lobsters was introduced, the Authority's officers had encountered evidence of significant non-compliance at a number of ports within the Authority's district and had actively commenced trials of a testing process which it was hoped would significantly strengthen enforcement capability.

**Resolved** – That the notes be received

**59. FISHERIES STATUTES AND REGULATIONS - PROSECUTIONS**

The Clerk submitted a report on the fisheries enforcement activities taken by the Authority since December 2017.

**Resolved** – That the notes be received

**60. FRAISTHORPE, HOLDERNESS COAST 'WASH UP' EVENT 2018  
SUMMARY REPORT**

The Chief Officer presented a report to advise and update members of a significant 'wash up' event which occurred near Fraisthorpe on the Holderness Coast of East Yorkshire Coast during the first week of March 2018. Persistent spells of Easterly gales, at the beginning of March, combined with some of the lowest temperatures in a decade and Spring tides, to wash quantities of shellfish and other marine organisms onto beaches along the East coast of England from the Humber to the Scottish borders. The worst affected area was Fraisthorpe on the Holderness coast of East Yorkshire which attracted regional and national media interest. Upon receipt of the first reports of the incident on Saturday 3 March NEIFCA officers immediately mobilised to support an effort led by local fishermen and assisted by other partner organisations to recover quantities of live lobster from the beaches and return them back to the sea. On behalf of the Authority, the Chairman thanked the Authority's officers for their hard work and efforts in supporting the recovery operation. A copy of the survey report was attached for members information.

**Resolved** – That the notes be received

**61. REPORT FROM PARTNER ORGANISATIONS – MARINE MANAGEMENT ORGANISATION, ENVIRONMENT AGENCY & NATURAL ENGLAND**

The Marine Management Organisation and Natural England's partner briefing papers had been circulated prior to the meeting, papers from the Environment Agency were unavailable at the time of printing. Natural England appointee Emma Brown informed members that the consultation on the third tranche of Marine Conservation Zones commenced on the 8 June 2018 and was scheduled to close on 20 July 2018.

**Resolved** – That the notes be received

**62. ANY OTHER BUSINESS**

Nothing to report.

The meeting closed at 12:45



**NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY**

**Report to:** Authority Meeting  
6 December 2018

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**LEVY 2019/20 TO 2021/22**

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Report by the Treasurer

**A. Purpose of Report**

To determine the levy on member local authorities for 2019/20

To highlight issues relating to the setting of the levy for 2020/21 and 2021/22

**B. Recommendations**

- (i) That the levy for 2019/20 be set at £1,224,320 (an increase of 2% (£24,010) above the 2018/19 rate) and the Clerk be authorised to issue demands on the relevant local authorities as presented at Appendix A.
- (ii) That the Board acknowledge the issues affecting NEIFCA and their effect upon the levy for 2020/21 and 2021/22.
- (iii) That a detailed budget for 2019/20 be brought to the Authority for approval at the Executive meeting in March 2019.

**1. Background**

- 1.1 At its meeting on 7 December 2017, the Authority set a levy totalling £1,200,310 including £100,000 plus accrued interest transferred to the renewals fund.
- 1.2 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.
- 1.3 All the funding Authorities are facing severe financial pressures of their own. The Government's ongoing reductions to public spending which began in 2010 are expected to continue until at least 2019/20.

**2. Determination of levy**

- 2.1 The service has experienced wage inflation throughout the period 2011/12 to 2017/18 with a 1% pay award in 2013/14 followed by a 2.2% increase in 2015/16, a 1% uplift in 2016/17 and 2017/18 and a 2% increase in 2018/19.

- 2.2 The Bank of England's most recent quarterly inflation report shows that CPI has risen to 2.4% and predicts the level of CPI to remain slightly above the target of 2% in 2019/20, cumulating in a level of 2.1%. This is then expected to fall back to 2% by 2021. NEIFCA will experience this inflationary pressure as a significant amount of its budgeted costs such as fuel and other supplies are subject to the effect of a relatively weaker pound. The exit from the European Union in March 2019 is also anticipated to result in increased inflation. It is also recognised that the risk to NEIFCA's financial outlook has heightened including 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.
- 2.3 The NEIFCA general reserve stands at £228,449 as at 1 April 2018. The latest budget monitoring report (Agenda item 7) shows that a balanced budget is expected therefore the expected balance of the reserve as at 31 March 2019 will remain at £228,449.
- 2.4 Additional budgets are required for a 2% pay increase including larger percentages for staff on lower grades to meet the National Living Wage. A net increase to the levy of £24,010 is required.

### **3. Determination of Levy for 2019/20 and 2020/21**

- 3.1 There are a number of issues that need to be considered in terms of determining the levy beyond 2019/20. The pay award for 2018/19 and 2019/20 was set at 2% (plus larger percentages for staff on lower grades to meet the National Living Wage). A 2% increase in pay would increase the cost of the employees budget by over £24,000 per annum.
- 3.2 There is currently a commitment to fund the replacement of the boat by £100,000 per annum which is a permanent commitment made from the levy. This was increased from £80,000 from 2018/19 but this may have to be increased further in future years.
- 3.3 The next triennial valuation of the East Riding Pension Fund, due in 2020/21, may result in a budget pressure.
- 3.4 The Board should consider the effect of the issues highlighted in paras 2.1 to 2.4, and 3.1 to 3.3 on the levy for 2020/21 and 2021/22.

#### **Contact Officer**

Stephen Chandler (Tel 01482 394270)  
Interim Principal Accountant, East Riding of Yorkshire Council

#### **Neal Beckett**

**Treasurer**

Background Papers: NEIFCA\2019-20\Levy\Levy Requirements 2019-20

## Appendix A

### NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY LEVY 2019/20

LOCAL AUTHORITY	Allocation	2018/19	2019/20	Increase
	%	£	£	£
Durham County Council	5.56	66,737	68,072	1,335
East Riding of Yorkshire Council	22.22	266,709	272,044	5,335
Hartlepool Borough Council	2.77	33,249	33,914	665
Hull City Council	11.11	133,354	136,022	2,668
North East Lincolnshire Council	11.11	133,354	136,022	2,668
North Lincolnshire Council	5.56	66,737	68,072	1,335
North Yorkshire County Council	22.22	266,710	272,044	5,334
Redcar and Cleveland Borough Council	2.77	33,249	33,914	665
South Tyneside Metropolitan Borough Council	5.56	66,737	68,072	1,335
Stockton on Tees Borough Council	5.56	66,737	68,072	1,335
Sunderland City Council	5.56	66,737	68,072	1,335
		<hr/>	<hr/>	<hr/>
		1,200,310	1,224,320	24,010
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**NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY**

**Report to:** Authority Meeting  
6 December 2018

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**Science Advisory Group Update**

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Report by the Chair of SAG & the Chief Officer

**A. Purpose of Report**

To update members on considerations and recommendations emanating from the most recent meeting of the Science Advisory Group (SAG) held on 6 September 2018.

**B. Recommendation**

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

**1. Background**

At the last Authority meeting held on 7 December 2017 members supported revisions to the role and function of the Science Advisory sub-group. It was agreed that the group should play a more central function in providing the Authority with scientific and technical advice to fully support its decision making processes. The Authority can also delegate specific work streams or tasks to the SAG for further consideration (minute record 31 refers).

1.1 Authority members agreed that they would receive a written report from the SAG at each meeting summarising its most recent considerations and any specific recommendations for further consideration.

1.2 Since the last Authority held on 14 June 2018 one meetings of the SAG was held on 6 September 2018 and is summarised below:

**1.2.1 6 September 2018**

At the meeting held on 6 September 2018 members considered the following items:

- Wheatcroft outfall, Scarborough
- NEIFCA draft 5 year Research and Strategic Plan
- NEIFCA Annual Research Programme 2018/2019
- Scallop survey plan covering 2018/2019
- Review of cockle stock assessments
- Marine licensing and consents update
- External projects update

A copy of the draft minutes of the meeting held on 6 September 2018 are attached for information in Appendix A of this report.

A representative from the Environment Agency had been expected to attend the group to provide an update on the ongoing issues at the McCains Wheatcroft outfall. Unfortunately due emergency planning commitments he was unable to attend. The group discussed the Authority's role regarding the matter and whether the main Authority and its sub-groups were the most appropriate fora to consider it.

The group provided constructive feedback and input into the structure and content of both the 5 year Research and Strategic Plan and the supporting Annual Research programme. Officers are working on updating both and developing a simple reporting structure which will summarise outputs against objectives to better inform the group of progress.

The group considered and endorsed the scallop survey plan for the 2018/2019 season with the addition of further comparative habitat assessment both inside and outside the designated fishing areas. The plan covers active monitoring and sampling on board the permitted vessels, stock survey work, continuation of potting surveys to monitor crab and lobster species in the dredging areas and underwater camera assessment.

The group considered the annual cockle stock assessment work and supported a reduction in surveys to every other year.

#### Contact Officer

David McCandless  
Chief Officer  
Ext 3690

**NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY**  
**SCIENCE ADVISORY GROUP**

**06 September 2018**

**Present**

Dr Stephen Axford (Chair)  
Emma Brown  
Mr Bob Houghton  
Councillor Chris Matthews  
Mr Michael Montgomerie  
Christian Proud  
Mr John Whitton

**Representing**

MMO Appointee  
Natural England Appointee  
MMO Appointee  
East Riding of Yorkshire Council  
MMO Appointee  
MMO Representative  
MMO Appointee

*Chief Officer David McCandless, Tim Smith, Senior Scientific & Environmental Officer, Helen Devlin, Natural England and Bex Lynam, Yorkshire Wildlife Trust also attended the meeting.*

*The group met at the Authority's offices in the Green Lane Centre, Whitby. The meeting started at 12:30.*

**1. APOLOGIES**

Apologies for absence were received from Marine Management Organisation appointees Mrs Kirsten Carter, Prof Mike Elliot, Mr Phillip Macmullen, and Environment Agency representative, Mr Paul Slater.

**2. MINUTES OF THE MEETING HELD ON THE 23 MAY 2018**

*The Chief Officer circulated a written update on the Wheatcroft Outfall and the National Salmon and Sea Trout Protection Byelaws provided by Environment Agency representative Paul Slater as he was unable to attend the meeting. The Chief Officer informed members that the Executive Committee had requested that the Environment Agency provide a update presentation at the next full Authority meeting in December. Members highlighted that it may be beneficial to highlight the ongoing concerns from members to the Environment Agency, but the Authority should be mindful that the responsibility to resolve the issue falls outside of the Authority's remit, and perhaps an alternative forum to discuss the issues should be explored.*

**Resolved** - *That the minutes of the Science and Governance Working Group Meeting held on the 23 May 2018 be confirmed and signed as a correct record by the Chair.*

**3. NEIFCA 5 YEAR RESEARCH & STRATEGIC PLAN**

Senior Environmental Officer Tim Smith presented a report, which provided members with a draft NEIFCA strategic Research, and Evidence Plan for review and comment. The aim of the Strategic Research and Evidence Plan was to identify longer term approaches, research themes and core, on-going priorities for the organisation as well as setting out organisational research resources and capabilities. The strategy would communicate organisational priorities to stakeholders and partner agencies and form the basis for the Annual Research and Evidence Plans developed over the lifespan of the plan. The Senior Environmental Officer highlighted how previous recommendations had been incorporated into the plan. Members were asked to provide feedback and comments including any further recommendations electronically.

**Resolved** – Members noted the report.

**4. NEIFCA ANNUAL RESEARCH PROGRAMME 2018/2019**

The Senior Environmental Officer Tim Smith presented a report which provided members with a draft copy of the scientific and environmental work programme for the 2018/19 season. The Authority's environmental and scientific work is supported by a detailed offshore and land-based programme of survey work which links to the delivery of the overarching annual plan. The Research and Evidence Annual Plan is the key planning and operational document where actions and priorities can be agreed in context. The aim of the document is to identify continuing and new priorities for the organisation during the 2018-2019 period. Members discussed the report and suggested it would be useful to include the frequency of any reporting cycles and what periods the reports cover.

**Resolved** – Members noted the report.

**5. SCALLOP SURVEY PLAN**

The Senior Environmental Officer Tim Smith provided a presentation which provided members with an update on the planned monitoring and assessment work to be carried out by Officers in relation to the scallop dredge fishery over the 2018/19 season and subsequent years. The presentation included information on the current scallop stock data, underwater video camera stills, proposed potting stations, and comparisons from the 2016, 2017 and 2018 season. Members were supportive of the proposed sampling regime, they suggested the inclusion of some comparative data and camera work on the ground inside and outside the 6 nautical mile boundary.

**Resolved** – Members noted the report and supported the proposed sampling regime for 2018 – 2021.

**6. COCKLE STOCK ASSESSMENT REVIEW**

The Senior Environmental Officer Tim Smith presented a report to update Members on the results of the 2018 cockle stock assessment surveys and to provide an overview of previous years sampling. The main cockle beds located within the Humber and the Tees estuaries have been surveyed annually since 2013. The beds in the Tees are located in two small areas at Bran Sands and Middleton Basin and in the Humber are located across a wider area of foreshore known as Wonderland on the main bathing beach at Cleethorpes in North East Lincolnshire. Officers do not consider these areas capable of sustaining any manageable long-term exploitation at present. Further to considerations surrounding stock levels, neither the Tees nor the Humber are currently classified by the Food Standards Agency as bivalve production areas and cannot therefore support any legal commercial exploitation at this time. Given these factors, in accordance with the supporting byelaw regulation, officers had notified stakeholders of the intention to maintain existing closures until at least the end of the closed season in August 2019 and no permits will be made available during the 2018/2019 'open' season. Members discussed the stock assessment survey programme, and agreed that surveys should be carried out every other year as it is unlikely the cockle beds will support any legal commercial exploitation for the foreseeable future.

**Resolved** – Members noted the report and supported the recommendation that future cockle stock assessment surveys should be carried out every other year.

**7. LICENSING AND CONSENTS UPDATE**

The Senior Environmental Officer Tim Smith updated members on marine licensing and consent applications reviewed by officers since the last meeting on the 8 March 2018. Most of the applications



were for relatively routine activities or would have limited interaction/impact on marine fisheries. An EIA scoping report for a new long sea outfall at Withernsea had been submitted and a consent summary would be circulated to members when the full application was received.

**Resolved** – Members noted the report.

8.

#### **NEIFCA PROJECTS UPDATES**

The Senior Environmental Officer Tim Smith updated members on the progress of all active externally funded project initiatives, currently officers were supporting 2 externally funded projects which include a Defra funded bait collection project which commenced in September 2017 and an EMFF funded lobster marketing project which commenced in December 2017.

**Resolved** – Members noted the report.

#### **ANY OTHER BUSINESS**

The Chief Officer informed members that the Executive Committee had endorsed a proposal to establish a Yorkshire coast Marine Protected Area Management Partnership, this would ensure a much more coordinated approach to MPA management across the Yorkshire region involving a much wider range of organisations including both statutory and non-governmental. Such a partnership would be unique nationally, demonstrate a strong and innovative vision. The Executive Committee had requested that the agenda item be presented to the Science Advisory Group for endorsement.

**Resolved** – Members endorsed the Yorkshire Coast Marine Protected Area Proposal.

The meeting closed at 14.35



## NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

**Report to:** Authority Meeting  
6 December 2018

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### Chief Officer's Operational Report

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Report of the Chief Officer

**A. Purpose of Report**

To provide members with a comprehensive and detailed operational report covering the period June to November 2018.

**B. Recommendation**

That Members note the report.

**1. Overview**

**1.1 NEIFCA**

*Fishing Activity*

The summer period heralded a prolonged dry spell of settled weather with some of the warmest recorded air temperatures in over forty years. Landings of lobster, however, were generally lower than might have been expected compounded by reports of high levels of discarding of egg bearing females. Landings only started to improve during September and October as the numbers of egg bearing lobsters reduced in catches. Typical inspected catches ranged from 10 to 50 Kg per day. Catches of edible crab improved notably during August with average landings of up to 130 Kg per day and offshore, 800 Kg per trip. A number of nomadic scallop dredgers continued to land at ports located within the Authority's District during the summer months with typical inspected landings of 1.5 to 5 tonnes for a 4 to 5 day trip. Trawling offered very limited returns for the smaller inshore 'day' boats but recreational angling vessels benefitted from the presence of large numbers of codling and mackerel on favoured grounds.

*Scallop Dredging*

Applications for the three available scallop dredging permits closed on 16 July 2018. A total of 7 applications were received and provisional notification was sent to all applicants on 23 July 2018. This year no formal appeals were received from the unsuccessful applicants and the fishery opened on 1 November as scheduled. Throughout the summer, since the closure of the fishery, North Eastern Guardian III has been utilised to support potting survey work across the permitted scallop dredging area. Quantities of both edible crab and lobster have been sampled and recorded as part of that work. Officers have also observed increasing potting effort throughout the designated scallop dredging area during

most of the summer months. At the last meeting of the Authority's Science Advisory Group held on 6 September 2018 a revised survey plan was agreed for the fishery and is now being implemented.

#### *Berried' Lobster Prohibition*

Throughout the summer numerous breaches of legislation protecting egg bearing lobsters were reported by Authority officers for further consideration. Two cases were successfully prosecuted in Court attracting fines and costs totalling £2,462, seven formal warning letters and five fixed penalty notices were issued and one formal caution. A further eleven cases are currently under investigation. Officers have also been undertaking trials of a chemical testing process to identify lobsters which have been manually scrubbed to remove eggs.

#### *Seabass Netting*

During the last two years new European fisheries regulations which prohibit the commercial exploitation of sea bass from the shore have conflicted with the Authority's intertidal sea bass permit scheme. Prior to the introduction of the regulations significant representations were made to both Defra and the EU regarding the serious impact that the measures would have on the fishery. These representations included active lobbying for some form of dispensation to enable the intertidal fishery to continue. This lobbying also received strong support from local MPs, MEPs and Councillors and with the expectation that a dispensation might be agreed, permits were issued for the 2017/2018 season. Unfortunately a dispensation was not forthcoming and in light of the continuation of the prohibition on commercial fishing for sea bass from the shore and based on legal advice, permits were withheld for the 2018/2019 season otherwise, in effect, the Authority would be permitting a prohibited activity. Members have been kept updated on the situation via email bulletins, the most recent was provided on 5 October 2018. Unfortunately the draft 2019 EU fisheries regulation do not contain any new concessions for commercial fishing for sea bass from the shore and the current situation is set to continue into next year.

#### *Workboat Apprentice*

On the 31 August 2018 the Authority's first apprentice successfully completed her one year attachment. Georgina Innes Myers achieved a NVQ Workboat Apprenticeship in partnership with the Whitby and District Fishing Industry Training School. Georgina was the first female workboat apprentice in the UK to achieve this qualification having successfully completed her work based training on board North Eastern Guardian III. Georgina has now secured a place at Leeds University and we wish her every success in the future.

#### *Longest Serving Officer Retires*

On 31 October 2018 Iain Baxter, the Authority's longest serving officer, retired from his duties. Iain was first appointed by North Eastern Sea Fisheries Committee on 21 November 1987 and based in Staithes, North Yorkshire, he initially covered an area of coastline stretching from Robin Hood's Bay to Hartlepool. Throughout his career Iain gathered a reputation for his firm but fair approach to enforcement. He was extremely well liked and thought of, not just by his colleagues but also by the wider fishing community and his retirement was suitably celebrated. Iain carries all our collective best wishes for the future in what we all hope will be a long and enjoyable retirement.

## 1.2 National

Almost all national work remains focused on preparations for the future exit of the European Union with primary involvement through the IFCA Chief Officers Group and the national Association of IFCA's.

### *Fisheries White Paper*

On 4 July 2018 Defra published a white paper outlining its ambitions and plans for UK fisheries post exit of the European Union. The paper covered the expected EU exit transition period, the future promotion of sustainable fisheries, access agreements to waters and fishing opportunities, the establishment of a new UK framework for fisheries management and the wider reform of UK fisheries management through a Fisheries Bill.

The broad ambitions outlined within the paper indicated positive intent and were broadly welcomed in the Authority's formal response to the paper. The lack of reference to IFCA's within the paper or their future role in supporting and delivering UK fisheries management was disappointing. One of the major issues facing the local industry remains the uncertainty surrounding future trading arrangements with the EU.

### *Fisheries Bill*

The introduction of the Fisheries Bill to Parliament on 25 October 2018 provided the legislative framework for the future implementation of the ambitions and plans detailed within the White Paper.

At the time of writing this report, whilst the UK had agreed in principle terms with the EU on the planned exit in March 2019 these terms had still to be ratified by Parliament and formally endorsed by the EU.

