

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Zoom Conference Commencing 09:30

18 DECEMBER 2020

AGENDA

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

Items for decision

The public are likely to be excluded from the meeting for consideration of Item 3 the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 8 and 9 of part 1 of Schedule 12A of the Local Government Act 1972.

3. NEIFCA Organisational Review Implementation (*To Follow*)
4. To take the Minutes of the Annual Meeting held on 18 September 2020 as a correct record, consider any matters arising and authorise the Chairman to sign (*pages 3 to 9*)
- 5a. To take the Minutes of the Executive Committee meeting held on 5 February (*pages 10 to 12*)
- 5b. To take the Minutes of the Executive Committee meeting held on 16 April (*pages 13 to 18*)
- 5c. To take the Minutes of the Executive Committee meeting held on 21 July (*pages 19 to 20*)
- 5d. To take the Minutes of the Executive Committee meeting held on 2 September (*pages 21 to 22*)
- 5e. To take the Minutes of the Executive Committee meeting held on 12 November (*pages 23 to 24*)
6. Levy 2021/2022 (*pages 25 to 29*)
7. Strategic and Operational Risk Register Reviews (*pages 30 to 41*)
8. NEIFCA Health & Safety Policy & Safe Working Practices 2020/2021 - (*pages 42 to 43*)
 - 8a. Health and Safety Policy 2020
 - 8b. NEIFCA Safe Working Practices 2020
 - 8c. NEIFCA Operational Risk Assessment
 - 8d. NEIFCA Covid 19 Operational Risk Assessment
 - 8e. NEIFCA Covid 19 NEG III SOP Issue 5
 - 8f. NEIFCA Covid 19 RIB SOP Issue 5

Items for discussion

9. Chief Officer's Operational Report (*pages 44 to 58*)
10. Budget monitoring 2020/2021 (*pages 59 to 61*)

11. Fisheries Statutes and Regulations – Prosecutions (*pages 62 to 63*)
12. Membership of the national Association of IFCA's (*pages 64 to 65*)

Items for information

13. NEIFCA Byelaws Update (*page 66*)
14. Reports from partner Agencies and bodies – *Verbal updates*
 - 14(a) Marine Management Organisation
 - 14(b) Environment Agency
 - 14(c) Natural England

Additional Item for Decision

15. Provision of Services to NEIFCA – (*pages 67 to 69*)
16. Any other items, which the Chairman decides, are urgent by reason of special circumstances which must be specified.

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

**AUTHORITY MEETING
18 SEPTEMBER 2020**

Present:

Councillor Ron Allcock
 Dr Stephen Axford
 Councillor David Chance
 Councillor John Copsey
 Councillor Stephen Harness
 Miss Rebecca Lynam
 Councillor Chris Matthews (Chair)
 Mr Mike Montgomerie
 Miss Donna Marie Mear
 Councillor Paul Stewart
 Mr Jon Whitton

Representing:

North Lincolnshire Council
 MMO appointee
 North Yorkshire County Council
 East Riding of Yorkshire Council
 North East Lincolnshire Council
 MMO appointee
 East Riding of Yorkshire Council
 MMO appointee
 MMO appointee
 Sunderland City Council
 MMO appointee

Mrs Caroline Lacey, Clerk, Mr David McCandless, Chief Officer, Mr Stephen Chandler, Treasurer, Patrick Grey, MMO, Claire Argent, Natural England and Tim Smith, Senior Environmental Officer also attended the meeting.

Due to the Covid-19 pandemic, the meeting was held via video teleconference. The meeting started at 09:30am.

24.	APOLOGIES FOR ABSENCE
	Apologies of absence were received from Councillor members Bell and Randerson, MMO member Carter, Elliott, Redshaw and Collins. The Chair also welcomed new member Councillor John Copsey, East Riding of Yorkshire Council and MMO members Rebecca Lynam, Graham Collins and Donna Marie Mear onto the Authority.
25.	DECLARATION OF PERSONAL OR PREJUDICIAL INTERESTS
	Resolved –The Clerk asked Members to declare any personal or prejudicial interests in items on the Agenda and the nature of such interests. No interests were declared.
26.	MEMBERSHIP OF THE AUTHORITY
	The Clerk reported that the following new Members had been appointed to the Authority:

	Councillor John Copsey – East Riding of Yorkshire Council Mr Graham Collins – MMO Appointee Miss Rebecca Lynam – MMO Appointee Miss Donna Marie Mear
27.	TO ELECT A CHAIRMAN
	The Clerk reported that the Authority had received one nomination 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 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.
	TO APPOINT AN EXECUTIVE COMMITTEE
28.	Resolved – That the Chairman, Vice-Chairman Councillors Bell, Randerson and Allcock Mrs Kirsten Carter, Mr Nigel Proctor, Mr Gary Redshaw and Professor Mike Elliott be appointed for the ensuing year.
29.	TO CONFIRM MEMBERSHIP OF STANDARDS COMMITTEE
	Resolved - That Councillors Bell, Randerson and Clerk be appointed for the ensuing year.
30.	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 Michael Montgomerie, Mr Nigel Proctor, Donna Marie Mear and representatives from the Marine Management Organisation, Natural England and the Environment Agency be appointed for the ensuing year.
31.	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 :-

	<p>Flamborough Harbour Commissioners (2 representatives): Councillor Chris Matthews Mr Bob Houghton</p> <p>Staithes Harbour Board (4 representatives) Councillor David Chance Mr Steven Mallinson Mr Jon Whitton Mr Richard Pennall</p> <p>The Chief Officer informed members that there had been some communications with the Staithes Harbour Board, and they had recognised the difficulty in appointing 4 representatives from the Authority, so they had suggested appointing an external representative, Mr Richard Pennall, members supported the recommendation.</p> <p>(b) That the following be appointed for the ensuing year to attend meetings of:</p> <p>The Association of Inshore Fisheries & Conservation Authorities Forum (3 representatives):</p> <p>Chairman/(the Vice-Chairman to substitute when the Chairman is unable to attend) Clerk or Deputy Clerk Chief IFC Officer</p> <p>(c) That it be noted that the Chief IFC Officer was a Director of The Association of Inshore Fisheries & Conservation Authorities .</p>
32.	MINUTES OF THE AUTHORITY MEETING HELD ON 05 DECEMBER 2019
	Resolved – That the minutes of the Authority meeting held on 05 December 2019 be approved as a correct record and signed by the Chair.
33.	MINUTES OF THE AUTHORITY MEETING HELD ON 17 AUGUST 2020
	Resolved – That the minutes of the Authority meeting held on 17 August 2020 be approved as a correct record and signed by the Chair.
34.	MINUTES OF THE EXECUTIVE MEETING HELD ON 16 APRIL 2020
	Resolved – That the minutes of the Authority meeting held on 16 April 2020 be approved as a correct record and signed by the Chair.
35.	NEIFCA FINANCIAL OUTTURN 2019/2020
	The Treasurer of the Authority presented a report of the Annual Accounts for NEIFCA for the year ended 2019-20. 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
36.	MANAGEMENT OF SCALLOP DREDGING

	<p>The Chief Officer presented a report to support consideration of recommendations for the 2020/2021 fishery. A detailed background was included in the report for members information. Members were informed that following a meeting of the Science Advisory Group held on the 11 March 2019, the group endorsed the fishery moving out of the trial with future management informed by the provisions of the draft plan. The plan would ensure that fishery is managed appropriately going forward taking account of the status and health of the supporting scallop stock, associated habitats and by-catch species. The plan outlines how local measures compliment national regulations in achieving sustainable management, including commitments surrounding optimum yield and protection of designated habitats and species. The Chair praised staff on the development of the management plan and its aims and objectives.</p>
	<p>Resolved – (a) That members note the report. (b) That the fishery moves from a trial to being managed under the provisions of the be-spoke plan endorsed by the Science Advisory Committee at its meeting held on 11 March 2020. (c) That the fishery re-opens on 1 November 2020 with a maximum of 3 permits offered for the 2020/2021 season.</p>
37.	<p>MANAGEMENT OF PERMITTED INTERTIDAL SEA BASS FISHERY 2020/21</p>
	<p>The Chief Officer presented a report to update members on the current situation surrounding the issuing of intertidal fixed netting permits to target sea bass and ongoing legislative conflict with European Fisheries legislation, a detailed background on the fishery was included in the report for members information. The Chief Officer discussed that the legislative conflict had been ongoing since the end of 2017 and despite extensive lobbying, had remained unresolved leaving the Authority no option but to withhold the issue of its intertidal fishing permits between October 2018 and March 2019 across the main sea bass season. A new Council Regulation, (EU) 2020/123, was published on 27 January 2020 which has maintained the longstanding prohibition governing the commercial fishing for sea bass from the shore until at least 31 December 2020. Members questioned if permits would be issued for a limited period to enable fishermen to target dover sole, however the Chief Officer informed members that these permits had been issued in 2019 based on the understanding that the sea bass bycatch would be minimal which proved not to be the case and three associated fisheries offences were detected in the previous year. The Chief Officer highlighted to members that given the continuing conflict with the European legislation, prohibiting the commercial fishing for sea bass from the shore, no intertidal sea bass permits should be offered for the 2020/2021 season which under the supporting byelaw regulation would have been scheduled to commence on 1 October 2020. The status of this fishery will remain under review and a further report will be presented to the full Authority at its meeting in December 2020.</p>
	<p>Resolved – (a) That Members note the report. (b) That given the continuation of the European ban on commercial sea bass fishing from the shore, no intertidal permits are offered for the 2020/2021 season (c) That the situation surrounding intertidal permits remains under review pending any formal legislative changes following the end of the UK EU exit transition period on 31 December 2020. (d) A report is presented to the full Authority at its meeting in December 2020 to provide an update on the recommendations.</p>