### *Conduct & Operation of IFCA's*

On 24 July 2018 Defra launched a 'call for evidence' to support the statutory four yearly review into the conduct and operation of IFCA's, representing the second time that such a review had taken place since the inception of IFCA's in 2010. Alongside the public 'call for evidence' IFCA Chief Officers received a separate request to complete and submit a questionnaire summarising operational outputs against the 5 national IFCA Success Criteria during the last four years. Members were informed of the consultation via electronic bulletin and provided with the Chief Officer's response for information. At the time of writing this report Defra had not yet published the final review report.

## 1.3 Summary of meetings and events attended

National Association of IFCA's, London	5 <sup>th</sup> June 2018
MMO Northern Marine Area TCG 'dial in', Bridlington	6 <sup>th</sup> June 2018
National IVMS 'dial in', Bridlington	12 <sup>th</sup> June 2018
Yorkshire Marine & Coastal Biodiversity Group, York	19 <sup>th</sup> June 2018

MMO/IFCA 'high level' meeting, London	27 <sup>th</sup> June 2018
Flamborough Head Relevant Authority Group meeting,	28 <sup>th</sup> June 2018
Internal legal meeting, Beverley	11 <sup>th</sup> July 2018
York University meeting	12 <sup>th</sup> July 2018
IFCA Technical Advisory Group meeting, London	19 <sup>th</sup> July 2018
AIFCA MPA Project 'dial in', Bridlington	23 <sup>rd</sup> July 2018
IFCA Chief Officers Group meeting, London	24 <sup>th</sup> July 2018
North Western IFCA new vessel dedication, Cumbria	25 <sup>th</sup> July 2018
Flamborough Head Management Scheme, Bridlington	31 <sup>st</sup> July 2018
Holderness coast Fisheries Local Action Group, Bridlington	1 August 2018
Whitby Civic Society open day NEG III, Whitby	11 <sup>th</sup> August 2018
Sewerby food festival, Bridlington	12 <sup>th</sup> August 2018
GT Vision, Sudbury, Suffolk	23 <sup>rd</sup> August 2018
CEFAS meeting, Lowestoft	24 <sup>th</sup> August 2018
Whitby harbour meeting	30 <sup>th</sup> August 2018
Defra EU Exit meeting, Whitby	31 <sup>st</sup> August 2018
MMO Northern Marine Area TCG 'dial in', Bridlington	5 <sup>th</sup> September 2018
Humber Estuary Regional Advisory Group, Barton	6 <sup>th</sup> September 2018
Amble Lobster Hatchery	7 <sup>th</sup> September 2018
Durham Heritage Coast, 'Seascape' meeting, South Shields	11 <sup>th</sup> September 2018
NEIFCA team building event, Cumbria	12 <sup>th</sup> & 13 <sup>th</sup> September 2018
Whitby Civic Society evening talk	17 <sup>th</sup> September 2018
National Association of IFCA's, London	25 <sup>th</sup> September 2018
Flamborough Head Relevant Authority's Group	25 <sup>th</sup> September 2018
Holderness Fisheries Local Action Group, Bridlington	27 <sup>th</sup> September 2018
NEIFCA legal meeting, Beverley	5 <sup>th</sup> October 2018
ICES Scallop working group, York	10 <sup>th</sup> October 2018

North Yorkshire Police, Whitby	12 <sup>th</sup> October 2018
National IFCA Chief Officers Group, London	17 <sup>th</sup> October 2018
Institute of Fisheries Management Conference, Hull	18 <sup>th</sup> October 2018
Whitby fishing festival meeting	19 <sup>th</sup> October 2018
Cefas/IFCA stock assessment workshop, Norwich	24 <sup>th</sup> October 2018
AON meeting, London	25 <sup>th</sup> October 2018
Bridlington Town Hall works meeting	30 <sup>th</sup> October 2018
National IVMS 'dial in', Bridlington	1 <sup>st</sup> November 2018
Natural England MPA meeting, York	6 <sup>th</sup> November 2018
MMO Northern Marine Area TCG 'dial in' Bridlington	7 <sup>th</sup> November 2018
Hull University MSc project meeting, Hull	7 <sup>th</sup> November 2018
MMO/IECS MPA disturbance meeting, Cullercoates	13 <sup>th</sup> November 2018
MMO Eastern Area TCG 'dial in' Bridlington	14 <sup>th</sup> November 2018
Whitby Fishing School AGM & prize giving	16 <sup>th</sup> November 2018
Hull University, Beverley	23 <sup>rd</sup> November 2018
YWT Marine & Coastal Biodiversity Group, York	28 <sup>th</sup> November 2018
National Association of IFCA's future funding, London	28 <sup>th</sup> November 2018

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

- Seek formal confirmation of the new Crustacea Conservation Byelaw
- Seek formal confirmation of the four new byelaw regulations made during April 2016.
- Continue ongoing marine protected area work streams, monitoring and enforcement of regulations.
- Continue specification and procurement work on new fisheries vessel, clarify the required budget and finalise, funding support.
- Continue to support national work streams and considerations on 'Day 1 readiness' post EU exit.
- Subject to approval, commencement of an organisational and staffing review.

## 2.0 **NEIFCA Operational Reports**

### 2.1 **Land-based Work streams**

#### 2.1.1 **Enforcement**

As weather conditions began to improve across the summer months, becoming more favourable for vessels to proceed to sea, activity across the NEIFCA district increased. The shore enforcement team maintained an intensive schedule of patrols and inspections on land and at sea utilising the authority's two RIB's to undertake boarding's at sea across the NEIFCA district. In addition to enforcement matters officers have been actively engaging with fishermen ensuring that the industry across the NEIFCA district are fully aware of current legislation. Officers have been actively publishing posters around the ports and harbours of the NEIFCA district reminding the industry it's an offence to land egg bearing lobster as some fishermen are still trying to land egg bearing lobsters or remove their eggs by scrubbing them off by using a brush.

A number of nomadic scallop vessels remained fishing outside the NEIFCA district and landing at the district's harbours and ports. Officers engaged with these vessels, some of which were returning whilst others were new to the area. Officers stressed the importance that vessels which are fishing in the area are made aware of the legislation that affects them when transiting through the NEIFCA district. Officers have been routinely boarding all scallop dredgers and inspecting catches of king scallops



Officers have patrolled the Holderness coast using the authority's John Deere 4x4 Gator which enables officers to reach remote areas of the Holderness coast where inter tidal netting is permitted. While out on patrol officers have engaged with recreational anglers and handed out useful educational leaflets notifying them certain species are not allowed to be landed and must be returned to the sea.

Bridlington and the Holderness coast have a large fishing fleet and abandoned fishing equipment is often found along this stretch of remote coast line. While out on patrol of the Holderness coast. Officers frequently come across plastic litter or abandoned fishing equipment and remove and dispose of this litter with the use of the authority's John Deere 4x4 Gator





Recent recruitment has also led to the successful filling of a vacancy in June for a fisheries enforcement for the shore team. This has made it possible to continue to maximise full potential with appropriate staffing levels.

Shore Officers have continued full engagement with the Intelligence reporting procedure, reporting in any information and prioritising work around key targets. Intelligence gathering and reporting has led to a number of successful operations targeting illegal fishing activity.

During the reporting period, 331 inspections have been undertaken by the shore team covering the following fishing activities:

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

Of the 331 inspections completed the offences were reported as follows:

- 24 offences relating to landing of egg bearing lobsters
- 11 offences relating to landing of undersized shellfish
- 5 offences relating to landing V-Notched/Mutilated lobster
- 1 offence relating to obstructing a fisheries officer
- 4 Scallop offence relating to undersize king scallops

28 Verbal warnings given relating to minor offences

### 2.1.2 Training

During the reporting period officers have undergone courses to allow them to perform in their role to their full potential. Over the reporting period, officers have been involved in the following courses

- Food Hygiene- to allow safe and effective premises inspections.
- RYA Level 2 Powerboat – introduction for knowledge to drive a RIB
- RYA Advanced Powerboat- To improve officer's knowledge of RIB handling and operation.
- Defib Training

### 2.1.3 Outreach & Joint Working

Enforcement Officers work alongside a number of organisations and agencies on a regular basis and it is important that links with these groups are maintained on a regular basis. NEIFCA Officers conducted joint patrols with Northumberland IFCA during November carrying out routine enforcement boarding's at sea inspecting shellfish catches and fishing equipment, during the reporting period contact was made with the following groups:

- Northumberland IFCA
- North East Maritime Trust, South Shields
- Seaham Marina Staff
- Seaham Port
- Marine Management Organisation
- Sunderland Marina Staff
- Whitby and Scarborough harbour staff
- Seaham angling club
- HM Coastguard
- Scarborough Sealife Centre
- Boggle Hole Youth Hostel
- Humber mouth Yacht Club
- Grimsby Fish Market

## 2.2 Offshore Work streams

### 2.2.1 General Review of Offshore Fishing Activity

#### **Trawling**

Very limited inshore activity observed within the Authority's district through the reporting period. Two of the local trawlers based in Scarborough commenced scallop dredging activity, under the Authority's permitting scheme, on 1 November 2018. During late October, the 'prawn' fishery commenced off the Tyne and Durham Coast and to date no major infringements have been detected or significant complaints recorded from the local fleet.

#### **Potting**

Despite the settled summer weather potting activity continued at a relatively 'low ebb' for the time of year and catches were significantly impacted by the prohibition on landing egg bearing lobsters. This eased somewhat during September and October. Shellfish prices remained stable throughout the summer period.

## **Netting**

The licensed salmon netting fishery drew to a close in August representing what could be one of the final seasons for some fishermen.

### **2.2.2 Research & Survey Work**

During the summer period routine offshore survey work continued with the monitoring of sea temperature, salinity and turbidity throughout the Authority's district and the permitted scallop dredge fishery.

### **2.2.3 Joint Operations**

Joint operations continue as a priority with shore staff and offshore staff aiding each other with enforcement duties making optimal use of sometimes very limited resources.

### **2.2.4 Offshore Enforcement Summary**

Between June and November 2018, NEG III undertook 50 sea patrols and 91 vessel boardings. 93 inspection reports were completed, 6 verbal warnings were issued and 2 offence reports.

### **2.2.5 Staffing and Training**

Offshore staff participated in a number of courses including RYA power boat courses and engineering courses.

### **2.2.6 Maintenance Summary**

All routine maintenance programmes were maintained throughout the reporting period including annual slipping and re-painting.

## **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.

Since the last Science Advisory Group meeting in March 2018, Officers have been circulating consent summaries for comment by SAG members before submitting formal consultation responses to the MMO.

*Table 1. Licensing Applications reviewed since the previous report*

<b>Proposal Reference</b>	<b>Date</b>
Norway - UK Interconnector	15/05/18
Able Seaton Port Quay 6 Cofferdam Removal	22/05/18
Eels regulation compliance measures at Hempholme Lock	09/07/18
Greatham South - INOVYN	02/08/18
Port of Sunderland - disposal of maintenance dredged material	28/08/18
A63 Castle Street Improvements, Princes Quay Footbridge	28/08/18
Withernsea Wastewater Treatment Works and Long Sea Outfall replacement – EIA scoping report	28/08/18
Holborn Enabling Works Ground Investigation	09/10/18
Simulated oil spill spraying operations	06/11/18

### 2.3.2 Marine Protected Areas

Bait and shore collection activity work streams are still being progressed. Officers have been involved in a task and finish group that includes Natural England and other IFCAs to share knowledge on relative levels of intensity, best practice and management approaches. As previously reported, the survey component of the MSc project with Hull University was completed in May 2018. Following an unplanned period of absence for the student involved, work is now continuing and reporting is expected to be completed by December 2018.

The Yorkshire region of the Authority's District encompasses a number of Marine Protected Areas (MPAs) including: Two Marine Conservation Zones (MCZ), one proposed MCZ site and one European Marine Site at Flamborough Head. Although assessment and monitoring of fishing activities occurring across all of these sites is well coordinated nationally through the Authority, only the Flamborough Head site has a dedicated scheme of management, a supporting management group and a coordinating Project Officer. It is now proposed that the scope of the established management group overseeing the Flamborough Head site is widened to include all the other MPAs located in Yorkshire under a new Yorkshire coast Marine Protected Area Management Partnership. This would ensure a much more coordinated approach to MPA management across the Yorkshire region involving a much wider range of organisations including both statutory and non-governmental. Such a partnership would be unique nationally and demonstrate a strong and innovative vision. Discussions with existing and potential management group members are being led by the current Chair of the group and the Project Officer. Officers will update members when further progress has been made.

Two Special Protection Areas within the District are currently at differing stages of review and extension. The Flamborough and Bempton Cliffs SPA is being extended to include the cliffs at Filey Brigg and the 2km of sea surrounding both the existing site and the planned extension. This has been in development for some time and has already been through the consultation phase. Despite a pre-emptive media announcement in July by Defra, the Flamborough and Filey Coast pSPA is still awaiting ministerial approval and is therefore still officially classed as a potential SPA. The Teesmouth and Cleveland Coast SPA is also under review to include the surrounding 2km of marine waters as well as parts of the River Tees. The consultation on the Teesmouth and Cleveland Coast pSPA is open until the end of November, 2018.

### **2.3.3 Survey Programme Update 2018**

Monthly quayside sampling in 2018 at major ports within the district has yielded biometric data on 5,817 lobsters and 7,088 edible crab to date.

Shellfish potting survey work undertaken from the Authorities patrol vessel over the summer has been expanded this year to include stations within the scallop permit areas to better understand the impacts of the dredge fishery on lobster and crab stocks. Initial indications suggest limited impact of the dredge fishery with catch rates of both lobster and crab being higher within the permit areas when compared to historic stations.

Survey work on the permitted dredging vessels started with the fishery at the beginning of November, with four surveys being completed so far. Officers are collecting biometric data for scallops as well as quantifying levels of crab and lobster bycatch. Dredging survey work from the Authorities patrol vessel will be beginning shortly.

At the invitation of Dr Bryce Beukers-Stewart of York University, the Senior Environmental and Scientific Officer presented details of the Authorities scallop management regime and work to date to the International Council for the Exploration of the Sea (ICES) working group for scallops at their annual summit which was held in York in October. The management system is being promoted as a case study for best practice in dredge fishery management. Also in October, the Senior Environmental and Scientific Officer presented the work at the annual Institute of Fisheries Management (IFM) conference, which was held in Hull.

Cockle surveys were completed in May and July 2018. The situation remains unchanged from previous years with stocks not found to be present in sufficient quantities to warrant opening beds to harvesting. A full report assessing the current state of the cockle stocks in the District and was presented to the Science Advisory Group in September for discussion. It was agreed that due to the continued low abundance of cockles that assessments be carried out on a biennial basis.

The annual assessment of the eelgrass bed at Spurn Point in the Humber Estuary was completed in July. No changes to current management are being proposed. This year, Officers worked in partnership with colleagues from Natural England and the Environment Agency to improve data collection and to trial new assessment methods.

Officers took part in the intertidal condition assessment of the Flamborough Head SAC over three days in August at the request of Natural England. Officers skills in intertidal survey techniques and experience of the site were able to make a significant contribution to the successful completion of the work.

Following the introduction of the national Statutory Instrument and NEIFCA Byelaw prohibiting the landing of egg bearing female lobsters, a significant amount of work has been directed at developing the Authorities ability to detect ‘scrubbed’ lobsters. A test to detect scrubbed lobsters is in widespread use within US lobster fisheries and is accepted by US courts as reliable but is yet to be tested within the UK judicial system. The test involves staining of the cement on lobster swimmerets and microscopic examination. Initial work was undertaken at the Institute of Estuarine and Coastal Studies, University of Hull, where a number of evidential requirements were identified. Officers are developing lobster holding facilities in order to address these evidence needs while developing Officer knowledge and expertise.

### 3.0 **National Update**

#### 3.1 **National Association of IFCA's Meetings – 5 June 2018 & 25 September 2018**

The national Association of IFCA's was formally established on 17 March 2011 following resolution and adoption of draft Articles by majority vote. The Authority was represented at this meeting by the Chairman, Deputy Clerk and Chief Officer.

The national Association is structured as a Company by Limited Guarantee with listed Directors and members and its Articles reflect that structure and governance. This enables the Association to employ its own staff (currently Chief Executive and one part-time administrative support position) and conduct its business within a properly structured legal framework. One Director is appointed by each of the member IFCA's currently the Chief Officer and the wider membership of the Association or forum comprises of three representatives from each member IFCA, currently the Chairman, Clerk and Chief Officer. The board of Directors meet after the forum to consider business and actions resulting from it. The Chief Executive is a Director of the Association as are the elected Chairman and Vice Chairman of the wider members Forum.

A copy of the minutes of the forum meetings held on 5 June 2018 and 25 September 2018 are attached to Appendix A of this report.

#### 3.2 **National IFCA Chief Officers Meetings – 24 July 2018 and 17 October 2018**

The Chief Officers group meets on a Quarterly basis 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.

A copy of the draft notes of the most recent meetings of the group, held on 24 July and 17 October 2018 are attached to Appendix B of this report.

**Contact Officer: David McCandless**  
**Chief Officer**  
**Ext 3690**

**The Association of IFCAs  
Members Forum Meeting  
5<sup>th</sup> June 2018  
To be followed by the  
Association Directors Meeting  
10:00 – 15:00**

**154 Southampton Row, London, WC1B 5JX**

**Draft Minutes**

Attendance for the Meeting

Chair: Tony Tomlinson  
CEO: Stephen Bolt

Attendance: Andy Guy, Paul Skinner, Tom Hooper, John Humphreys, Julian Gregory, Les Weller, Mike Hardy, Paul Williams, Robert Clark, Samantha Davis, Stephen Atkins, Tim Dapling, Will Wright, David McCandless, John Lamb, Stephen Axford, Jamie Small, Simon Pengelly

Minutes: Sally Standing

Apologies for absence: Greg Morel, Tony Goldson, Stewart Harper, Chris Matthews

Due to Tony Tomlinson arriving at the meeting later, John Humphreys took the Chair in his absence. John made introductions to Jamie Small who was attending the meeting with Simon Pengelly to present the MPA project.

1. Minutes from last meeting – 6<sup>th</sup> March 2018  
All agreed to adopt by general consent.

Actions from previous minutes

1. D&S IFCA meeting is to be held on Friday 13<sup>th</sup> July 2018
  2. First day readiness paper to be sent out – Done  
From previous meeting – Chris Williams will be attending the meeting to present his views on first day readiness. (Chris presented a research paper).  
From previous meeting – MMO policy paper has been sent.
  3. Fairer funding – SB confirmed that a very brief response has been sent. He has asked for all IFCAs to try to engage with their authorities.
  4. Review White paper – on agenda
  5. iVMS – on agenda
2. Updates from external organisations:
    - a. Views on First day readiness – Chris Williams
    - b. Defra updates – Marina Di Fonzo; Graham Lott

### 3. Finance and Resources:

#### a. 2017/18 fourth quarterly report

SB explained that the graph shown on the report shows spend against budget, but the income is down by £3k due to D&S resigning from the Association at the end of December 2017. SB went on to explain that the cost of hiring venues is still a concern, but we have made encouraging progress with Fishmongers Hall and LGA, although the LGA will charge us for the use of their venue. We also have the offer of using the Jersey meeting room in Westminster which we have secured for the next COG meeting in July and the IFCA/MMO working group 27<sup>th</sup> June. The £10k insurance claim which has been repaid to SIFCA is cost neutral to the Association and the draft final accounts shows a £300 deficit. JL has offered a venue in Southend to hold some meetings there.

### 4. Matters for Decision

#### a. Funding Paper

SB confirmed that the allocation of funding is 2/3 funding from the funding authorities. It has been noted that when the new burdens monies were set out Treasury would not allow the funds to be ring fenced. SB has a meeting with Andy Smith (Chairman of the LGA Coastal Special Interest group 29<sup>th</sup> June. He confirmed that a change has taken place since the last meeting with the Minister in that ongoing central funding from Defra is now part of the Comprehensive spending review post 2020 when the current new burdens funding is due to finish. Defra have stated that they find this very useful and have suggested all IFCA's put a business case together to support their bid for the future. SB will go through COG on this.

**Action 1: SB to go through COG and will draft a briefing paper for the next meeting in July.**

JL did state that as part of the fairer funding review of local government revenue, local authorities will now not get all business rates as previously signaled. It is anticipated that the authorities can expect about 75% of the business rates with the remainder still going to Treasury. It was suggested that IFCA's have a strong discussion with their funding authorities to have clear direction for 2021 onwards. In response to the Association revised funding paper, DM did voice his concerns about the potential of unravelling the present formula, but TT suggested we put our views in first. SB confirmed that it was confirmed to him that it was option 2 in the Defra consultation paper prior to setting new burdens, which was adopted of Defra's allocation of new burdens funding. SB will send this to all members. **Action 2: SB to circulate the new burdens funding to all members.** TT recommended asking our authorities that the money should be paid directly to the IFCA's from Defra and this would be raised at future discussions. Everyone agreed with this recommendation. All agreed that the funds should be renamed "additional burdens" instead of "new Burdens" which is misleading. **Action 3: SB will set up a working group to take forward the funding position and to seek IFCA's agreement. . He will ask COG how best to collate the evidence for continued new burdens funding. SB, JL, TD, WW & DM have volunteered to be part of the working group and will report back. SB will send out a Doodle poll to this working group to seek an appropriate date.**



b. Revised Terms of Reference for the review of the Association of IFCAs.

SB presented the revised terms of reference to the members. All agreed that we should be looking at being more proactive and making the IFCAs stronger nationally. WW agreed that it was a good idea to do the review now. He confirmed that the MMO discussion are progressing and sees this as an opportunity to pitch ourselves. However, he stated that D&S has been mentioned and we should agree on that fact that they are included, as we are all agreeing to it. However, he believes there are specific holes and wants them ironed out. He has suggested extending the remit to include MMO, NE. In terms of D&S however, how do we want this person to speak to D&S; would they be formally written to? JH has suggested that we should be asking D&S the same question but treat them differently. We might say 'Members and D&S'. TT agreed that we have the principal to go ahead.

Update from external organisations:

**Chris Williams - NEF**

Chris presented to the members his update on first day readiness and delivering future fisheries management that is fair and sustainable. He specifically presented the work he has been involved with on Shellfish, low impact fisheries, Brexit and the fisheries bill, cost recovery, and the leaked white paper. He continued with how he is into a four-year project called Blue New Deal focusing on the South West. His presentation has been made available to all the members.

**Defra Update – Graham Lott & Martina Di Fonzo representing Ruth Thirkettle**

Martina confirmed that she had news about MPAs, the spending review and Financial Adminstrating Penalties (FAPs). She confirmed that there is no update on MPAs as the consultation period has not started on tranche 3 site. Spending review is to be launched next year to include potential extension of central IFCA funding (currently new burdens due to run out in 2020 (as previously indicated by the Minister at previous Association meeting). Defra is looking at what information we need to review and will be in touch to answer the success criteria for the statutory review of the IFCAs - 'A guidance to IFCAs monitory performance'. Once clarity has been confirmed consultation documents will be shared with IFCAs and will inform committee members that this will be taking part soon. In terms of FAPs, Defra has been advised that receiving the financial penalties is not possible as you will need very clear reasons to present to the treasury. SB reiterated the need for a pre-warning of the MPA consultation period. The IFCAs will need as much warning as possible. He also wanted to reaffirm the principal of the four yearly SoS report to parliament as he stated that this is not actually a review and wants clarification that this is not. As far as the monitory guidance is concerned he said that the guidance was originally written in 2010 and new guidance was accepted in 2016. He agreed this with Defra and suggested Martina checked that she is working to the correct guidance. The revised new success criteria was never adopted by the Secretary of State as it is now government policy not to adopt new guidance. Instead the new 5 success criteria (replacing the time limited 7) were unilaterally adopted by the IFCAs with Defra's agreement. SB re-iterated that the 2019 conduct and operations report should be based on the new criteria.

Graham Lott confirmed that the package for IFCO powers is hopefully being cleared today (5<sup>th</sup> June) and he is hoping to be clearing the SI in the next 3 weeks. **Action 4: Graham will send an update so that we can be certain of what the timings will be for this.**

#### 4. Matters for Decision cont....

##### d. iVMS update and communications document for potential adoption – JG

JG gave a brief overview of where the project is since 2012 when Defra asked IFCA and MMO to introduce Inshore Vessel Monitoring System devices to all commercial fishing vessels under 12m in length. The project follows work to develop a low-cost solution for iVMS which resulted in devices being type approved by the MMO. £3m had been put aside to fund this project. This led to forming a joint MMO/IFCA project, with JG as the SRO acting on behalf of all IFCAs and the MMO. JG mentioned an email to colleagues advising that the project is currently underfunded by circa £600k (not £100k as advised in the e-mail). The reason for this is that full funding has not been allocated by the Programme Board pending public consultation on the SI by Defra. In the event that all <12m licensed vessels are covered by the SI it is anticipated that funding will be forthcoming from the Board. Overall, the level of risk is judged to be very small. He confirmed that he had a very useful update from the EMFF funding team who have advised that the funding can be applied to things that are a statutory requirement so there are no obstacles for Defra pressing ahead with regulation. In addition, the reclaim process is currently anticipated to take eight weeks but the EMFF team are looking to reduce this to four weeks. JG will share this information with all IFCAs. IFCAs had previously asked for clarification on the status of the ownership of the iVMS equipment and in particular the transfer of terms and conditions of grant. The project board, had, as of 4<sup>th</sup> of June, confirmed that the standard EMFF terms would apply. Previously the project board had reported that ownership would be directly transferred to the vessel owners. It appears that it is not possible to transfer the T&Cs and JG has asked the legal team in MMO to look at transfer of ownership/T&Cs to see if this is possible. The MMO will advise and have prepared draft a legal agreement between IFCAs to transfer ownership and responsibility. JG will then review and advise IFCAs. However, RC has stated that he felt it necessary for the IFCA to be cognizant of this issue, because of the large amounts of local authority monies and the ability of the IFCAs to meet their liabilities under the terms of the grant. As a consequence, he felt due diligence required that independent advice was necessary. The matter being particularly relevant as the terms of EMFF grants are usually that the equipment is used for the purpose of the grant for 5 years and it appears, therefore, that individual IFCAs will be responsible for ensuring the equipment is used by fishing vessels for the purpose the grant was made, for this period of time. He said that this could be problematic because vessel ownership change, boats are sold to elsewhere in the country etc. in the event that the equipment was audited, and we might expect it to be, then demonstrating the location and use of the equipment was a significant challenge, certainly one that might not be insured against, yet one for which the IFCAs remain liable. It was asked if independent advice be sought and that this can go through the Association. SB confirmed that we could do this as a 'club contract' with 10% of costs coming from each IFCA or from AIFCA reserves. In summary JG confirmed that this has been an extremely challenging and complex project. JG recognises the concerns surrounding Transfer of Ownership which he will bring up with the project board. He confirmed that the EMFF will need to see that IFCAs are spending money for this by

the Autumn. **Action 5: Transfer of Ownership legal advice should come from the Association as soon as possible. The advisors should be experienced in this field. SB will source this advice once we see what legal obligations there are.**

## **5. Matters for Noting**

### **a. MPA project – verbal update and introduction to the team (Simon Pengelly, Jamie Small)**

The Association IFCAs successfully applied for one FTE to be taken on three days a week in order to be working on the MPA project which resulted in Jamie being successfully employed to be working alongside Simon Pengelly (funded for one day a week) and Patrick Cooper (funded for one day a week) both from SIFCA. She has been working on, firstly developing up to date database, evaluating and digesting contents, capturing everything the IFCAs are doing. Over the course of the next couple of months they will be visiting all IFCAs to capture greater data. Once this has been completed they will construct GIS data layers. SB is very keen to make greater use of the Association website and have an MPA section which includes NGO's and the interaction we've made with them. Communication forms large part of the project and Simon wants to see something similar to that of the glossy report produced in 2015. Simon has met with several stakeholders and NGOs already but looking to participate in conferences and meetings in the future. There is an opportunity to hold an end of year project conference for stakeholders to launch this document.

Jamie is also working on the HRA's database; and in particular, all management to ensure the correct data has been captured. Once this task has been completed they will visit all IFCAs to capture the proper data using the management to complete the assessments.

## **4. Matters for Decision**

### **c. National Training Proposals – Will Wright**

WW is presenting this paper on behalf of Dominic Bailey which has also been discussed with MMO. He confirmed that at present he has been trying to secure EMFF funding for a protracted period for the next two years and what the paper goes through makes recommendations. WW confirmed that we could put in a bid using the same wording as the MMO but also confirmed that they having some difficulty obtaining the paperwork from the MMO, TT will speak to EMFF to see if this can be resolved. It has been agreed that we go down this route and if EMFF decline the application, the IOS IFCA will pay just circa £300 per year and the remaining IFCAs will pay £1500 for training. In addition, the cost to recover the remainder will be covered by increasing the cost of the Torquay course. However, if not enough attendees sign up for the course the shortfall will be covered by the Association reserves. This will be subject to annual review.

## **5. Matters for Noting**

### **b. Environmental consultations – Verbal report Stephen Bolt**

- i. Environmental Principles and Governance after the UK leaves the EU – link attached – <https://consult.defra.gov.uk/eu/environmental-principles-and-governance/> Open – closing date 2<sup>nd</sup> August 2018. He stated that the consultation document starts with ambitious aims but the detail of delivery appears very weak. He is unsure as to how he is to respond to it at this stage. It was agreed that the Association should not respond at this stage but keep a watching brief on progress.
  - ii. Fisheries White paper – “Soon” (early version leaked and in public domain) – See paper.
  - iii. Fisheries Bill – to follow white paper
- c. Appraisal Update – Tony Tomlinson  
TT confirmed that a satisfactory appraisal of SB has taken place.
  - d. FAPs.  
SD asked Defra representatives if we can deduct our costs before it goes back to Treasury. **Action 6: SB liaise with Defra regarding this.**
  - e. CEO Meeting log
  - f. Directors Minutes

LW voiced his concerns that Directors are discussing issues that should be discussed at the Members forum. SB confirmed that the only things discussed at the Directors meetings are those unfinished items from the Members forum. He also confirmed that at the next members forum there will be an item for the MMO appointee process. **Action 7: SB to ensure there is an agenda item for the MMO appointee process on the members forum**

AOB

Graham Lott confirmed that the byelaw review process carried out by external consultancy have a final meeting on 14<sup>th</sup> June.  
MMO IFCA high level working group (an action from the last AIFCA/MMO board level meeting. TT is to have a telephone conversation with John Tuckett to see whether to proceed 27<sup>th</sup> June given that so many original attendees can't now attend. It was noted that the Defra the Marine Transformation Group is pushing MMO on this matter.

15:00 Close of meeting

Date of next members forum meeting – 25<sup>th</sup> September – LGA venue

## Actions from this meeting

### Items for Decision

Action Number	Action	By Whom
1	Funding Paper - Defra have suggested all IFCAs put a business case together to support their bid for the future. SB will go through COG on this. Action 1: SB to go through COG and will draft a briefing paper for the next meeting in July.	SB
2.	SB to circulate the new burdens funding formula as adopted in 2010 to all members.	SB
3.	SB will set up a working group for this. He will ask COG how best to collate the evidence for continued new burdens funding. SB, JL, TD, WW & DM have volunteered to be part of the working group and will report back. SB will circulate a draft to all members.	SB
4.	Graham Lott confirmed that the package for IFCO powers is hopefully being cleared today (5 <sup>th</sup> June) and he is hoping to be clearing the SI in the next 3 weeks. Graham will send an update so that we can be certain of what the timings will be for this.	Graham Lott
5.	Transfer of Ownership legal advice should come from the Association dependent	SB

	on the iVMS project board immediate response. The legal advice should be experienced in this field. SB will source this advice as appropriate	
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#### Matters for Noting

Action Number	Action	By Whom
6.	FAPs - can we deduct our costs before it goes back to Treasury. Defra to confirm this with all IFCAs	Graham Lott
7.	SB to ensure there is an agenda item for the MMO appointee process on the members forum	SB

**The Association of IFCA's  
Members Forum Meeting  
25<sup>th</sup> September 2018  
To be followed by the  
Association Directors Meeting  
10:00 – 15:00**

Venue - LGA – 18 Smith Square Conference Centre, London

Attendance for the Meeting:

Chair: Tony Tomlinson  
CEO: Stephen Bolt

Attendance: Paul Skinner, Tom Hooper, John Humphreys, Wendy Pattison, Mike Hardy, Robert Clark, Samantha Davis, Stephen Atkins, Stewart Harper, Tim Dapling, David McCandless, John Lamb, Steven Axford

Minutes: Sally Standring

Apologies for absence: Les Weller, Julian Gregory, Will Wright, Andy Guy, Paul Williams

1. Minutes of last meeting (5<sup>th</sup> June 2018) – Page 5 – amend monitoring.

Action 1 - SB confirmed the funding paper is on the agenda.

Action 2 – This has been circulated option 2 has been adopted.

Action 3 – New burdens funding working group – The meeting was held on 10<sup>th</sup> September

Action 4 – This has been superseded.

Action 5 – Transfer of Ownership - Legal advice has been sought and the document has been circulated. This action was completed with Mike, Rob and Greg. The MMO are now looking at a new funding model.

Action 6 – FAPs – SB confirmed that no response has been received regarding the IFCA's deducting their costs before it goes back to treasury. –

**Action 1: SB to chase Defra for a response to this situation.**

Action 7: MMO appointee process - Michael Coyle is presenting as part of his update

Terms of Reference: SB confirmed that he had approached four companies. Three had declined to bid stating that they were too busy to commit. The fourth failed to respond. JL confirmed that we look to county authorities as they may do this work for the £10k that has been budgeted. RC suggested passing the work to NEIFCA. SB will also liaise with EIFCA's HR teams. He will give the Revised Terms of Reference proposal to DM. JL also stated that if we fail to get anyone to engage in this to go to the LGA for a solution. If the amount of £10k is not enough SB confirmed that we have a buffer of £2k in

the possibility that we need to raise the amount. **Action 2: SB to forward the Revised Terms of Reference to DM for NEIFCA to look at. He will also liaise with EIFCA HR teams. There is a buffer of £2k if the original amount needs to be raised.** It is noted that SA is **not** in favour of the review or the increased budget of £2k.

## 2. Updates from external organisations

- a. Defra updates – Martina Di Fonzo, Rachel Muckle, Graham Lott
- b. MMO update – Michael Coyle

## 3. Finance and Resources:

- a. 2018/19 First quarterly report

SB confirmed that the quarterly report shows that we are currently on budget; however, some of the costs will not show until this month (next quarter). Venue hire is still a concern and will continue to rise. Travel and subsistence will also increase due to the Chair and Vice Chair's expenses claims, but the budget is on target for this quarter. Stewart Harper has been in discussions with Fishmongers and they have offered us use of their meeting room.

**Action 3: SS and SH will liaise on dates for next years meetings to secure a meeting room with Fishmongers.**

## 4. Matters for Decision

- a. Future Funding Paper

Following the Association meeting in June a Future funding working group was set up and met on 10<sup>th</sup> September to propose a way forward for the IFCAs and the Association to engage with the 2019 spending review where a number of recommendations to assist with engagement with Ministers and Defra at all levels were made. The current working group should however, continue to work with a primary goal of extending the current funding model beyond 2020. Defra confirmed that continued central funding is being considered as part of the spending review. It is proposed that a second technical working group is established through the Association, including Devon and Severn, to explore the current funding model and potentially propose alternative options for future models. Options suggested were an overarching business case – updating the existing glossy but will need information from the IFCAs along with case studies. Ongoing commitment to MPA enforcement – an MPA project meeting is taking place on 26<sup>th</sup> September.

Following the debate regarding Devon and Severn the question remains do we include them in the discussions for the future workstream; CEO suggested that they could be included in the technical working group looking at the new burdens funding model. JL voiced his concerns regarding D&S and feels that they should not be involved in this funding work as they had resigned from the Association. TT then asked for a consensus on the issue. SA, PW, WP, all



agree with the point made by JL. MH agrees but thinks it would be difficult to fight our corner with only nine IFCA's. JH stated that D&S not being part of the Association is damaging and feels that it's worth mending relationships. SH agreed with JH but can also see JL's points and thinks we do need to see them return as part of the Association. TD voiced his concerns as D&S and in particular Mat Mander is a valued member of COG. DM also understands JL's principals but cannot agree. SB stated that the proposed compromise would be for them to engage in the funding model technical working group but not the main IFCA working group. SB stated that Ruth Thirkettle is the IFCA contact for this work but would seek to continue to engage at a higher level. SB has confirmed that he will need to engage with all members at each individual IFCA. SB will send out an 'Aunt Sally' to all members by the end of October, however, individual IFCA's would need to provide case studies to strengthen the IFCA case. **Action 4: SB to email all members by the end of October with first draft of the business case for future funding.** SB continued with his update and confirmed the MPA project conference launch is proposed for February 2019 and could be utilized to further the future funding work. It was suggested that a separate stakeholder event launching the 2010-2010 IFCA report could also take place in May 2019 to promote the IFCA model and sustainable funding. The future funding outputs are ambitious and are likely to result in increasing Sally's hours in order to meet deadlines. This of course also depends on individual IFCA's submitting statistics and case studies. JL mentioned that the local authorities are setting their budgets now for next year so in order to be considered for an increase in funding to speak to them now. He also suggested that the glossy booklet should go to 2021 not 2020. WP will try to speak to Anne Marie Trevellian from Northumberland who may be able to assist with supporting the IFCA business case.

## 2. Updates from external organisations

### Graham Lott – Defra

Graham gave a short update and confirmed that the wider government white paper process has gone for consultation. We have been given a slot but have been told this may very well be next week now. However, we are still on target for roll out in January 2019.

iVMS update – It is proposed that the MMO will take over from the IFCA's as the EMFF applicant. GL did speak to JG who has given assurances that the IFCA will continue to work on the project. TT confirmed that he has sent a letter to Anne Freeman confirming continued IFCA support for the project. There will be a consultation in October, but GL is unsure of what the processes will be. He confirmed that when he returns he will pass the information to SB. SB will ensure it is sent out to all members and D&S.

**Action 5: SB will forward the consultation process to all members and D&S when GL has confirmed them.**

Martina Di Fonzo update – Martina confirmed that the conduct and operations to Parliament closed on 4<sup>th</sup> September. There had been 82 responses, but the total number is expected to be much higher. Martina will share this with the IFCA's when she receives it. The publication date is unsure at this moment, but the report will be submitted to Parliament by the Secretary of State

Tranche 3 MCZ consultation was launched on 8<sup>th</sup> June. Consultation closed at the end of July and confirmed that they received 49,000 responses. We are now a month away from knowing how many organisations did respond and how many fishermen were included in these responses. Rachel Muckle will look into this. **Action 6: Rachel Muckle to report back to the members on how many responses were received from fishermen.**

EU Exit update – taking back control of UK waters and access will be on UK terms. Fisheries however will be a separate strand. Fisheries white paper closed on 12<sup>th</sup> September and we are committed to securing the best deal. However, we should all prepare for various outcomes including that of a no deal. Martina read from lines that were prepared for this meeting. She will forward them to SS via email. **Action 7: Martina to email SS lines prepared for this meeting by both herself and RM.**

Rachel Muckle gave her update on the SR2019 spending review. She confirmed that the Marine and Fisheries spending review will take place over the next 18 months. Defra is in the process of evidence gathering and is liaising with the central team. There is a big drive towards breaking this down for fisheries and the marine environment artificial barriers and recognizing the importance of everyone including stakeholders. She confirmed that there is a lot of things going on in the background such as reports going into Parliament. The Defra spending review will be led by Heather Smith and Tessa Jones, but there are a lot of uncertainties at present. Rachel continued and stated that there is zero based spending review; In order to feed into this process, the IFCA's need to plan for efficiencies and demonstrate transformation, stating how we've been more efficient and what differences have we made. She continued that we need strong arguments to increase our SR15 base line. They want radical reform, the greenest SR ever and public sector productivity. Therefore, we have to show them that we are good value for money.

Rachel read out lines from the Barber review. She will forward her notes to SS who will send them to all members. **Action 8: RM will send her meeting notes to SS who will forward to all members. Steven Axford will send some information to Rachel informing of the impact that fisheries can have on local authorities. Rachel may ask Beth Stoker from Defra Monitoring to attend the next members forum.** Various questions were asked of Rachel following her update.

Michael Coyle Update – MMO appointee process

The paper for MC's update had been drafted by Andrew Wareing who was unable to attend this meeting. MC confirmed that his paper had been circulated. However, the paper talks about having to replace, reflect on current recruitment, demand and applications the MMO have received. MC envisages this will be a national campaign as they have panels, for which they wish to see IFCA chiefs continue to sit on the panels and who will need to consider increasing the scope beyond 10 years which is currently the limit for appointees. MC asked for questions and comments.