38.	NEIFCA DRAFT ANNUAL REPORT 2019/2020
	<p>The Chief Officer presented a report to provide members with a draft Annual Report covering the period, 2019/2020, summarising the Authority’s outputs and activities during the year. The Chief Officer requested any additional comments or feedback from members to be submitted by mid-October, the report was to be formally submitted to Defra by the 30 November 2020.</p>
	<p>Resolved – (a) Members note and endorse the report.</p>
39.	SCIENCE ADVISORY GROUP UPDATE
	<p>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 11 March 2020.</p> <p>At the meeting members considered the following items:</p> <ul style="list-style-type: none"> • Scallop dredging fisheries management plan • The future development and implementation of ‘flexible’ byelaw regulations • Mariculture management • Revised research plan 2020 • Annual research report 2019/2020 • Licensing consents and project updates <p>The group considered the draft management plan for scallop dredging in detail and whilst they fully recognised the highly invasive nature of the associated fishing activity they felt that sufficient evidence had been presented across the supporting three-year trial to continue the fishery under the provisions outlined within the draft plan. In terms of considerations surrounding other agenda items members supported proposals to develop more flexible byelaw regulations and welcomed receipt of first drafts for review. Members also welcomed the development of a more proactive approach to the management of mariculture activities within the NEIFCA district. The Chair of the Science Advisory Group provided an overview of the Group and its main purpose and role for the benefit of new members.</p>
	<p>Resolved - Members note the report and consider the Group’s recommendations.</p>
40.	CHIEF OFFICERS OPERATIONAL REPORT
	<p>The Chief Officer presented a report to provide members with a comprehensive and detailed operational summary covering the period December 2019 to August 2020, a large proportion of recent months had been dominated by the national crisis and ongoing Covid-19 pandemic, the report highlighted that from an operational perspective the first priority was to be to follow UK government advice and take all the necessary steps we could to reduce the spread and impact of the virus and protect our staff whilst still delivering our statutory functions. At operational level within NEIFCA, contingency planning continues to evolve in response to the ever changing situation. Outside managing operational risk resulting from COVID, one of the other key challenges had been the relative closing down of the judicial system with the exception of all but the most serious offending, which led to the ultimate postponement of a number of fisheries related cases which had been progressing through local Magistrates courts. Where possible and appropriate to do so, officers had been utilising administrative sanctions such as fixed penalty notices, warning letters and formal cautions to deal with recent infringements detected post ‘lockdown’.</p>