MH made a valid comment and stated that the IFCA's will continue to get support for this process but thinks that there is an overriding issue as we are talking about specialized work that the IFCA's are involved in and doesn't think there is a lot of specialized personnel to carry out this work. He continued that between us, we are looking at a discretionary extension beyond 10 years, but there is a skills gap, and this will need to be justified; It's a question of

finding specifics. SB also commented that the key element appears to be whether there is flexibility to extend the 10 years. Are we looking at that as it's not in the IFCAs SI's? **Action 9: MC will assess the 10-year issue and lay out our plans in more detail.**

### **Break for Lunch**

#### **4. Matters for Decision Cont...**

Future funding paper had been discussed. The need for a communication package has been taken on board and a date for the next working group will be confirmed. However, the questions still remains for D&S to be involved in this working group. SB confirmed that he will send out dates to everyone. If they wish to attend they can confirm. **Action 10: SB to organise dates for the next working group**

##### **b. Budget proposal**

SB confirmed that without D&S membership, the Association income has reduced while there is continued upward pressure on the core budget. To date the Association has managed to increase the reserves annually from £87, to over £100k. 2017/18 is likely to exceed budget. It is anticipated that without raising membership fees for the first time it will become necessary to utilize some reserves in 2018/19 and beyond. All agreed to SB's suggestion of option 1 of his paper to maintain stand still budget and continue to engage with D&S with a view to their re-joining. **Action 11: SS to send a note to all regarding the equipment**

##### **c. AIFCA Activities of the Executive**

JH was asked by TT to look at the procedures for the Association. He confirmed that these were designed to tighten up the Association and these procedures make for a more efficient Association. He stated that at present the individual IFCAs reputation is higher than that of the Association and asked the question, can a Chairman of the board submit a paper to the board without it being amended by the CEO? The CEO stated that in his opinion the policies and procedures set out in the three papers that JH submitted were generally a good starting point, however, they are, in his opinion, currently still incomplete and in need of further work before adoption. The CEO therefore recommended that they are sent to the Directors for ongoing discussions in order to achieve a practicable set of procedures and policies. MH agreed that these papers should be discussed at the Directors meeting; therefore, asked for them to be referred to the Directors. MH proposed a motion that these papers should be sent to the Directors. SB also confirmed that four working days for the minutes to be written is impossible as SS only works two. JH agreed to change this back to ten working days. JH then asked for these papers to be adopted at this meeting as per the original recommendation. A vote was taken on this recommendation: Four voted the motion, two against with two abstentions. The papers were therefore adopted without further review. MH secondary proposal was therefore not voted on.

## 5. Matters for noting

### a. Annual Plan

SD asked if, at our next meeting in December, can the members have a progress report against the current plan. This will help SB meet these challenges. **Action 12: SB to give an update of the first two quarters of the annual plan at the next members meeting in December.**

### b. D&S update – Tony Tomlinson

TT confirmed that this had been a robust meeting; exchanging of views. D&S stated that there had been a lack of performance and procedures, lack of KPIs, and a lack of Metrics. The Association should be clear within its relationship with individual IFCA's. D&S suggested the scope of HR, H&S, training, governance review, and revised annual plan. Another meeting was agreed at a later date but has not yet been set. TT confirmed that he came away from the meeting where they had been open to negotiation. He believes the issue of membership of D&S is not going away, however, stated that we can not be prepared to give into everything that D&S want.

### c. Update on Joint Working

The IFCA working group met with MMO and it was agreed that further meetings will be arranged. It was also stated that the MMO and Eastern IFCA were planning to explore the possibilities of a pilot project to trial closer working practices. It was reported that the MMO and Eastern IFCA are meeting in November. SB is attending as an MMO appointee of Eastern IFCA and not in his role of CEO of the Association.

### d. Fisheries White Paper has been dealt with

### e. Conduct & Operations report to Parliament – update

**Action 13: SB asked if all IFCA's can send SB their responses.**

### f. iVMS – Update plus letter

SB confirmed that there the project had agreed to change the funding model from being IFCA led to the MMO applying for EMFF. It is understood that the consultation for the iVMS SI will go ahead early October but the MMO had not yet confirmed that they were able to take on the funding applications.

### g. Written/Amended procedures – update – dealt with

### h. CEO Log – Noted.

### i. Directors Minutes from previous meeting

SB confirmed that It had been suggested by two members to have a single meeting and need to hear views from both sides. TT suggested a trial in December to start with the Directors meeting followed by the Members forum. All agreed. **Action 14: SB & SS to arrange the Directors meeting followed by the Members forum for our meeting in December.**

## 6. AOB

### Training

MH confirmed that EMFF funding of £1500 is not available and this would become an evolving liability to the Association which has been kept to a minimum. Dom Bailey has tried very hard but has been told, vaguely, that the EMFF funding is looking unlikely. Dom has looked at a second option which is suggesting that the mainland IFCA pay £3k and IOS remains at £300. The funding model that had been suggested previously was each IFCA to pay £1500 each and £300 for IOS and to review it again next year. SB commented that since option 1 was approved at the last meeting the likelihood of a shortfall seems to be quite high. RC supports that option 1 is pursued. **Action 15: MH will ask for numbers from each IFCA to proceed with option 1**

### Article 55

MH confirmed that Les Weller wanted this raised. **Action 16: MH will send references to this which has gone viral.**

15:30 Close of meeting

Next meeting Tuesday 4<sup>th</sup> December 2018 – Friends House, London



**IFCA COG Meeting**

**24<sup>th</sup> July 2018**

**Government of Jersey, 4<sup>th</sup> Floor, 2 Queen Anne's Gate Buildings, London SW1H 9BP**

**Minutes**

**Start: 10:30**

**Attending:** Will Wright (WW), David McCandless (DM), Tim Dapling (TD), Tom Hooper (TH), Greg Morel (GM), Julian Gregory (JG), Alastair Brown (AB), Stephen Bolt (SB), Mat Mander (MM)

**Defra:** Rachel Mason (RM)

**MMO:** Michael Coyle (MC)

**Natural England:** Jonathan Burney (JB) Mike Quigley (MQ)

**Apologies:** Samantha Davis, Mike Hardy, Robert Clark, Stephen Atkins, Mark Stafford (Welsh Government) Guernsey and Isle of Man representatives

WW opened the meeting by thanking Greg Morel and the State of Jersey for the use of their offices.

**2. Minutes from previous meeting – 18<sup>th</sup> & 19<sup>th</sup> April 2018 - Agreed**

**3. Matters arising and actions from Minutes**

WW was happy to take comments from the last meeting. He stated that he had looked through the actions and noted that there had been support for a second futures workshop to be held in the Autumn of this year. However, given the current status of the UK exit programme there was a consensus that it should be 'pushed back' to the new year.

Following the last meeting there was an action to all regarding the completing and returning template on IFCA vessel rates to CEFAS. WW confirmed that some had completed this, others had not. WW has asked that the group complete this action and will ask CEFAS to respond.

**4. Defra White Paper – 'Sustainable Fisheries for Future Generations'**

Rachel Mason joined the group for an update from Defra primarily on the White Paper. However, RM confirmed that her colleague Graham Margerison expected to be joining the group after lunch to discuss this matter. RM did confirm that the idea to start a conversation on future plans for fisheries post EU exit had been well received. Defra

had received some negative comments, but most had been positive to date. She also confirmed that the consultation period on the four-yearly review into the conduct and operation of IFCA's had now commenced and She asked the group to alert their stakeholders and wider members. **Action: All to alert their stakeholders and wider members to the IFCA consultation period.**

RM updated the group on all of Defra's current legislative work streams including two 'jumbo' marine SI's which would strengthen aspects of MaCAA including MMO byelaw making powers to support management post EU exit. The group sought more information on the detail, extent and reasoning behind the proposals and RM informed the COG that she was happy to arrange a meeting to discuss all their concerns/queries.

RM confirmed that the IFCO Enforcement Powers SI had finally been confirmed and thanked all the IFCA's for their patience and assistance.

TD asked about consultation meetings which are being held around the coast. Following this query SB asked if we could have more than 24 hours' notice in future. RM agreed to provide further information on the meetings when it was available. **Action RM**

RM advised the group that the EU withdrawal SI's were expected during Autumn 2018 and should ensure that everything still continues to function correctly post exit.

This would include a supporting electronic catch system. A new European system had recently been introduced which offered a degree of functionality. Transform and DDTS had already run trials on a new catch reporting system and it was intended that this would be rolled out further for trial by December 2018. RM confirmed that Joanne Anderson and her team, who were responsible for these aspects of the exiting work, would share updates through COG and AIFCA. SB offered the website for passing on information to the members. RM asked the COG to digest the White Paper and then set up a meeting to discuss queries. **Action: All to digest White Paper and collate questions for a meeting to be arranged to discuss any concerns.**

## 5. National iVMS project update

JG confirmed that he had sent an update to all members of COG. The key issues at present were the SI and timescale for consultation and the current funding model. The perceived risks to IFCA's associated with the current funding model had caused significant concern and independent legal advice was being sought through AIFCA. Once that advice was received it would be shared with COG. Other issues included procurement rules set by MMO in terms of eligibility, which were considered not to apply. JG had asked procurement for confirmation on this.

**RM confirmed to COG that she had just received an email from Treasury to say that the full EMFF would be guaranteed by them for the life of the programme including post exit.**

- JG confirmed that the programme project board were working very hard to address the issues and move the project forward with an anticipated start date at the end of August 2018. However, fundamentally this could not happen until the issues surrounding the funding model had been resolved. If they can't be resolved, then a secondary funding model would have to be found or the financial risks underwritten by the MMO and Defra.

JG stated that the progression of the SI remained an issue which was now expected sometime during March 2019. The proposed IVMS SI was just one piece of secondary legislation which had been pushed back to Spring 2019 due to the prioritisation of UK exiting legislation. One of the approved IVMS suppliers had stated that they require 100% payment in advance of supplying the equipment. Some of the Chief Officers raised concerns over the financial standing of this supplier and associated risks. Reassurances

were provided that all due diligence had been completed on all the approved suppliers and the associated risks had been captured. MM provided an update on the pilot Devon and Severn IFCA IVMS project. MM confirmed that D&S had paid upfront for the units in their area. JG will take this back to the project board to discuss these concerns.

**Action: JG to discuss with the programme board the concerns associated with paying 100% of the costs in advance as it was originally agreed for a 50/50 payment scheme.** MM advised the group that 82 IVMS units had now been fitted in their region for under 12 m vessels and the supporting byelaw regulation would be enforced from the end of August 2018. D&S were now in the process of agreeing SLAs with suppliers to access the primary data.

Discussions followed regarding the White Paper and the proposed extension to MMO byelaw powers. TD asked the question about the byelaws being made in his district. WW confirmed that we must write a response at RM's request. TD suggested that our responses should include

- Impact on IFCA and 6-12 nautical miles
- FQA's and allocation
- Issue of cost recovery

WW suggested that we may need a delegate to draft a response by the 12<sup>th</sup> September deadline. The Association will write to Anne Freeman regarding this meeting to include an agenda. All IFCAs should provide SB with bullet points which can then be approved by COG before this is sent out. **Action: The Association will draft a letter to Defra with bullet points provided by all. This will then be approved by COG before it is sent to AF.**

## **6. Report to Parliament on the Conduct and Operation of IFCAs.**

The consultation on the report to Parliament on the conduct and operation of IFCAs had gone live today (24<sup>th</sup> July), but the consultation was not currently available online. An initial deadline for return of IFCA self-assessments had been set for 28<sup>th</sup> August 2018. Concerns were expressed that the deadline would prevent IFCA's from taking the paper to their individual Committees. Whilst the approach was considered 'light touch' there was agreement that responses must not 'under-reflect' the positive work IFCAs had delivered during the last four years. However, he confirmed that the AIFCA will encourage the opportunity to discuss and feedback. SB will speak to Ruth Thirkettle. **Action: SB to speak to Ruth Thirkettle for feedback from the questionnaire and report back to COG**

## **7. Review of National Association**

SB advised the group that he was awaiting further guidance from the AIFCA Chairman and Vice Chairman on the proposed review of the national Association before any further discussions could take place.

## **8. MMO/IFCA Collaborative Operational Work Streams**

**Michael Coyle – MMO update**



Michael Coyle provided a comprehensive update covering MMO and joint IFCA initiatives. The MMO had completed an action plan which fed into the Defra plan. A number of key areas and work streams had been identified including:

- Control and capability – improving compliance through EMFF, IVMS, catch recording and mobile working. 9 active projects were currently underway through the programme board to be delivered by March 2019.
- EU exit and implications including hard or softer agreements with the EU
- Charging and cost recovery from fisheries and marine licensing
- Business as usual operations

The landing obligations would take full effect in 2019 and the MMO and Defra were currently developing industry guidance. Catch reporting systems were in the discovery phase and with regard to EU exit the MMO had made a bid to treasury for support for more resourcing. The MMO were in the process of developing a paper related to chartering and joint IFCA patrol work. Other priority work included the development and implementation of systems to support export catch certification post exit.

MC provided an update on progress with accessing and utilizing RIPA powers to support investigative work and the proposed extension of MMO byelaw making powers to cover fishing activities in the 12 to 200 zone and recreational activities inshore. MC advised that the Fisheries Bill offered the opportunity to ensure that the ‘tool box’ was full in terms of available powers to manage all marine activities.

## Natural England Update

Jonathan Burney provided an update. He confirmed that NE were facing some tough times with a 15% reduction in budget which would affect some 180 staff. Resourcing would become an issue with associated risks surrounding the timely provision of conservation advice packages.

JB advised that consultation on T3 MCZ sites had now closed with 41 sites identified for designation in June 2019. Further views on Highly Protected Marine Areas were likely to follow. The T3 outcome was likely to be ‘modest steps’. Some final SPA designations were imminent including Teesside which would end the SPA process.

NE were in discussions with Defra over the ambitions of the White Paper and in particular the meaning of ecosystem approach and prioritising marine areas on ‘natural capita’ assessment. NE were also heavily involved in the 25 year plan the majority of which was terrestrially driven but there were some implications for approach in the marine planning side and the concept of national marine parks was starting to gather some traction.

JB advised that the strategy of developing pragmatic approaches to MPA management was becoming more challenging following recent legal challenges such as Sweetman and the incorporation of mitigation measures into project design. Such issues had been experienced by Eastern IFCA most recently. Mike Quigley agreed to circulate an information link. **Action MQ will send a link to SB**

JB thanked the Chief Officers for their work in delivering the revised approach to managing fishing activities within MPA sites.

## 9. AOB

WW re-iterated the need to meet with Defra to discuss the potential intent of widening the scope of MMO byelaw making powers under the future fisheries bill.

Meeting closed at 15:30



## **IFCA COG Meeting**

**17<sup>th</sup> October 2018**

**Government of Jersey, 4<sup>th</sup> Floor, 2 Queen Anne's Gate Buildings, London, SW1H 9BP**

### **Minutes**

**Start: 10:30**

**Attending:** Will Wright (WW), Mike Hardy (MH), Stephen Bolt (SB), Robert Clark (RC), Stephen Atkins (SA), David McCandless (DM), Samantha Davis (SD),

**Defra:** Anne Freeman (AF)

**1. Apologies:** Julian Gregory (JG), Mat Mander (MM), Greg Morel (GM), Isle of Man, Tom Hooper (TH), Michael Coyle (MMO), Grant Fulton,

### **2. Minutes from previous meeting – 24<sup>th</sup> July 2018**

Following queries from SA, amendments and comments to the draft minutes were completed by DM. Further to this, discussions followed surrounding the issue of where individual IFCAs posted their minutes and actions to the COG meetings. It was agreed that the written minutes should be private minutes, however the actions can be worded sensitively before they go into the public domain.

### **3. Matters arising & actions from minutes**

WW continued with the actions from the previous meeting. The **White paper** – SB stated that a meeting has been arranged by Defra. AIFCA will draft bullet points for this meeting. **Fisheries Bill** – SB confirmed there is no forthcoming meetings arranged at this stage. **iVMS** – This has now been superseded.

### **4. Suggested 2019 COG Meeting Dates**

15 & 16 January 2019  
9 & 10 April 2019  
16 & 17 July 2019  
15 & 16 October 2019

WW suggested that the April and October meetings were hosted by IFCAs in their individual regions. TD will look at possible venues from Sussex. All agreed that the regional meetings over the two-day period should be organized for the ancillary work to take place on the first day and the COG meeting should happen on the second day.

**Action: April and October COG regional meetings. SB will speak to MMO to ask for the use of their venue in Newcastle for the April meeting. SS will send outlook invites to all COG.**

## 5. EIFCA / MMO Pilot Collaboration programme

SB advised that the transformation board had picked up the proposed collaboration pilot between the MMO and EIFCA. SB confirmed that a meeting had been planned for 15<sup>th</sup> November and that he would be attending to represent EIFCA not the AIFCA; although he can be there to represent the Association if the need arises. He confirmed that this was an exploratory meeting at this stage. The group discussed the pilot and current progress regarding joint working and several concerns and issues were raised and highlighted. The consensus was to maintain momentum of collaborative working with the MMO through the Senior Management Group. WW agreed to prompt the MMO for another meeting. TD suggested that IFCA should consider making a presentation to MOSC highlighting deliver of key IFCA outputs following collation of a summary matrix. **Actions: WW to request a meeting date for the MMO/IFCA senior managers working group. RC to compile a spreadsheet of what is need for the matrix. SS & SB will ensure the enforcement figures are included in the matrix. SB will also look at a presentation that we may be able to send to MOSC.**

## 6. National IFCA Training – Update

MH confirmed the advertisement for Lead Trainer has now been advertised. So far there had been just one applicant. Interviews will be carried out in November and preparation undertaken by Dom Bailey, SB and MH. The plan is for the successful applicant to commence in January 2019. MH confirmed also that individual IFCA's who will be sending delegates will in effect be self-funding all training requirements. The annual Torquay course would cost each IFCA in the region of £850 per delegate, slightly higher than previous years but still representing excellent value. MH advised that the Torquay course was scheduled slightly later than previous years running from Sunday 3<sup>rd</sup> February to Friday 8<sup>th</sup> February 2019 and delegates would need to arrive no later than 4pm on the Sunday. In terms of the other additional training packages proposed, including the two day introductory and advance courses, these would be charged per delegate in addition to the contribution towards the funding of the lead trainer of £1,500 per IFCA and £300 for IOS as advised in the AIFCA meeting. MH agreed to update everyone on costs once provisional uptakes had been finalized by each IFCA. The group discussed the potential of involving the Environment Agency in the training.

## 7. MMO/IFCA Vessel Charter Pilot

SB confirmed that this programme has been driven by Day 1 readiness. Three IFCA's, Cornwall, Southern and EIFCA had been engaged in a pilot study to explore the practicalities of chartering vessels with the MMO with the potential of a wider 'roll out' in due course. The pilot would initially involve a 'dry-run' of two charter trips per IFCA. SD advised that CIFCA would be operating solely in the 6 to 12 zone. The pilot would explore tasking and command structures and assist in the development of a standard MOU. MH expressed gratitude to colleagues for their IFCA's taking on this and asked if we could all be kept up to date as members will be interested in the potential for demands on IFCA resources beyond the local remit. WW suggested COG have an agenda item for this at the next meeting on 15<sup>th</sup> January 2019 to review the progress of the pilot and applicability going forward. **Action: COG/NIMEG to review**

## 8. Review of Association – Update

DM advised that he had approached East Riding of Yorkshire Council to enquire as to whether they might be able to support a review of this Association, but they were unable to commit resources. SB confirmed that he has had a proposal from a company that Tom Hooper put him in touch with which he will send to everyone once he has received the bid. TD has also looked at a company, Create 51 in Sussex who have kindly sent introductory slides, for which he is happy to put forward a proposal. He confirmed that this company has worked previously with SE water companies and, could deliver by December 2018. **Action: SB to contact Penny Hodge of Create 51 to discuss the review further.**

## 9. iVMS – Update

WW confirmed that he had a conversation with JG prior to the COG meeting. JG was absent due to other meeting commitments but wanted to ensure that everyone had received notification from Leanne Stockdale regarding the new set up. The MMO have taken on the responsibility the EMFF funding for iVMS but IFCAs will still play a major role in the project to ensure the best outcome for all fishermen and to get the project moving. **WW asked for it to be noted in the minutes that COG thanks JG for his hard work and persistence in delivering this project.**

## 10. Update from Defra – Anne Freeman

AF advised that all departments and resources within Defra were very focused on EU exit planning which was shifting towards a ‘no deal’ scenario. She confirmed the launch of the White paper and thanked the Association and individual IFCAs for their responses. The plan is to publish the responses followed by the release of the Fisheries Bill.

Environmental NGOs are putting on the pressure for sustainability. However, there are mixed views on English Fisheries reform. Defra have completed the intel work and gathered information.

The fisheries bill is expected to be coming soon. If this is introduced, we will do something, before, during and after in terms of briefing IFCAs. AF also confirmed that the Secretary of State will set up quota’s, delegate power from EU to amend supporting legislation and manage fisheries flexibly, provide greater cost recovery powers to the MMO, establish UK grant funding powers for fisheries and greater byelaw making powers to the MMO. The publicised tech notice on ‘no deal’ implications for commercial fisheries has been sent to all IFCAs and AF advised that this could be published in Authority papers.

Day 1 prioritisation – Catch certificates, projects requiring new IT solutions which are being led by MMO, also multiple work streams through business readiness programmes and legislative programmes which AF is leading on.

AF advised that due to the pressure of EU exit work some other programmes would have to be de-prioritised including the report into the conduct and operation of IFCAs which would move into 2019. Given that the consultation period had now closed the group requested preliminary feedback which AF agreed to look at. **Action: AF to consider the provision of preliminary feedback to IFCAs. Also, the IFCA byelaw**

**programme.** DM highlighted the need to prioritise some IFCA byelaws particularly those replacing time limited emergency measures.

## 11. MMO IFCA Byelaw Process Review

Nick Greenwood had contacted WW before the COG meeting to suggest that it might be valuable to arrange a special meeting to discuss the findings and recommendations of the IFCA byelaw process review. NG did suggest a meeting in York; however, WW asked for an agenda item to be added to COG in January 2019. **Action: Byelaw review to be added as an agenda item to the January COG meeting. Nick Greenwood to receive an invite.**

## 12. Future Funding for IFCAs post 2020

Following the Association meeting in June, SB's action was to propose a way forward for the IFCAs and the Association to engage with the 2019 spending review and to continue beyond 2020. SB is asking for case studies from the IFCAs which he could add layers to the present document that will give evidence of the effectiveness of the IFCAs to Defra. As per the AIFCA meeting, SB wrote to Mat Mander, copied to Elaine Hayes to invite them onto the technical working group; they have accepted the invitation. SB had asked if anyone from another IFCA would like to get involved in this group please let him know. SB has drawn up a communication plan which has been updated from the 2011-15 report to 2015-21. The matrix that RC talked about would be extremely helpful. SB also advised that the information contained on the self-assessment forms that individual IFCAs completed as part of the conduct and operation report would be extremely valuable, but he was still one or two outstanding. **Action: To everyone that hasn't sent SB their self-assessments please do so. He will set out further stages and what his expectations are.** TD requested a timetable and the provision of a clear plan. It was agreed that the core text of a response would be finalized by end of November 2018 with supporting case studies. **Action: SB to finalise IFCA future funding response by end of November 2018.**

## 13. AOB

White Paper – discussed

Marine Conservation Society (MCS) – MH explained the issues that he is now receiving from Jean Luc Solandt of the MCS surrounding the amendment of NIFCA's SAC protection "red risk" byelaw to open soft grounds, which are still protected. Jean Luc got in touch about protecting species when NIFCA were making the byelaws. NIFCA consequently looked at this, objections were unfounded so NIFCA made the byelaw. This subsequently went to MMO. Jean Luc is now stating that it has breached the whole site approach. MH had correspondence with JLS, but he hasn't accepted the relevance of any of the data that NIFCA had collected over the last four years or the balanced approach as per the NIFCA vision which it felt that the proposed amendment enshrines. JLS is also citing EIFCA, K&E and NWIFCA.

Plastics – SB commented that following a phone call there is a directive on single use plastics and fishing gear single use plastics. He confirmed that we will have to comply if fishers buy fishing gear with plastic they will have to pay a tax. He stated that this also includes recreational fishing. **Action: SB will send all the information that he has received on plastics.**

**NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY**

**Report to:** Authority Meeting  
6 December 2018

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**BUDGET MONITORING 2018/19**

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Report by the Treasurer

**A. Purpose of Report**

To advise Members of the budget position at the end of month 7 (October) in 2018/19

**B. Recommendation**

That the budget monitoring position is noted

**1. Introduction**

- 1.1 A detailed budget monitoring exercise is undertaken monthly by the Treasurer in consultation with the Chief Officer. This analyses individual budget lines in terms of the current expenditure and allows for projections to the end of the financial year.
- 1.2 This report provides the overall position and any areas whereby an explanation is required of any notable variance on the Authority's spending to the end of October 2018.
- 1.3 At its meeting on 7 December 2017, the Authority set a levy totalling £1,200,310 for the current financial year, including £100,000 plus accrued interest transferred to the renewals fund and £10,000 transferred to the vehicle replacement reserve.
- 1.4 At the Executive meeting held on 6 September 2018, a projected balanced budget was reported

**2. Spending to 31 October 2018**

- 2.1 Appendix A summarises the expenditure and income for the Authority for the seven months to October of the financial year and compares it with the budget. The appendix shows both subjective and objective net expenditure for the period.
- 2.2 At the end of October 2018, the Authority has net expenditure of £694,181 against an expected £698,014, underspending by £3,833. The projected outturn shows a balanced budget. The major variances are as follows:

- Pay, NI and Superannuation expenses of £27,520, reflecting vacancies in the early months of the year, which has been offset by recruiting to vacant posts and an additional two temporary posts on a fixed term of 12 months.
- An overspend on supplies and services of £22,146, partially due to the need to replace ICT equipment to upgrade to Windows 10, the replacement of vehicles and on advertising expenses.
- A minor shortfall in income from court costs is anticipated.

2.3 Overall, it is anticipated that there will be a balanced budget. This allows for a transfer of £100,000 plus accrued interest into the renewals fund and £10,000 into the vehicle replacement reserve.

**Contact Officer**

Stephen Chandler (Tel 01482 394270)  
Interim Principal Accountant, East Riding of Yorkshire Council

**Neal Beckett**  
**Treasurer**

Background Papers: NEIFCA Monitoring File



## NEIFCA Budget Monitoring Report as at October 2018

	<i>Approved Budget</i>	<i>Profiled Budget to Month 7</i>	<i>Actual to Month 7</i>	<i>Variance to Profile</i>	<i>Projected Outturn</i>	<i>Variance to Projected</i>
	£	£	£	£	£	£
<b>EXPENDITURE</b>						
Employee Expenses						
Pay,NI and Superannuation	625,550	364,907	349,479	-15,428	598,030	-27,520
Other Employee Costs	177,230	130,979	131,369	390	176,354	-876
Premises	30,430	20,210	23,084	2,874	33,320	2,890
Transport						
Patrol Vessel Running Costs	166,120	73,223	71,977	-1,247	166,120	0
Vehicle Running Costs	33,790	18,984	18,508	-476	28,300	-5,490
Travel and Subsistence	35,750	19,116	15,381	-3,735	35,750	0
Supplies and Services	95,400	40,126	52,214	12,088	117,546	22,146
Support Services	91,500	86,820	89,070	2,250	93,500	2,000
	<b>1,255,770</b>	<b>754,365</b>	<b>751,081</b>	<b>-3,284</b>	<b>1,248,920</b>	<b>-6,850</b>
<b>INCOME</b>						
Grants and Contributions	-144,580	-49,877	-51,217	-1,340	-144,580	0
Other Income	-23,780	-6,474	-5,682	792	-16,930	6,850
	<b>-168,360</b>	<b>-56,351</b>	<b>-56,899</b>	<b>-548</b>	<b>-161,510</b>	<b>6,850</b>
<b>NET EXPENDITURE</b>	<b>1,087,410</b>	<b>698,014</b>	<b>694,181</b>	<b>-3,833</b>	<b>1,087,410</b>	<b>0</b>

	<i>Approved Budget</i>	<i>Profiled Budget to Month 7</i>	<i>Actual to Month 7</i>	<i>Variance</i>	<i>Projected Outturn</i>	<i>Variance to Projected</i>
	£	£	£		£	
<b>NET EXPENDITURE</b>						
Central / Headquarters	385,080	255,536	274,072	18,536	415,816	30,736
Land Based Operations	142,010	76,478	73,269	-3,209	117,340	-24,670
Offshore Operations	448,740	243,382	226,700	-16,682	437,910	-10,830
Environment	111,580	61,516	58,815	-2,701	116,120	4,540
Grant Aided Projects	0	61,102	61,326	224	224	224
	<b>1,087,410</b>	<b>698,014</b>	<b>694,181</b>	<b>-3,833</b>	<b>1,087,410</b>	<b>0</b>

	<i>Approved Budget</i>	<i>Profiled Budget to Month 7</i>	<i>Actual to Month 7</i>	<i>Variance</i>	<i>Projected Outturn</i>	<i>Variance to Projected</i>
	£	£	£		£	
<b>REPRESENTED BY</b>						
Annual levy on Local Authorities	-1,200,310	-1,200,310	-1,200,310	0	-1,200,310	0
Contribution to Vehicle Replacement	10,000	0	0	0	10,000	0
Contribution to Renewals Fund	102,900	0	0	0	102,900	0
	<b>-1,087,410</b>	<b>-1,200,310</b>	<b>-1,200,310</b>	<b>0</b>	<b>-1,087,410</b>	<b>0</b>



## NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

**Report to:** Authority Meeting  
6 December 2018

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### Fisheries Statutes and Regulations Prosecutions

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Report of the Clerk of the Authority.

**A. Purpose of Report**

To provide information on prosecutions taken by the Authority during the period June to December 2018

**B. Recommendation**

That Members note the report.

**1. Background**

- 1.1 Information on prosecutions taken on behalf of the Authority, or pending cases are submitted to each meeting of the Authority.
- 1.2 Attached is a schedule of prosecutions and sanctions covering the period since June 2018.
- 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.

Contact Officer

David McCandless  
Chief Officer  
Ext. 3690

Name(s)	Offence	Court	Date	Fined	Costs Awarded	Costs Requested
Mr E Potts	Landing 3 egg bearing lobsters & obstructing an officer	Scarborough	7 August 2018	£450	£935	£935
Mr B Dunn	Owner – landing 14 egg bearing lobsters	Teesside	21 August 2018	£55	£100	£425
Mr T Yale	Skipper – landing 14 egg bearing lobsters	Teesside	21 August 2018	£672	£250	N/A
Mr L Day	Landing 1 egg bearing lobster and 2 undersize lobsters	N/A	24 September 2018	HOC	N/A	N/A
Mr S Featherstone	Landing 2 egg bearing lobsters	N/A	4 October 2018	FAP	£500	N/A
Mr A Whitehead	Landing 2 egg bearing lobsters	N/A	24 October 2018	FAP	£500	N/A
Mr A Young	Landing 2 egg bearing lobsters	N/A	24 October 2018	FAP	£500	N/A

**HOC – Home Office Caution**

**OCD – Conditional Discharge**

**FAP – Financial Administrative Penalty**

**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  
6 December 2018

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**NEIFCA Response to UK Fisheries White Paper**

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Report by the Chief Officer.

**A. Purpose of Report**

To provide a copies of both the Authority's response and that of the national Association of IFCAs to the UK Fisheries White Paper which was published on 4 July 2018.

**B. Recommendation**

1. That members note the report.

**1. Background**

- 1.1 The Defra White Paper outlining the governments' plans and ambitions for UK fisheries, post exit from the EU, was published for consultation on 4 July 2018. The paper covers the expected EU exit transition period, the future promotion of sustainable fisheries, access agreements to waters and fishing opportunities, the establishment of a new UK framework for fisheries management and the wider reform of UK fisheries management through a Fisheries Bill.
- 1.2 The broad ambitions outlined within the paper indicate positive intent and are generally welcomed within both responses attached to this report. The lack of reference to IFCAs within the paper or their future role in supporting and delivering UK fisheries management is, however, disappointing. One of the major issues facing the local industry is uncertainty surrounding future trading arrangements which will be dealt with separately outside the detail contained within the White Paper.

**Contact Officer**

David McCandless  
Chief Officer  
Ext. 3690



**Clerk**

Caroline Lacey  
County Hall, Beverley  
East Riding of Yorkshire, HU17 9BA

**Chief Fishery Officer**

David McCandless, BSc, MSc  
Town Hall, Bridlington  
East Riding of Yorkshire, YO16 4LP

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Web Site [www.ne-ifca.gov.uk](http://www.ne-ifca.gov.uk)

Your ref:

Our ref: neifca/  
7 September 2018

**Email:**

**Fisheries White Paper Consultation Team**  
**Defra**  
**First Floor**  
**Seacole Block**  
**2 Marsham Street**  
**London**  
**SW1P 4DF**

Dear Sirs,

**RE: Consultation – ‘Sustainable Fisheries for Future Generations’**

This response to the consultation paper ‘Sustainable Fisheries for Future Generations’ which outlines the UK Government’s proposed new approach to fisheries management following exit from the European Union has been drafted and submitted on behalf of the members and officers North Eastern Inshore Fisheries and Conservation Authority (NEIFCA).

North Eastern Inshore Fisheries and Conservation Authority (NEIFCA) was established on 1<sup>st</sup> April 2011 under provisions contained within the Marine and Coastal Access Act 2009 to manage the exploitation of sea fisheries resources within an area between the River Tyne in the North and the South Bank of the Humber Estuary. The seaward limit of the Authority’s jurisdiction currently stretches to 6 nautical miles. The Authority’s area of jurisdiction covers some 224 coastal miles encompassing over twenty primary fishing ports and launching sites, utilised by over 250 commercial and 600 hobby vessel operators.

During 2016 over 3,916 tonnes of whitefish and 8,620 tonnes of shellfish were landed at major fishing ports located within the Authority’s District for a total first sale value of over £21 million. The fishing industry continues to make a significant contribution to the regional economy and the long-term sustainability of local coastal communities and this consultation is therefore of great interest to both the members and officers of NEIFCA.

In terms of the consultation documentation NEIFCA would like to make the following general points:

- First and foremost the apparent lack of reference within the paper to, or consideration of, the role that Inshore Fisheries and Conservation Authority’s (IFCA’s) might play in reviewing the future management of UK inshore fisheries is very disappointing.

- During 2017 the Association of IFCA's published a position paper which outlined future opportunities to further develop inshore fisheries and marine environmental management in England. This paper included options for an enhanced and re-vitalised future role for IFCA's such as an extension of seaward boundaries to 12 nautical miles. As the development of a future Fisheries Bill gathers pace NEIFCA would strongly support further involved national dialogue on such options.
- As highlighted within the consultation documentation future access to markets for fisheries products will be agreed as part of the UK's future economic partnership with the EU and will be addressed separately to the question of future fishing opportunities and access to waters.

At this stage members would like to point out that access to future markets is critical to the long term future of the regions fishermen, the coastal communities and economies reliant upon them. During 2016 over 90% of the 8,620 tonnes of shellfish landed at ports located within the NEIFCA district was exported to near continent markets in the EU under existing 'free trade' arrangements. Any change in tariffs would have a significant impact on the North East coast and therefore, given the significance to the region, members would like to be fully involved in any future consultations relating to trading arrangements.

- In terms of the broader ambitions outlined within the paper members are supportive of the future establishment of the UK as an independent coastal state and the general ambitions outlined within Defra's 25 Year Environment Plan, namely, securing clean, healthy, productive and biologically diverse seas and oceans. The achievement of sustainability is at the heart of the Authority's work in developing fisheries management programmes within its district.
- Members welcome the acknowledgement of the current disparity in the Common Fisheries Policy (CFP) quota system and the ambition to improve access to fishing opportunities. Within the Authority's district the obvious constraints of the CFP have led to the capping of over 70% of local fishing licences restricting inshore operators to targeting a small number of species thus increasing the pressure on those stocks. The Authority's ambition for a sustainable inshore fishing fleet would be one that permitted managed access to a wider range of stocks, across the year, utilising low impact sustainable fishing methods. It is important that a proportion of any uplift in fishing opportunities is ring-fenced to support such a programme within the inshore sector. As outlined within the paper the process of tendering or auctioning for English quota will have a role to play but needs to be very carefully managed to ensure that the largest and most profitable operators are not the sole beneficiaries of such a system.
- In the North East of England access to UK waters by EU member states is not a significant issue due to the limited nature of historical fishing rights but members are supportive of the government's intent outlined within the paper.
- In the past members raised concerns over the reliance on and suitability of Maximum Sustainable Yield (MSY) to assess the 'health' of exploited stocks but recognise that the principles of MSY are now enshrined in fisheries management practice both nationally and internationally. More broadly members welcome the ambitions to achieve sustainable management in UK fisheries.




- Members welcome the acknowledgement of the recreational angling sector and the ambition to more formally integrate it into fisheries management and governance processes. In the past NEIFCA's predecessor organisation, North Eastern Sea Fisheries Committee (NESFC) made a byelaw to protect tope within its District based on 'catch and release' principles. The primary driver was to protect tope as a recreational species, a management direction which officers felt would bring much greater economic benefits.
- Members welcome the ambitions to protect the wider marine environment. Since 2016 IFCA's have been at the forefront of managing fishing impacts in marine protected areas and delivering appropriate management within the Districts. As part of that work NEIFCA officers have appraised 1,391 fishing/feature interactions, completed 73 tests of 'likely significant effect' and 4 Appropriate Assessments across six MPA sites as part of that programme. This, in turn, has informed the making of six new management measures designed to strengthen environmental protection.
- The current European Maritime and Fisheries Fund (EMFF) and previous European fisheries funding programmes have proved essential in supporting the wider fishing industry and the work of the Authority. In the past, two such programmes have been utilised to provide substantive funding to purchase and commission new patrol vessels for the NEIFCA District. In addition to supporting the purchase and commission of fisheries control assets a significant number of fishing industry projects have been successfully delivered through the Fisheries Local Action Group framework. NEIFCA officers have worked in very close partnership with the Holderness Coast Fisheries Local Action Group delivering investment totalling £3.65 million in projects supporting conservation, marketing, processing and cultural initiatives. By the end of the current FLAG programme around 80 individual projects will have received assistance encompassing over 300 separate business interventions. If the ambitions of the White Paper are to be fully realised it is essential that a UK replacement fund is developed to support the fisheries sector following the UK's exit from the EU alongside a revitalised supporting framework similar to the current FLAG system. Any new UK centric fisheries fund will need to cover the core areas of enforcement and control, safety and innovation supporting low impact sustainable practices within the industry.
- Members fully recognise the importance and vulnerability of all the coastal communities located within the Authority's District. With few exceptions the majority of those communities face significant socio-economic challenges for a multitude of reasons. Accessing funds from sources such as the Coastal Communities Fund (CCF) can provide an important boost particularly in terms of promoting growth and job creation. Priority must be given to retaining these programmes and focusing on counteracting the economic impacts of seasonality faced by such communities.

- In summary, members broadly welcome the ambitions set out within the paper but would like to see more active involvement with IFCAs and priority must be given to strengthening access to fishing opportunities across the inshore fleet and outside the scope or remit of the paper, securing beneficial trading arrangements when the UK leaves the EU. The establishment of a UK centric fisheries funding programme will also be essential in underpinning the ambitions of the paper.

If you wish to discuss any aspect of this response please do not hesitate to contact me.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'David Thomas McCandless', with a long horizontal stroke extending to the right.

**David Thomas McCandless**  
**Chief Officer**  
**North Eastern Inshore Fisheries & Conservation Authority**

## **Introduction:**

This response primarily reflects the perspectives and needs of inshore fisheries and marine environmental management, the communities they serve and the marine environment upon which they depend. Inshore in the context of this response is within 12 nautical mile territorial waters. Inshore fisheries can be considered in the context of commercial and recreational vessels that largely operate both within IFCA limits and territorial boundaries. From the perspective of scale this comprises to a large extent of vessels below approximately 12 metres in overall length. The IFCAs currently have duties and powers relating to the 0-6 nautical miles only.

## **Key points**

- The Association is supportive of the ambitions and underlying principles set out on the consultation. The IFCAs believe that the IFCA model of local governance and decision making coupled with active stakeholder engagement fits well with the concept of sustainable seas and fisheries and the ambitions set out in the white paper. In addition, this fits well with the 25-year environment plan and the Seafood 2040 plan. The Association believes that these initiatives should be delivered as part of a long-term plan for the marine environment and would seek to be actively involved in this process. The IFCAs have considerable expertise and operational experience in inshore marine management that we can input to the delivery of these exciting policies.
- The Association is, however, concerned as to the limited references to inshore fisheries (both commercial and recreational) within the consultation, and would wish to input clearly defined opportunities that exist to support this element of the fishing sector and the coastal communities that they support.
- Despite their function and level of management activity there is little if any reference to IFCAs, and the present arrangements for supporting inshore management in England following establishment of the IFCAs and their new duties through the Marine & Coastal Access Act 2009.
- The IFCAs would seek further clarity on secure central funding for IFCAs which has not been encompassed within the consultation, we feel this is an important opportunity to ensure that IFCAs have a sustainable funding model.
- The present value and further opportunities for inshore management to support more economically viable and sustainable inshore fisheries and communities whilst protecting the marine environment within territorial waters needs closer examination, innovation and vision. The IFCAs would welcome the opportunity to work closely with Defra and the Defra group to achieve this.

## Background:

The ten IFCA's were launched in April 2011 following the introduction of the Marine and Coastal Access Act 2009 (MaCAA) and as provided for in part 6 of MaCAA.

These authorities replaced the Sea Fisheries Committees (SFCs) which had been in existence for 120 years. The MaCAA details an extended remit of the IFCA's in place of the SFCs to become the lead regulator for fisheries and conservation in the 0-6 nautical mile inshore zone. IFCA are stand-alone regulatory bodies funded by local authorities. Defra supports the local authorities in their districts who fund IFCA's through 'new burdens' funding. The IFCA's work closely with stakeholders to achieve our shared 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. As local regulators we support inshore sustainable fisheries and the IFCA's believe that by engaging at a local level in order to assist with the delivery of UK marine policy we provide a cost efficient and effective method of regulation. The IFCA's have over 30 vessels carrying out enforcement, monitoring and surveillance with over 1400 days at sea per year. The IFCA's are (mostly joint) committees of the funding authorities. The structure and makeup of the individual IFCA's can be found in the Association report entitled "The Inshore Fisheries and Conservation Authorities 2011 to 2015" published on the Association website: <http://www.association-ifca.org.uk/news/the-ifcas-2011-2015-achievements-and-success>. In addition, MaCCA requires the Secretary of State for the environment to present a report to Parliament every four years. The first report entitled "IFCA Conduct and Operations 2010 to 2014" was presented to parliament in March 2015 and can be found at:

<http://www.association-ifca.org.uk/Upload/About/ifca-review-2010-2014.pdf>

The MaCCA also makes provision for the IFCA's to set up a national body to represent the ten IFCA's and as such the Association of IFCA's was set up in June 2011. The Association has a full time Chief Executive and a part time Administrative and finance assistant and reports to a Board of Directors nominated from the IFCA's. Details of the Association can be found on the Association website: [www.association-ifca.org.uk](http://www.association-ifca.org.uk).

In recognition of the present EU negotiations and development of new domestic law the AIFCA published a policy document in 2017 to provide support and advice to Government, **'Opportunities for Inshore Fisheries and Marine Environment; Future Management in England'**. This policy paper outlines the Inshore Fisheries and Conservation Authority's (IFCA's) collective recommendations for inshore fisheries management reform following the EU referendum and subsequent negotiations. As existing inshore fisheries managers for English coastal waters, IFCA's are well placed to highlight and identify opportunities to reform, develop and enhance the fisheries resources, the commercial industry and the marine environment. <http://www.association-ifca.org.uk/Upload/IFCA%20future-management-Final%20.pdf>

**In respect to the specific questions the Association of IFCA's responds as follows:**

**Q1: Do you agree with the proposed powers in the Fisheries Bill?**

We broadly agree with the powers as proposed in section 1.2. We would also welcome further explicit reference to and recognition of inshore fisheries and the specific legislative, policy and management needs of inshore fisheries and the communities they support.

Given the existing powers and activities of IFCAs to protect Marine Protected Areas with domestic legislation, we welcome further clarity and assurance on what further powers are proposed within the Marine & Coastal Access Act to protect inshore MPAs and that part of the marine environment not contained within MPAs.

## **Q2: What are your priorities for UK negotiations with the EU on fisheries?**

Creating opportunities within fisheries reforms for the reallocation of fisheries resources, maximising the economic and socio-economic benefits as well as the viability of the English inshore fishing fleet through improved diversification and access options within territorial waters and beyond. The implementation of the CFP has negatively impacted the inshore fleet; limiting access options, reducing diversification opportunities and has concentrated effort on non-TAC species such as shellfish. In addition, the UK commitment to MSY in all commercial stocks by 2020 (including shellfish) is likely to put more pressure on inshore fishermen as possible effort management may be forthcoming.

Live crustacean and molluscan shellfish species make up a large proportion of inshore landings that are commonly exported to the EU. As a result, maintaining trading opportunities to enable efficient and effective movement of fisheries products into mainland European markets is of critical importance for the continuing viability of vessels and businesses whose operations are based on these stocks.

The potential impact of future negative trading arrangements in live and processed fishery products could have an extremely detrimental effect on the economics of inshore fisheries and associated coastal communities. These impacts relate to both tariff and non-tariff barriers, particularly in the implications for additional delays for both live and fresh goods. In supporting relevant future changes in trading arrangements there needs to be legal mechanisms to enable investment in administrative infrastructure to enable the effective and efficient certification of fisheries related exports both live and processed.

The Association supports the position of moving from relative stability to zonal attachment as a priority in the UK negotiations.

## **Q3. What are your priorities for controlling our waters after exit?**

In respect to territorial waters we consider there to be strong justification to consider the establishment of exclusive access for UK registered vessels. In so doing this would create new fishing opportunities for inshore fishing fleets and strengthen economic viability of inshore fishing businesses and associated communities. The IFCAs would wish to see the inshore fleet with opportunities to strengthen the viability of the sector and consideration of a UK exclusive area in the 0-12 territorial waters would further this aim.

## **Q4: What are your priorities for the UK's international role in fisheries (beyond the EU)?**

We support continuing international commitments identified in section 1.4.

We encourage the UK's full engagement with relevant international fisheries negotiation. In so doing the interest of inshore fisheries should be fully recognised in relevant agreements and collaborative actions.

There should be a continued principle to work collectively with other states through EU structures and ICES to understand the conditions of stocks and management recommendations and objectives and to work towards a model of greater quota stability over time to enable both fishing businesses and regulators to be able to plan and invest accordingly. Much of fisheries and environmental management is a multinational endeavour given the movement marine life and our common seas. The IFCA's believe that the IFCA model of local engagement and decision making in inshore waters could be exported successfully to UK overseas territories and other third coastal states. The IFCA's believe that the IFCA model is an exemplar of localism in action.

**Q5: What are the fisheries policy areas where a common legislative or non-legislative approach (framework) across the UK is necessary?**

There is presently no explicit policy position in the UK toward inshore fisheries (within territorial waters). To achieve the best outcomes a common framework of objectives is required. Inshore fisheries management systems do vary between devolved administrations and at a smaller localised scale, however common management objectives can be identified and supported through a common UK framework policy which also supports and encourages sharing of experience knowledge, data and research. The IFCA's would welcome the opportunity to actively engage in the formation of such a policy from our perspective of the delivery of inshore fisheries management across boundaries between devolved administrations, for example in the Severn estuary.

**Q6: Do you have any further comments relating to the issues addressed in this section?**

The extent and detail of marine fisheries and environmental legislation developed during the UK's membership of the EU is comprehensive, complex and interwoven with domestic legislation. In terms of practical application of regulations in the 0-6 nautical mile zone, the IFCA's are closely involved in both fisheries and environmental management. It is essential to identify and protect existing EU and other non-domestic legislation that provide existing security for inshore fisheries and protection for the marine environment. The Association would draw attention to the evidence submitted by the Association to the "MPA revisited" Environment Audit Committee.

**Q7: Do you agree with the measures proposed to ensure fishing at sustainable levels?**

The guiding principles of sustainable stocks, reference points, MSY targets and protection of vulnerable habitats and species from damaging activities are recognised, valued and embedded in current management. Sound evidence should remain at the heart of management decisions and be scaled accorded to needs such that mobile and transboundary stocks remain well managed and localised stocks are afforded detailed

management. Opportunities exist to improve legislation requiring assessment and management of non-TAC stocks (many of which are exploited in inshore fisheries). There needs to be underpinning investment in infrastructure to support the effective monitoring, assessment and management of all stocks in UK waters.

The new legislation needs to recognise that Natural Capital and the principles of ecosystem management as set out in the 25 year environment plan and should underpin and be central to the future direction of regional fisheries and marine environmental management. Where possible, this should ensure that the long term maximum socio-economic benefits are realised from the marine environment and the fisheries it supports.

**Q8: Do you agree that existing quota should continue to be allocated on an FQA basis?**

The Association recognises that there are reasons why the government wish to retain an FQA system to maintain continuity and economic stability for elements of the fleet to which the system applies.

There are however, some particularly negative consequences of an FQA system that need careful consideration and solutions found, where necessary this might be achieved through a predefined process of phased introduction. The sale of quota allocations to active fishers from parties (sometimes referred to as slipper skippers) that have little if any possibility of utilising their FQA can be considered as detrimental to a future sustainable fisheries business model and management system.

Those fishers who are able to acquire the resource may be paying 'market rents' for access to fish that reflect a large proportion of the final revenue that can be achieved for the landed fish. Subsequently this reduces their profitability and simulates a need to fish for more resource to run viable businesses.

Those who hold FQA units for UK fisheries quotas (which are a public resource) do not own quota, although they might consider they have a legitimate expectation to receive an annual allocation. Importantly however, the receipt of income from renting a public asset may not be associated with supporting their own existing fishing business in these situations, furthermore it can drive increased fishing effort in other fisheries.

An alternative approach is that unused resource is allocated by government to achieve the most desirable policy outcome. Rents, if any, can be linked to positive policy objectives such as low impact fisheries and sustainable inshore fishing communities.

The Association is concerned that most of the benefits identified for the inshore fleet are dependent on the UK negotiating an uplift of quota. The Association would like to see a mechanism to revisit the allocation of existing quota should this uplift not be realised. In addition, interim support for the inshore fleet may be needed if realisation of an uplift was significantly delayed.

The proposed system does not appear to serve elements of the inshore fisheries well in many respects, resulting in small businesses unable to gain access to sufficient resources at key times and additional business costs accessing quota from non-government sources.

Opportunities exist within fisheries reform for the reallocation of fisheries resources, maximising the economic and socio-economic benefits as well as the viability of the English inshore fishing fleet through improved diversification and access within territorial waters and beyond. The implementation of the CFP has negatively impacted the inshore fleet; limiting access options, reducing diversification opportunities and has concentrated effort on non-TAC species such as shellfish.

The recognition of opportunities to see resource allocation structured in a manner to benefit low impact fisheries is recognised as a very positive development providing positive feedback to stimulate low impact methods. Identification of criteria and methodologies to define low impact fisheries is an area where the IFCA can bring particular expertise and knowledge and we welcome further engagement on this matter.

The new legislation needs to recognise that Natural Capital, of which commercial fish stocks as a public asset form a part, and the principles of ecosystem management should underpin and be central to the future direction of local fisheries and marine environmental management. Where possible, this should ensure that the long term maximum socio-economic benefits are realised from the marine environment and the fisheries it supports.

The principle of deriving government revenues from fisheries resources is welcomed providing it is proportionate, consistent and that that income is properly utilised to support improved fisheries management at all levels and create a positive feedback to the benefit of the fishing communities.

**Q9: How should any additional quota that we negotiate as an independent coastal state be allocated?**

Fisheries resources should be allocated with consideration of socio-economic, economic and environmental factors, whilst realising the potential of natural capital and supporting blue growth. Protection for vulnerable inshore fishing communities with limited fishing opportunities should be prioritised and promoted. As stated above, consideration should be given to allocation of existing as well as additional quota.

The Association of IFCAs would not wish to see a system which allocated quota to the highest bidder as this would serve to concentrate the ownership quota in a few, well-resourced larger businesses, as smaller operators would not be able to compete. It would also create further barriers to new entrants into fishing at a time when this is already a challenge, leading to an ageing workforce and barriers to investment for smaller scale fishing businesses, which form the majority of the inshore fleet in England.

**Q10: Do you agree that Defra should run a targeted scientific trial of an effort system in English inshore waters?**

Yes, this would have value if well managed. It is important to consider that in the consideration of the use of a 'days at sea' type system, inshore vessels already face a range of natural constraints on their fishing effort, including weather and tidal states in



areas where many ports are not accessible over a 24 hour period, for example in Cornwall.

**Q11: Do you agree with our proposals to explore alternative management systems for certain shellfisheries in England?**

The Association recognises there are issues associated with the current western waters effort management regime for specific shellfish stocks. These require attention to ensure sustainable exploitation. The IFCA model is widely recognised as being best practice for the management of inshore fisheries stocks incorporating local decision making and stakeholder engagement. IFCAs have a long history and considerable experience in the management of a range of crustacean and molluscan shellfisheries within the 6nm limit and are aware as a result of the implications for management approaches outside the 6nm limit to have impacts within it, for example, moving fishing pressure for crabbers closer inshore around the Cornish coast as the result of losing their allocation of days at sea, making fishing further offshore less viable. The majority of smaller ports and harbours around the English coast are dependent upon shellfish stocks and as a result, any new management regime must take this interaction between inshore and offshore into consideration, particularly where there are straddling stocks.

**Q12: Do you agree that there is a case for further integrating recreational angling into fisheries management?**

The Association recognises the importance of recreational sea angling in the UK and agrees that there is a strong case for integrated recreational sea angling into fisheries management. Many IFCAs have RSA expertise on their Committees and would welcome the opportunity to provide better regulation for this important sector. Several IFCAs have already developed management approaches which reconcile the requirements of both commercial and recreational vessels or individuals.

The need for any integration to be conducted in such a manner that it recognises the full socio-economic value of recreational fisheries is critical to the success and support of such measures. In the IFCAs view the present integration of bass management into recreational angling actively with introduction of catch and release only in 2018 has not duly recognised the resulting impact upon recreational businesses such as charter operators.

Measures that should be considered include RSA licensing arrangements and potentially some arrangement for catch returns. Angling 2012 demonstrated the importance of angling in terms of stock management and GDP.

**Q13: Do you agree with the proposed package of measures and initiatives to reduce wasteful discards?**

Broadly yes but it relies on the UK Government successfully negotiating an uplift in quota. The Association believes that consideration should be given to the impacts of fully implementing the discard ban in the event that this is not forthcoming. Support for the inshore fleet going forward may be necessary to support this sector.

**Q14: Do you agree with the proposed approach to protecting our marine environment in relation to fisheries including the powers proposed in the Fisheries Bill (see section 1.2)?**

The Association is concerned at any new risks arising from changes to existing environmental legislation which has taken decades to develop and introduce. However, it is recognised that there could be new opportunities to better protect our seas within the UKs EEZ with a more agile method of designating and managing the MPA network and the wider marine environment. IFCAs have been at the forefront of developing management options for the existing MPA network and as a result, we are familiar with the challenges and the opportunities this presents. We would welcome more detail on the proposals for extending powers contained within the Marine and Coastal Access Act and whether this extension would also encompass the management of non-fishing activities outside MPAs, where legislative jurisdiction is currently unclear, for example, the anchoring of merchant vessels within territorial waters but outside harbour authority jurisdiction, management of recreational activity outside MPAs, where these activities in turn impact on certain fishing sectors, particularly on inshore static gear vessels.

**Q15: What opportunities are there for the sector to become more involved in both the provision and direction of science and evidence development needed for fisheries management?**

There are considerable opportunities that can be developed toward greater citizen science to support fisheries management. Good practice should be identified and promoted further. Data supplied through IFCA permit systems for crustacean shellfish, for example in Cornwall, are analysed and used in the development of management options and as a data source to track changes within local fisheries. The IFCAs are well placed to assist both directly and through promoting citizen science (as evidenced by the IFCAs support for the Seasearch organisation) and the use of commercial fishing vessels to gather data. The IFCAs have capability to support Defra and the Defra group in scientific and monitoring work.

**Q16: Do you have any further comments relating to the issues addressed in this section?**

- Monitoring and compliance responsibilities could be more cost effectively delivered through full incorporation into an expanded IFCA local management model reflecting stakeholder engagement and decision making. This would support more efficient deployment of resources and strengthen national enforcement capacity. Overlapping enforcement duties with the Marine Management Organisation and Environment Agency could be incorporated into the IFCA model as lead inshore

fisheries managers within the 12nm, delivering more cost-effective and efficient enforcement, whilst maintaining existing service levels.

- The Association believes that EU exit represents an opportunity to maximise growth and opportunities for the inshore fleet. We believe that the work of the IFCA's in engaging and working with local communities and stakeholders provides an exemplar model for inshore fisheries. The principle of local ownership and decision making while working with Defra and Defra group needs to be considered in the White Paper in UK fisheries. The Association and the IFCA's are committed to engaging and assisting where possible during the process of negotiating and delivering EU Exit and moving to the UK becoming an independent coastal state.

**Q 17: What would be your priorities for any future finding for the sector or coastal communities.**

- From a regulatory perspective, and in particular with the inshore fleet, it is imperative to adequately ensure sustainable and appropriate funding streams to allow for long term support for local communities. True cost recovery for small businesses may not be practicable and the IFCA model engages with and supports local commercial and recreational fisheries but requires long term financial stability to allow for blue growth in line with the 25 year environment plan and Seafood 2040 aspiration.

**Q18: Do you have any further comments relating to the issues addressed in this section?**

See above

**Q19: How far do you agree with our future vision to pursue a partnership approach with industry and others for sustainable managing fisheries?**

The Association supports the future vision of a partnership approach to managing fisheries sustainably which accords with our vision. Local decision making and stakeholder engagement is at the core of the IFCA model and we believe that this could be extended to the 12 mile territorial limit in order to maximise the opportunities for the inshore fleet.

**Q20: Do you have any further comments relating to the issues addressed in this section?**

See above.

**Additional comments:**

In addition to the questions above, and further to the IFCA's support for the principles set out in the white paper the Association has the following additional comments:

The Association and the IFCA's would welcome the opportunity for further input to the review of inshore fisheries management mentioned on page 28 of the consultation document where it states "Defra and MMO can use this opportunity to review how the English inshore fleet.....is managed and regulated".

The IFCA's are keen to explore opportunities for the inshore fleet as access to the 6-12 becomes available and also how extended quota might be allocated to the inshore fleet which have been severely disadvantaged by CFP. The Association believes that there is a strong case for the IFCA's to extend their lead role in inshore management to include the 6-12 nautical mile zone.

The IFCA's would also like to see the potential of English aquaculture development taken into account in future work. There are transformational opportunities in English Aquaculture as recognised in Seafood 2040. However, there are potential challenges regarding site selection, water quality and potential competition for space with commercial and recreational fishermen. Many of these could be overcome with a holistic approach to marine management and marine planning and the IFCA's are well placed to assist with this process subject to resources.

The IFCA's recognise the potential opportunities for the inshore sector that may arise from EU Exit and supports the principles set out in the consultation. We recognise that this is a starting position and are ready and able to engage with Defra and Defra group in further developing fisheries and the wider marine environment. The IFCA model of local engagement and decision-making fits well with the aspirations of this document, and also with the 25 year environment plan and the Seafood 2040 initiative.

## **NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY**

**Report to:** Authority Meeting  
6 December 2018

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### **UK Fisheries Bill**

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Report by the Chief Officer.

**A. Purpose of Report**

To advise members on the recent publication of the UK Fisheries Bill.

**B. Recommendation**

1. That members note the report.

**1. Background**

- 1.1 Following the publication of the government's white paper outlining its plans and ambitions for UK fisheries, post exit from the EU a new Fisheries Bill was introduced to Parliament on 25 October 2018. The new Bill underpins the ambitions outlined within the White paper and provides the legislative mechanisms which will enable the government to manage fisheries independently post exit of the EU.
- 1.2 Supporting summary documents are provided for further information. As expected the Bill carries little detail which will come in due course via future secondary legislation, so at this stage it is very much a 'watching' brief for the Authority and its counterparts.

**Contact Officer**

David McCandless  
Chief Officer  
Ext. 3690



## **FISHERIES BILL**

### **Q. What difference will the Bill make?**

The Fisheries Bill will deliver and enable significant change to fisheries policy. It will give us control over who has access to fish in our waters for the first time in 40 years, ensure equal access to UK vessels across UK waters, and enable us to set fishing opportunities. The Fisheries Bill introduces powers to create new schemes in England to help seize the opportunities of Brexit. These include a new scheme to help the fishing industry comply with the landing obligation to end the wasteful discarding of fish, and powers to tender additional English quota.

### **Q. Why are you not completely scrapping the Common Fisheries Policy (CFP) now?**

The UK is leaving the CFP. The Fisheries Bill disappplies the key pillar of automatic access to EU vessels to our waters. The incorporation of the technical rules of the CFP under the Withdrawal Act brings certainty. It will then be for democratically elected representatives in the UK to decide on any changes to that law, after full scrutiny and proper debate. The Bill gives the powers to do that over time and in consultation with industry and proper scrutiny.

### **Q. Why is there nothing in the Bill about quota reform?**

The Bill states that UK will set fishing opportunities, which it will negotiate annually as an independent coastal State with the EU and other Coastal States. As now, the UK government will consult the Devolved Administrations before and during the negotiations.

The allocation of quota between the UK Fisheries Administrations is dealt with by agreement with the Devolved Administrations and is set out in Quota Management Rules. Legislation isn't required now or in the future. Then it is a matter for each Administration to allocate quota to its industry. The White Paper set out our intention to allocate new quota in a different way and commitment to work with the DAs and industry on a new methodology.

## **IMPLEMENTATION PERIOD**

### **Q. Why have you u-turned on your red line on extending IP?**

We have not committed to extending the implementation period, we do not want to extend the implementation period, and we do not believe that extending it will be necessary.

By far the best outcome for the UK, for Ireland and for the EU is that our future relationship is agreed and in place by 1 January 2021. But the impasse we are trying to resolve is about the insurance policy if this does not happen.

If, at the end of 2020, our future relationship is not quite ready, the proposal is that the UK would be able to make a sovereign choice between the UK-wide customs backstop or a short extension of the implementation period. In any scenario we would have to be out of the implementation period well before the end of this Parliament.

## ENFORCEMENT

### **Q. The UK doesn't have sufficient resources to control access to/protect UK waters**

The UK has a robust control and enforcement system, delivered in England through a number of agencies working in partnership, in particular the Marine Management Organisation (MMO), the Inshore Fisheries and Conservation Authorities (IFCAs) and the Royal Navy.

We are committed to maintaining appropriate levels of protection, including the use of patrol vessels. Work is underway to review the levels of enforcement capacity required as we leave the EU and the options for best delivering. This includes the use of future fisheries technologies, aerial surveillance as well as a range of onshore activity.

## ACCESS TO UK WATERS / UK ACCESS TO EU WATERS

NB: Our [technical notice](#) gives details of what would be required in the event of no deal.

### **Q. If we are taking back control of our waters, why are we letting other countries fish in them?**

As an independent coastal state, we will decide who can fish in our waters, and on what terms, for the first time in over 40 years. Any decisions about giving access to our waters for vessels from the EU, or other coastal states including Norway, will be a matter for negotiation.

### **Q. Will foreign vessels retain rights to fish against UK quota?**

Only UK registered vessels can be licensed to fish against UK quota. Economic link conditions ensure that all vessels fishing the UK's quota produce genuine economic benefits for the UK economy, in particular UK coastal communities dependent on fisheries and fisheries related industries.

We are reviewing the impact and effectiveness of existing Economic Link conditions assessing potential options for reform.

## TRADE

### **Q. The Bill does nothing to guarantee future trading opportunities for fisheries**

We are working hard to achieve the best possible deal for the whole of the UK fishing industry and it is a Government priority to secure the freest and most frictionless trade possible in goods between the UK and the EU. We also want to support the industry in developing new markets outside of the EU.

### **Q. Will we need to do catch certificates for exports and imports of fish when we leave the EU?**

Our [technical notice](#) gives details of what would be required in the event of no deal.

### **Q. Will we still be able to land our fish directly into EU ports?**

Our [technical notice](#) gives details of what would be required in the event of no deal.



## IMMIGRATION AND LABOUR

### **Q. What are you going to do about prevent a shortage of labour after exit?**

Defra is working closely with the Home Office to ensure the labour needs of the seafood sector, both catching and processing, are understood and taken into account. The Migratory Advisory Committee reported to government in September. The Government is currently considering its response to the Committee's recommendations and a White Paper will be published on this later in the year; and will include what future provision we expect to make for the admission of workers at lower skill levels.

Until we have left the EU, employers can continue to recruit EU workers to meet their labour needs. In December 2017, the UK Government reached an agreement with the EU that will allow UK and EU citizens to get on with their lives broadly as now in the country they live. During the implementation period (30 March 2019 to 31 December 2020) EU citizens will be able to come to live and work in the UK, although there will be a registration system.





### Key messages

- The Fisheries Bill is a major milestone in delivering our promise to **take back control of our waters**, and **decide who may fish in our waters** and **on what terms**.
- It creates the powers to build a **sustainable and profitable fishing industry**, one which is in the best interests of the whole UK and future generations.
- The Bill delivers a Green Brexit by **extending powers to protect and enhance** our precious marine environment.
- **Fisheries is and remains devolved** – and the Bill gives more decision-making powers to the Scottish and Welsh Governments and the Northern Ireland Executive.

### An independent coastal State

- *Automatic access rights of EU vessels revoked*
- *Foreign boats required to be licensed to fish in UK waters and will follow the UK's rules*
- *New powers for the UK to set catch limits, revoking the EU's powers to set UK quotas*

On leaving the EU, the UK will become an independent coastal State under international law. The Bill proposes powers to allow **the UK to determine which vessels may fish in our waters** and to **set fishing opportunities** (catch limits, measured in quota or days at sea).

As an independent coastal State, the UK will assert its rights over its territorial seas (0-12 nautical miles) and its Exclusive Economic Zone (EEZ) (12-200nm, or the median line with other coastal States). The UK will be responsible for negotiating with the EU and coastal States, such as Norway, to agree fishing quotas for fish stocks that are shared.

The method of allocation of quota is currently done administratively and that process does not need to be changed by the Bill. The Fisheries White Paper made clear that we do not intend to change the method for allocating existing quota. In relation to any additional fishing opportunities negotiated by virtue of the UK's new status as an independent coastal state, Defra intend to begin a conversation with the Devolved Administrations, Crown Dependencies and stakeholders to allocate these on a different basis, including the potential use of alternative methodologies.

### Commitment to sustainability

- *Sustainability objectives committed to on the face of the Fisheries Bill*
- *UK government and DAs will agree a Joint Fisheries Statement setting out how those objectives will be met*
- *UK government will prepare and publish a Fisheries Statement setting out how a further set of objectives will be met in England.*
- *New powers for the UK and Devolved Administrations to protect the marine environment*

The Bill will confirm the **government's commitment to sustainable fishing for future generations** and to the conservation of the marine environment. The four Fisheries Administrations will set out in a **joint statement** how they will work together to achieve the Bill's sustainability objectives.

It also proposes new powers for the Marine Management Organisation and the Devolved Administrations to **protect the marine environment**.

### Sharing a common approach

The Bill provides for **equal access for UK fishing boats across UK waters** by updating existing powers to licence fishing so that licences issued by any UK Fisheries Administration allow fishers to operate across UK waters.

Should access be negotiated, there will be a common approach **to controlling access by foreign vessels**. The UK will agree access arrangements internationally, and then each Administration will be able to issue licences to foreign vessels to fish in their zones. The UK government is in discussions with the Devolved Administrations on administering this jointly.

### Reforms in England

- *New powers to update technical regulations, respond to science and meet our international obligations*
- *Updated grant making powers*
- *New scheme to help fishermen comply with the discard ban*

The Bill makes a number **of reforms to fisheries management in England** and creates powers for the Secretary of State and the Devolved Administrations to make future reforms.

The Common Fisheries Policy, which is made of around 100 EU regulations, will be retained in UK law using the EU (Withdrawal) Act. That means the government needs **delegated powers to amend these highly technical regulations**, governing rules like the size of fishing nets or the grading of fish, to be able to respond to scientific advice quickly and avoid the limitations of the cumbersome CFP.

The government also needs similar powers to swiftly amend technical regulations on the **control of aquatic animal diseases**.

On top of this, the Bill creates new schemes to help England seize the opportunities of Brexit. These include:

- Modernising grant making powers to include funding for marine conservation and recreational angling
- Establishing a new scheme called the Discard Prevention Charging Scheme to help the fishing industry comply with the landing obligation (also known as the discard ban)
- Creating powers to tender additional English quota
- Creating powers to allow greater cost recovery by the Marine Management Organisation

## New powers for the Devolved Administrations and respecting the devolution settlements

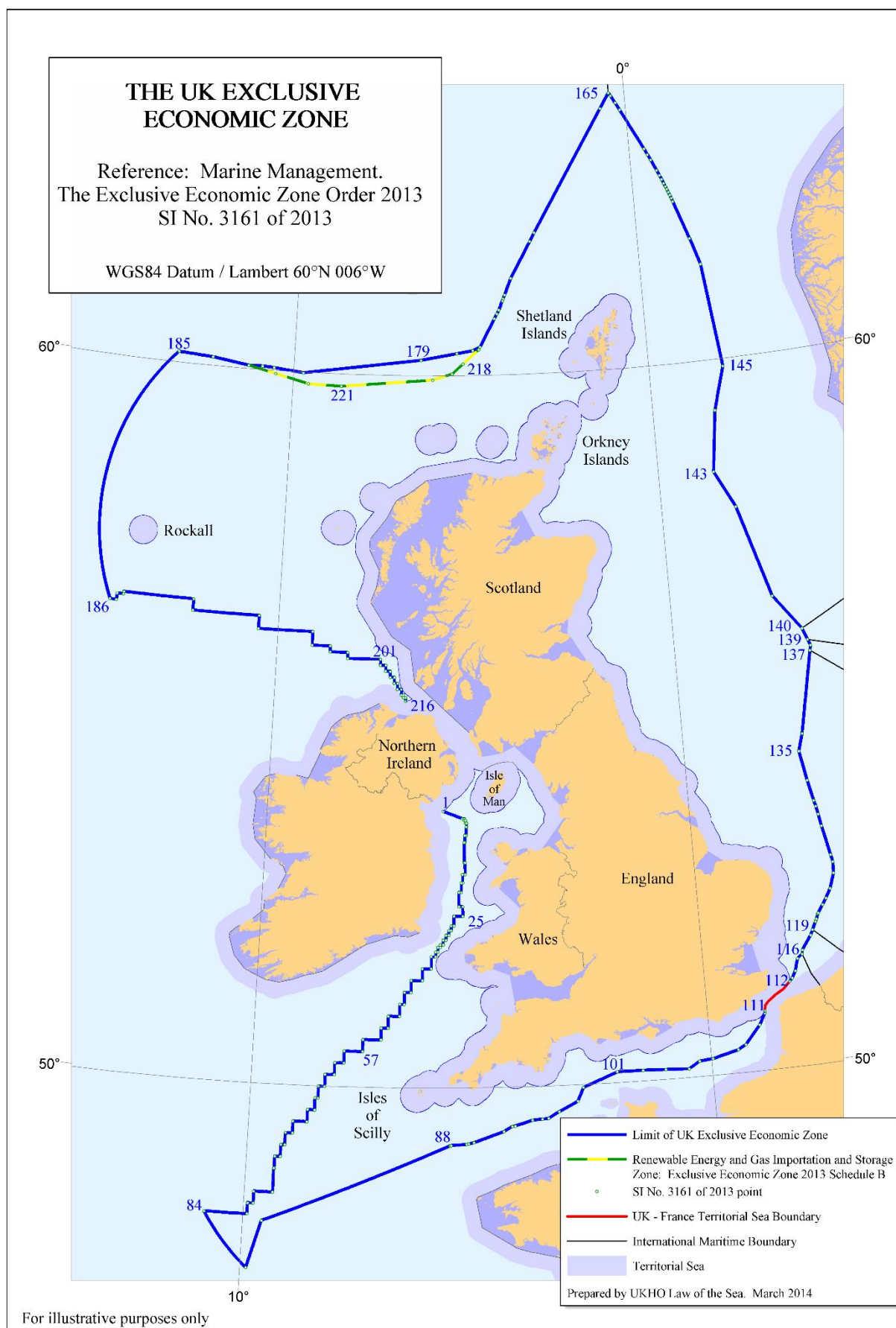
Fisheries is and will remain devolved after Brexit, so powers related to fisheries management flowing back from Brussels will be devolved, in line with the devolution settlements. The UK government has worked closely with the Devolved Administrations to get the legislation we need in place for EU exit, while respecting the devolution settlements. The table below shows new powers that the Devolved Administrations have asked for the Bill to provide.

The Bill creates new powers to...	Scotland	Northern Ireland	Wales
Protect the marine environment in the offshore area	✓	✓	✓
Amend regulations on aquatic animal diseases	✓	✓	✓
Amend technical regulations on fisheries and aquaculture		✓	✓
Set up grant schemes		✓	✓
Recover costs		✓	

## Important fisheries terms

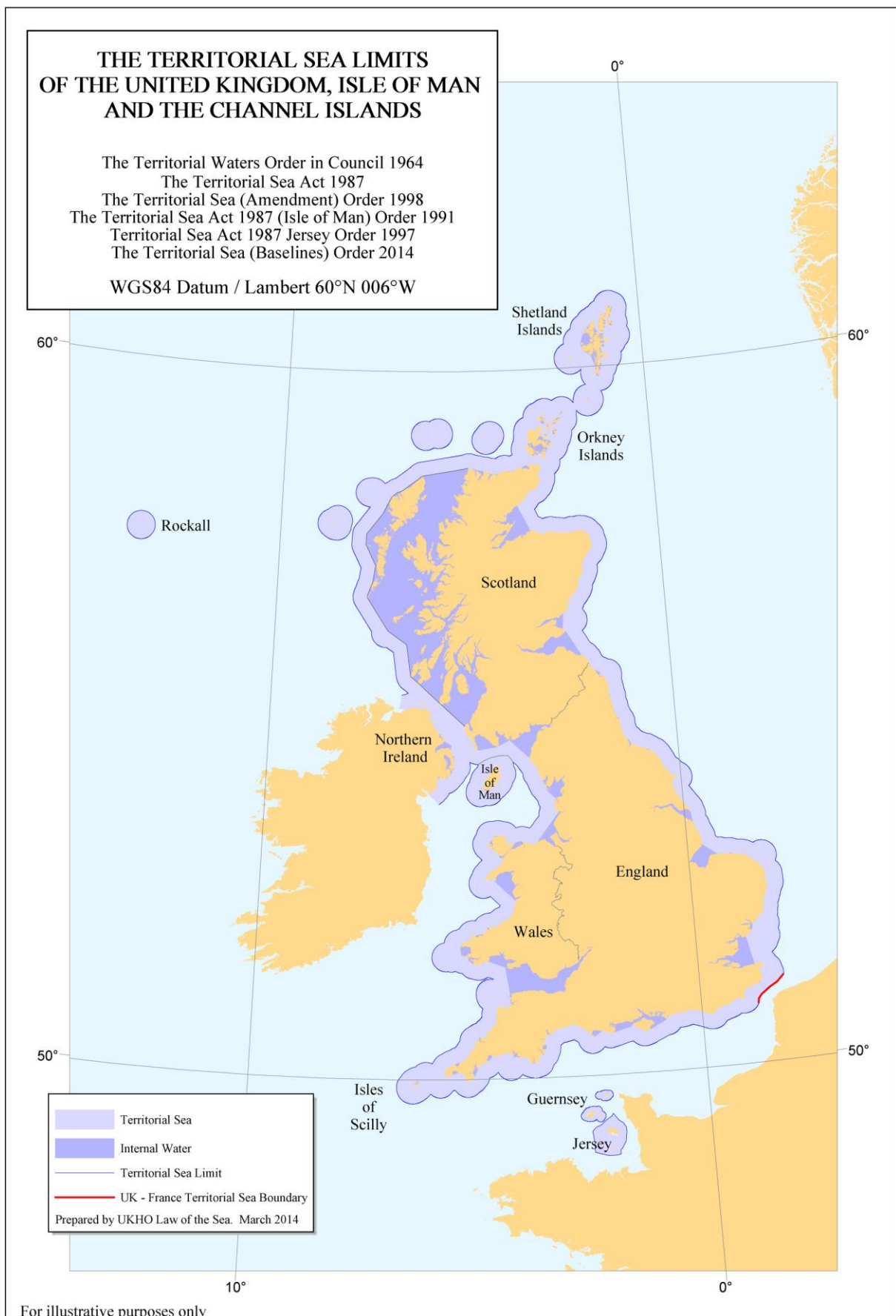
- **The UK Exclusive Economic Zone and Territorial Seas (Map I and II)** under the United Nations Convention on the Law of the sea, independent coastal States have jurisdiction over their **territorial seas** (0-12 nautical miles) and over the **Exclusive Economic Zone** (EEZ, out to 200 nautical miles or the median line between states). When the UK leaves the EU, it will become an independent coastal State and will gain control of the EEZ. Under the London Fisheries Convention (LFC), five European countries have access to a portion of UK territorial seas, 6-12 nautical miles. The UK gave notice of its intention to leave the LFC on 2 July 2017.
- **Fishing opportunities** – catch limits (expressed in tonnes or numbers) that are set for most commercial fish stocks and can be calculated using **quota** or **effort** (i.e. limits to days that may be spent at sea). At the moment, **Total Allowable Catches (TAC)** for stocks are agreed at an EU level and then proportions allocated to Member states as fishing opportunities.
- **Fixed quota allocation units (FQAs)** - the current methodology used to apportion quota within the UK. Fishing opportunities are apportioned to each of the four Fisheries Administrations by the Secretary of State. Each of the Fisheries Administrations is then able to allocate its quota to its industry as it wishes. FQAs were established in 1999, based on historic catches from 1993 to 1996, and the government recognises that UK fishermen have invested in FQAs. The government will continue to use this methodology for the apportionment of existing quota after we leave the EU.
- **Zonal Attachment** - the term used to describe the spatial distribution of fish stocks. For any additional fishing opportunities the UK negotiates as an independent coastal State, we will explore alternative methodologies to FQAs, such as zonal attachment.
- **Effort system (or days at sea)** - a measure of the fishing activity of vessels based on fishing capacity and the time spent fishing. Some fishermen advocate a greater use of an effort system in place of the quota system. Defra will consider a targeted scientific trial of this methodology by small scale, low impact fishing vessels in English waters.
- **Maximum Sustainable Yield (MSY)** - for a given fish stock this is the highest possible annual catch that can be sustained over time, by keeping the stock at the level producing maximum growth. After we leave the EU we will remain committed to fishing within MSY, in line with the commitments we have made in our 25YEP and internationally.
- **Ecosystem approach** – this means not only managing commercial fish stocks but effectively managing the wider impacts of fishing on other marine species and on marine habitats. We will pursue this approach to help minimise the impacts of fishing on the wider marine environment.
- **Reserve of quota** – in England, we will consider the establishment of a reserve of quota drawing on any additional fishing opportunities available to England. Some of the quota from the reserve could then be used to meet the future needs of the industry including to raise revenue (e.g. through a tendering system) or to help offset choke species.
- **Landing obligation** - an obligation to land all catch to end wasteful discarding of fish. UK Ministers worked with the EU to introduce this reform to avoid up to a million tonnes of fish being thrown back each year. The UK government remains committed to the discard ban.
- **Choke species** – “choke” occurs when fishermen have used up all their quota for a specific stock, but are unable to avoid catching the species because they are found in mixed fisheries (i.e. amongst other fish). The White Paper proposed several solutions to this problem in England, including a reserve of quota that could be used to offset choke species, coupled with a new scheme to help fishermen unable to find quota to set against their catch.

## Map I: The UK Exclusive Economic Zone





## Map 2: The UK, Isle of Man and Channel Islands Territorial Sea Limits





## Facts and figures – the fisheries sector

### The seafood sector is worth over £1 billion to the UK

- The sector includes catching, processing and aquaculture.
- In 2016, the seafood sector represents 0.08% of the UK economy and contributes £1.45bn.
- In the UK, the seafood sector employs around 33,000 people (2016).

### UK catching sector

- There are around 11,700 fishermen in the UK fleet – most (83%) of them working full time
- The UK fishing fleet is made up of around 6,150 fishing vessels, roughly 80% of which are classed as small (10m or under in size).
- In 2017, UK fishermen caught a total of 724,000 tonnes of sea fish, with a value of over £980m. Around 65% of total catch quantity was caught by the Scottish fleet.
- Of that total amount fisherman caught, 581,000 tonnes of fish was harvested within the UK's waters (EEZ) - it was worth over £811m.
- UK vessels landed 156,000 tonnes (£130m) of fish into EU ports and 122,000 tonnes (£128m) to non-EU countries.
- Foreign vessels landed 48,000 tonnes (£70m) of fish to UK ports.
- On average between 2012 and 2016, other EU Member States' vessels landed around 760,000 tonnes of fish (£540 million revenue) caught in UK waters per year whereas UK vessels landed 90,000 tonnes (£110 million revenue) of fish caught in other Member States' waters per year in the same time period.
- Catching fish is not only for commercial reasons, during 2015 -2016 around 106,000 people on average take part in recreational fishing in England per week.

### The UK has a thriving aquaculture sector

- In 2015, UK aquaculture employed 3,200 people, with the majority in Scotland.
- The sector contributes £325m to the UK economy (2016).
- We are the leading aquaculture producer in the EU by value and second by volume (2015).
- Atlantic Salmon production in Scotland dominates UK aquaculture by volume and value.
- As a whole the aquaculture sector produced over 200,000 tonnes of seafood in 2016. This was valued at almost £800m, with most of that coming from finfish (such as salmon) as opposed to shellfish (such as crabs).

### The importance of the processing sector

- The seafood processing sector employs around 18,000 people (2016).
- It has a turnover of £3.1bn (2014),
- contributing almost £653m to the UK economy (2016).

### And UK seafood is consumed all over the world

- The UK exports £1.9bn of seafood all over the world. Salmon caught or farmed in the UK are particularly popular.
- In total, the UK imports £3.2bn of seafood, meaning we run a global trade deficit in seafood. Our most popular imports by value include Shrimps and Prawns, Cod, Salmon and Tuna.
- However, we run a trade surplus with the EU. We export £1.3bn to the EU, but only import £1.1 bn.



**NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY**

**Report to:** Authority Meeting  
6 December 2018

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**NEIFCA Annual Report 2017/2018**

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Report by the Chief Officer.

**A. Purpose of Report**

To inform members of the publication of the Annual Report covering the period, 2017/2018, summarising the Authority's outputs and activities during the year, which circulated electronically on 22 November 2018.

**B. Recommendation**

1. That members note 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 during the proceeding year. A copy of this report must be submitted to the Secretary of State before the 30 November each year.
- 1.2 The annual report covering the period 2017/2018 and summarising the Authority's work, main outputs and achievements during its seventh operational year was circulated to members on 22 November 2018 and has now been submitted to the Secretary of State.

Contact Officer

David McCandless  
Chief Officer  
Ext. 3690

Background Papers



## NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

**Report to:** Authority Meeting  
6 December 2018

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### NEIFCA Byelaws Update

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Report by the Clerk and Chief Officer of the Authority.

#### A. **Purpose of Report**

To update members on all current fisheries byelaw work streams.

#### B. **Recommendation**

1. That members note the report.

#### 1. **Background**

##### 1.1 **Byelaw XXVIII Crustacea Conservation Byelaw 2018**

- 1.1.1 This new byelaw regulation was made by the Authority at its meeting on 14 June 2018 (minute record 52 refers). It retains, updates and rationalises existing management regulations covering the exploitation of lobster, edible crab, velvet crab and nephrops within the Authority's district and includes the following key revisions:

- Incorporates existing protections for 'V' notched lobsters which are currently provided for in a separate byelaw regulation.
- Incorporates existing protections for egg bearing lobsters which are currently provided for in an emergency byelaw regulation which will expire on 17 October 2018. This includes new protection for lobsters displaying mutilated pleopods.
- Specifies a new vessel length size for shell fishing of 10 m overall length within 3 nautical miles with additional protections for all existing vessel operators who currently operate within the 3 mile limit under a 'sunset' provision.
- Specifies a new protection for 'soft' lobsters
- Specifies a new maximum pot frame size of 50 cm H x 60 cm W x 110 cm L.

- 1.1.2 Following a period of informal consultation with the MMO IFCA byelaws team, formal public consultation commenced on 15 October 2018 and will terminate on 5 December 2018. At the time of writing this report primary representation has focused on the new proposed vessel size length of 10m for shell fishing inside 3 nautical miles.

- 1.1.3 To ensure continuity of protection for egg bearing lobsters pending incorporation into the new Crustacea Conservation byelaw regulation Defra have supported a six month extension of the Emergency 'berried' lobster byelaw until 16 April 2019.

## 1.2 General Byelaw Update

1.2.1 The following four byelaws which were formally made by the Authority on 27 April 2016 remain in process:

- XVIII Method and Area of Fishing (Netting) Byelaw 2016
- XXIX Humber Estuary Fishing Byelaw 2016
- XXX Automatic Identification System (AIS) Byelaw 2016
- XXXI Catch Returns Byelaw 2016

1.2.2 Following review by the Marine Management Organisation the byelaws progressed to formal consultation which commenced on 21 December 2016 and terminated on 17 February 2017. During the formal consultation process 44 responses were received including two multi-signature petitions. Members considered the output from the formal consultation on 20 July 2017 and agreed to continue with the progression of the byelaws.

1.2.3 Since July 2017 the byelaws have passed through two further reviews by the Marine Management Organisation (MMO) and at one point had been signed and formally submitted to Defra but were sent back into the quality assessment process overseen by the MMO. Further delays have resulted from issues surrounding the supporting Regulatory Impact Assessments (RIAs). The RIAs were originally returned by the MMO because they had been submitted on an 'out-dated' version of the template. This issue was rectified but officers were subsequently advised by the MMO that they could not access the revised versions which were then re-submitted only to find that the same issue existed. Further versions were submitted culminating in a final submission of the supporting RIAs on 25 May 2018.

1.2.4 Since the 25 May 2018 officers have made further submissions and representations, regarding the byelaws, to the MMO IFCA byelaw team via the Authority's legal advisors. On 8 October 2018 the MMO advised officers that the quality assurance process had now been completed on three of the four byelaws with the exception of the AIS Byelaw which carried a recommendation that it should be subject to a further period of formal consultation. The MMO considered that given the significant development of the national IVMS project since the original byelaw was made in 2016, necessitating subsequent changes to the supporting RIA, a further period of consultation was felt appropriate. To that end officers commenced a second period of formal consultation on the AIS byelaw alongside the Crustacea Conservation Regulation on 15 October 2018. This consultation period will close on 5 December 2018. At the time of writing this report primary objection to the proposed AIS byelaw has been received from representatives of the Hartlepool and Whitby charter angling vessel owners. These objections have reiterated concerns expressed previously following the first consultation process.

1.2.5 These four byelaws will now be in process, approaching three years, which officers consider unacceptable and formal representation has now been sent to both the MMO and Defra voicing concern and seeking clarification on the roles and responsibilities of the organisations involved in the IFCA byelaw making process and how the whole process can be improved going forward.

### Contact Officer

David McCandless, Chief Fishery Officer  
Ext. 3690

# NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

## MEETING OF THE EXECUTIVE COMMITTEE

06 SEPTEMBER 2018

### **Present**

Dr Stephen Axford  
Councillor Chris Matthews  
Councillor Tony Randerson  
Mr Gary Redshaw

### **Representing**

MMO appointee  
East Riding of Yorkshire Council  
North Yorkshire County Council  
MMO appointee

Chief Officer Mr David McCandless, Clerk Caroline Lacey and East Riding of Yorkshire Council Neal Beckett, Treasurer also attended the meeting.

The Committee met at the Authority's Offices in the Green Lane Centre, Whitby. The meeting started at 10:30.

## **59. APOLOGIES**

Apologies for absence were received from Council Members Allcock and Bell and MMO Appointee Carter and Elliot.

## **60. 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 such interests were declared.

## **61. TO TAKE NOTES OF THE MEETING HELD ON 23 MAY 2018 AS A CORRECT RECORD**

The Clerk provided an update to members on the concerns raised by Unison. Members expressed concerns that the manner in which Unison were behaving was unacceptable and placing unjustified and unprecedented stresses on the Authority's Officers. The Chief Officer also informed members that the issues were having a significant impact on all senior staff. The Executive Committee instructed the Clerk to seek legal advice on how the matter can be brought to a close.

**Resolved** – (a) That the minutes of the meeting held on 23 May 2018 be approved as a correct record and signed by the Chairman.

(b) The Clerk to obtain Legal advice on bringing the concerns raised by Unison to a close.

## **62. STRATEGIC AND OPERATIONAL RISK REGISTER REVIEW**

In accordance with the Risk Management Strategy an annual review had been undertaken. The Clerk and Chief Officer presented the revised Strategy to Members for their consideration and approval.

The risks had been reviewed and the changes were highlighted in bold within the attached registers. An updated position for each of the key indicators was also included in the

Register. The identified risks had also been ranked in order of significance (highest residual risk score).

The Clerk highlighted the main, identified changes in strategic and operational risk relate to the Authority's anticipated role in supporting the implementation of the national IVMS project, accessing adequate funding to support the building and commissioning of a new patrol vessel and non-compliance with the new egg bearing lobster legislation.

**Resolved** – (a) That the revised Risk Management Strategy be approved and reviewed within twelve months' time.

(b) That the revised Strategic and Operational Risk Registers be approved and reviewed in six months' time.

(c) That the Chief Officer drafts and circulates a response to the new licensing proposals for submission to the Environment Agency.

### **63. YORKSHIRE COAST MARINE PROTECTED AREA PROPOSAL**

The Chief Officer presented a report to inform members of a proposal to establish a Yorkshire coast Marine Protected Area Management Partnership. Although assessment and monitoring of fishing activities occurring across all of the Marine Protected Areas in the Authority's district was well coordinated nationally, only the Flamborough Head site had a dedicated scheme of management, a supporting management group and a coordinating Project Officer. It was now proposed that the scope of the established management group overseeing the Flamborough Head site was widened to include all the other MPAs located in Yorkshire under a new Yorkshire coast Marine Protected Area Management Partnership. This would ensure a much more coordinated approach to MPA management across the Yorkshire region involving a much wider range of organisations including both statutory and non-governmental. Such a partnership would be unique nationally, demonstrate a strong and innovative vision.

**Resolved** – (a) Members noted the report and endorsed the proposal.

### **64. DEFRA WHITE PAPER – SUSTAINABLE FISHERIES FOR FUTURE GENERATIONS**

The Chief Officer presented a report to provide members with a draft response for consideration and submission to the Defra led consultation on the EU exit fisheries White Paper titled, 'Sustainable Fisheries for Future Generations'. The Defra White Paper outlining the governments' plans and ambitions for UK fisheries, post exit from the EU, was published for consultation on 4 July 2018. The broad ambitions outlined within the paper indicated a positive intent and were generally welcomed within the draft response attached to the report. The lack of reference to IFCA's within the paper or their future role in supporting and delivering UK fisheries management was, however, disappointing. An updated draft response was circulated at the meeting. Members were supportive of the response, but made a recommendation that extending the effective management out to 12 Nautical Miles should be included in the response, along with concerns raised over the potential future funding for IFCA's.

**Resolved** – (a) Members noted the report.

(b) Members endorsed the response and authorised the Chief Officer to submit it to Defra on behalf of NEIFCA.

### **65. NEIFCA STAFFING & OPERATIONAL POLICIES**

The Chief Officer presented a report to seek members' approval to adopt the following policies:



- (i) Salary Supplement Policy
- (ii) Learning and Development Fees and Expenses Policy
- (iii) Staff Privacy Notice

Members were informed that the Staff Privacy Notice was to ensure compliance with changes relating to GDPR. The Salary Supplement Policy was to support recruitment into specialist posts. The Authority had often faced problems when trying to recruit into specialist posts which required a specific set of skills as the salaries advertised had often been lower than the market average, restricting the applicant pool. In an attempt to address this issue and in consultation with Human Resources and the Clerk, the Chief Officer sought members approval to adopt a discretionary policy, which would be in line with East Riding of Yorkshire Council, providing a temporary mechanism to supplement the salaries of certain specialist posts which were proving difficult to recruit into, typically, Skipper, First Mate, First and Second Engineers and hopefully attracting a much wider pool of applicants with a stronger skill set. The Learning and Development Policy facilitated and encouraged investment in the personal development of all staff, and also provided a mechanism to recoup the costs of certain training provision where the officer left the employment of the Authority within two years. The Chief Officer informed members that the 3 policies had been sent to the representatives of the three main trade unions for comment.

Members raised concerns that the Salary Supplement Policy could cause staff resentment amongst existing staff members and requested that the policy should include more detail on the maximum salary supplement that could be awarded to a post. They requested that the Chief Officer provide more information on comparative salaries for these specialist posts, and that a special meeting of the Executive Committee should be arranged prior to the December Authority meeting to discuss the revised policy. Members were happy that any minor changes recommended by the Unions regarding the Learning and Development Policy and the Staff Privacy Notice should be accepted, but any significant changes should be brought back to the Special meeting in December.

**Resolved** – (a) That subject to any additional consultation required with Trade Union representatives the following policies be approved and adopted:

- (ii) Learning and Development Fees and Expenses Policy
- (iii) Staff Privacy Policy

(b) That the Chief Officer provide further detail on comparative salaries for the specialist posts and the policy be brought back to a special meeting of the Executive Committee in December.

## 66. 4 YEARLY REPORT TO PARLIAMENT – CONDUCT AND OPERATION OF IFCAS

The Chief Officer provided a report to advise members of a ‘call for evidence’ to support the statutory 4 yearly review into the conduct and operation of IFCAs. On 24 July 2018 Defra launched a ‘call for evidence’ to support the review. Alongside the public ‘call for evidence’ IFCA Chief Officers received a separate request to complete and submit a questionnaire summarising operational outputs against the 5 national IFCA Success Criteria during the last four years. The NEIFCA submission was attached to the report for information. Members supported the response, but suggested a second written response should be submitted on behalf of the Authority by the Chairman, highlighting the issues surrounding funding, the limitations IFCAs face as they have no power to borrow money and the management of larger capital assets.

**Resolved** – (a) Members noted the report.

(b) The Chief Officer and Clerk draft a letter on behalf of the Chairman highlighting the issues surrounding funding and the management of larger capital assets.

## 67. NEIFCA HEALTH & SAFETY POLICY & SAFE WORKING PRACTICES

The Chief Officer provided a report to inform members of the completion of the six monthly review of the Authority's Health & Safety provisions. Members were informed that since the last review in March 2018 there had been no notable incidents to report and as part of the standard six-monthly review, all the Safe Working Practices and supporting risk assessments had been fully reviewed and updated. Members questioned whether the Health and Safety Policy should include a provision surrounding the appropriateness of wearing jewellery in the work place, and the potential risks involved. The Chief officer agreed to assess the associated risks and potential outcomes and to report to Members at the March Executive meeting.

**Resolved** – Members noted the report.

#### 68. **BUDGET MONITORING 2018/2019**

The Treasurer of the Authority presented a report detailing the budget position at the end of month 4 (July) in 2018/19. At the end of July 2018, the Authority has net expenditure of £278,739 against an expected £293,036, underspending by £14,297. The projected outturn shows a balanced budget. The main area of underspend to date relates to employee expenses of £20,648, reflecting vacancies in the early months, however this would be largely offset by recruiting to vacant posts and an additional two temporary posts on a fixed term of 12 months.

**Resolved** – Members noted the report.

#### 69. **CHIEF OFFICERS UPDATE**

The Chief Officer presented a detailed overview of all operational activity covering the period March 2018 to July 2018. The Chief Officer highlighted that applications for the three available scallop dredging permits closed on 16 July 2018. A total of 7 applications were received and provisional notification had been sent to all applicants on 23 July 2018. This year no formal appeals were received from the unsuccessful applicants. Subject to receipt of the permit fee the three permits will be issued in accordance with the published process. A number of breaches of legislation protecting egg bearing lobsters had occurred during the reporting period and compliance remained a significant problem for the Authority's Officers, a testing protocol for detecting the illegal scrubbing or stripping of eggs in partnership with Hull University had been established but required further development and testing. Members were also informed that on the 31 August 2018 the Authority's first apprentice successfully completed her one year attachment.

**Resolved** – Members noted the report.

#### 70. **REPLACEMENT PATROL VESSEL UPDATE**

The Chief Officer presented a report to update members on progress with the project to replace the Authority's main patrol vessel. A full history, dating back to 2014 was included in the report. During 2017 and 2018 officers had continued to monitor trends, developments and innovations within the maritime ship building industry. More recently, however, most of the direct officer time invested in the project, had involved working with the University of Hull to produce a bespoke business case to support their considerations to match fund the project. To date whilst the University of Hull remained positive towards the project but no indications had yet been received with regard to the provision of match funding. Based on the extensive research completed to date, officers had previously estimated that a maximum budget of £4.2 million would be required to support the project. Given the lack of progress in securing any match funding officers had engaged a naval architect and were now in the process of re-examining needs and

requirements and assessing options to establish as accurate a projected budget as possible to support progressing the build and commission of a new vessel.

**Resolved** – Members noted the report.

71

## **ANY OTHER BUSINESS**

Members highlighted that it was disappointing that the Environment Agency representative had not attended the meeting to provide an update on the Wheatcroft Outfall. A written update had been provided and was circulated at the meeting for member's information. Members requested that the Environment Agency be contacted and a presentation update be requested for the December Authority meeting.

The meeting closed at 12:15pm



**NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY**

**Report to:** Quarterly Meeting  
06 December 2018

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**Partner Reports**

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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.

Please note the Natural England report was not available at the time of printing

**Contact Officer**

David McCandless  
Chief Inshore Fisheries and Conservation Officer  
Ext. 3690





Marine  
Management  
Organisation

## MMO Scarborough





## **MMO Scarborough**

For a national overview of activities please refer to the MMO website

<https://www.gov.uk/government/organisations/marine-management-organisation>

During September the Scarborough office were pleased to welcome a new member of staff, Rachel Wright has started her training towards becoming a warranted marine enforcement officer.

### **Enforcement:**

Officers in the local area continue to conduct vessel and market inspections throughout the district to ensure compliance with legislation. This reporting period has seen officers from the northern marine area take part in joint working activities at sea, this is part of a national drive to increase the number of officers available nationally to undertake inspections at sea whilst working with other agencies including IFCA's, border force, the Royal Navy and Police.

In the North of the NEIFCA district the Nephrop fishery has been gathering pace with approximately 26 vessels currently working within the fishery.

Although much of the scalloping fleet has now moved on to exploit stocks elsewhere the remaining vessels are reporting good catches of quality scallops.

### **European Maritime and Fisheries Fund:**

Officers have been busy conducting appraisals for EMFF grant projects in the area to provide support for sustainable development within the local fishing industry. The bulk of applications in this district continue to be in relation to potting gear although a number of vessel safety and catch processing grants have also been appraised.

<https://www.gov.uk/guidance/european-maritime-and-fisheries-fund-emff-apply-for-funding>

### **Prosecutions:**

Sagittarius Fishing Company Ltd and the skipper of the Illustris B119 appeared at North Shields Magistrates Court on 9 November 2018 in a prosecution brought by the Marine Management Organisation. Seven charges were brought before the court, including excess meshes for the declared mesh size on both nets and logbook discrepancies in the recorded weight of cod, anglerfish and dab. Sagittarius Fishing Company was fined £25,931.72, ordered to pay £2,003.10 in costs and a victim surcharge of £170. The skipper was fined £6,966 and a £170 victim surcharge.

E&J Shellfish Ltd, the owner and the Master of the fishing vessel Catatonia BW256 appeared at North Shields magistrates Court to answer charges of fishing without





the authority of a licence. Between 18th January and 30th September 2017 MMO received sales notes in respect of 31 fish sales for Catatonia totalling 18,458kg of razor clams with a value of £103,979.50. On 19<sup>th</sup> June 2017 Mr. Inglis and Mr.

McWilliams were written to from MMO explaining the vessel remained unlicensed and to fish commercially was an offence, the Catatonia undertook a further 18 trips after this date. The court found the defendants guilty on all counts and awarded fines and costs totaling £75,451.



Marine  
Management  
Organisation

We have submitted the proposed national salmon Byelaws to Defra together with copies of all the objections received during the advertisement period, and our responses to these objections.

At the close of the proposed Byelaw advertising period (12 April) we had received 1,374 responses. Of these responses, 900 contained objections to one or more elements of the proposed Byelaws. We had almost 500 responses of full support.

The advertised byelaw package can be found in full [here](#) but is summarised below with respect to salmon net fisheries:

### Proposed byelaw measures from 2019

- **All drift net migratory salmonid fisheries in England to close. This includes the Yorkshire and North East drift net fishery.**
- **All other migratory salmonid net fisheries across England that exploit salmon from 'At Risk' and 'Probably at Risk' stocks will be prohibited from taking salmon. This includes both T nets and J nets.**
- **A sea trout only T and J net fishery to be maintained in Yorkshire and the North East as follows:**

Districts 1, 2 and 3:	26 March to 31 May inclusive
Districts 4 & 5:	26 March to 30 June inclusive
Districts 6 & 7:	26 March to 31 August inclusive
- **Prohibition on night fishing for all nets in the Yorkshire and North East net fishery**
- **Prohibition on fishing for all nets in Tyne Conservation Area B (South Shields) and Coquet Conservation Area B (the stell fisheries)**

**We are also proposing a licence condition that will require nets to be attended at all times when fishing.**

### Next steps

Defra are currently reviewing our submission in detail and will be making an assessment of our proposals. They will then provide their own summary recommending that the Minister confirms or rejects the proposals.

Once Defra have sent their recommendation to the Minister, it is likely he will ask to talk to us. Minister Eustice has been keenly involved in the process and is aware of the range of concerns, political considerations and practicalities of delivering better regulation for salmon stocks.

Once he has considered all the available evidence he can then make a decision to confirm the byelaws, subject to any amendments, additions or deletions he feels are appropriate.

We recognise that the ongoing delay is regrettable and does not help in planning for the 2019 fishing season, for which we apologise. We do not expect a decision from

the Minister before November, but will keep you informed of the latest position once we have news.

### **2019 Net Licences**

Until the Minister has confirmed the byelaw package and made clear any amendments that he wants included, we cannot be sure of the arrangements for the 2019 season.

Assuming the proposed byelaws are agreed, there will be no drift net fishery next year, and a restricted beach net fishery for sea trout only.

We are working to undertake trials of a modified design of T net with a view to allowing a possible extension of the netting season on a sea trout only basis, if it can be clearly demonstrated that salmon can be released or escape the net unharmed. The byelaw package will not change this, and any further work will be arranged via a dispensation. If this is successful, a further byelaw will be made.

**Licensees holding a T and J net licence will be contacted separately about this.**

Duties for net licences will be advertised in November. Once this has been confirmed, licences can then be issued. This is likely to be in January.