	The Chair wanted to thank all staff on behalf of the full Authority for continuing to deliver and maintain service delivery during very challenging and difficult times.
	Resolved – That the notes be received.
41.	FISHERIES STATUTES AND REGULATIONS – PROSECUTIONS
	The Clerk submitted a report on the fisheries enforcement activities taken by the Authority during the period December 2019 to August 2020.
	Resolved – That the notes be received.
41.	BUDGET MONITORING 2020/2021
	The Treasurer presented a report to advise Members of the budget position at the end of month 4, (July) in 2020. At the end of July 2020, the Authority has net expenditure of £263,684 against an expected £359,803, underspending by £96,119. The forecast outturn underspend is £160,828 mainly due to employee underspends due to vacancies (£106,661), vacancies had not been recruited to due reduced operations at the start of the financial year due to COVID-19 restrictions and the ongoing organisational review, patrol Vessel Running Cost underspends of £40,198 due to savings on fuel due to reduced operations in the first quarter of the year; Travel & Subsistence underspends of £21,494 due to reduced expenditure on public transport and expenses following the introduction of the COVID-19 restrictions in March 2020. It was anticipated that the outturn position would be an underspend of £160,828 which allows for the planned transfer of £102,900 plus accrued interest into the Renewals Fund and £10,000 into the Vehicle Replacement Reserve. It was proposed that any underspend at the year-end be transferred to the General Reserve to support pressures from the staffing and organisational review.
	Resolved – (a) That the budget monitoring position is noted. (b) That any underspend at the year-end be transferred to the General Reserve to support pressures from the staffing and organisational review.
42.	REPORTS FROM PARTNER AGENCIES AND BODIES
	Partner reports were unavailable at the time of printing, Patrick Gray from the MMO provided a verbal report to members, highlighting that the MMO are currently undertaking a spending review which is focusing on budget monitoring and spending over the next 4 years, a recent workstream they are also focusing on is the ‘MMO Story’, the aim of this workstream is to share the MMOs strategic vision with external stakeholders. Members requested an update from the MMO at the December Authority meeting on the replacement EMFF program. Claire Argent from Natural England also provided a verbal report to members, during the Covid 19 pandemic, Natural England had undertaken a reprioritising program, they had encountered a 25% loss in their workforce and all proactive workstreams had been put on hold and staff had been redeployed across other areas of DEFRA, it was anticipated this would continue until the end of the financial year.
43.	ANY OTHER BUSINESS
	Nothing to report.
44.	EXCLUSION OF THE PUBLIC AND STAFF MEMBERS

	That the public and Staff members be excluded from the meeting for consideration of the following item (Minutes 45) 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 and staff members be excluded from the meeting for consideration of the following item (minutes 45).
45.	STAFFING AND ORGANISATION REVIEW – VERBAL UPDATE
	The Clerk provided an update on the Staffing and Organisational Internal review.
	Resolved -
	The meeting closed at

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

MEETING OF THE EXECUTIVE COMMITTEE

05 FEBRUARY 2020

Present	Representing
Dr Stephen Axford	MMO appointee
Councillor Ron Allcock	North Lincolnshire Council
Prof Mike Elliott	MMO appointee
Councillor Chris Matthews	East Riding of Yorkshire Council
Councillor Tony Randerson	North Yorkshire County Council
Mr Gary Redshaw	MMO appointee

Chief Officer Mr David McCandless, Clerk Caroline Lacey, Treasurer Stephen Chandler also attended the meeting.

The Committee met at the County Hall, Cross Street, Beverley, HU17 9BA. The meeting started at 10:00.

1.	APOLOGIES
	Apologies for absence were received from Council Member Bell and MMO member Carter.
2.	DECLARATION OF PERSONAL OR PREJUDICIAL INTERESTS
	Resolved – The Clerk asked Members to declare any personal or prejudicial interests with respect to items on the Agenda and the nature of such interests. No such interests were declared.
3.	TO TAKE NOTES OF THE MEETING HELD ON 15 NOVEMBER 2019 A CORRECT RECORD
	Resolved – That the minutes of the meeting held on 15 November 2019 be approved as a correct record and signed by the Chairman.
4.	EXCLUSION OF THE PUBLIC
	That the public be excluded from the meeting for consideration of the following item (Minutes 5) 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 5).

5.	NEIFCA STAFFING REVIEW
	<p>The Chief Officer submitted a report to update members on progress with the implementation of the NEIFCA organisational review following the Special Executive Meeting held on the 15 November 2019.</p> <p>Since the meeting, work had continued on progressing the implementation of the recommendations contained within the 2019 report with a priority focus on addressing the remuneration issues. This work was ongoing and involved a review and refresh of all operational job profiles and the identification of an appropriate independent organisation to undertake a supporting job evaluation process and develop a revised pay and grading structure for NEIFCA.</p> <p>Members were informed that, currently NEIFCA does not have any agreed system of job evaluation and by default utilises East Riding of Yorkshire Council (ERYC) processes. In terms of IFCA's generally, this is very much the norm with the exception of Cornwall IFCA. Cornwall County Council (CCC) provides HR services to Cornwall IFCA and utilises two nationally recognised systems of job evaluation, HAY and the Greater London Provincial Council (GLPC) scheme in support of Cornwall IFCA's pay and grading structure. Both job evaluation schemes are nationally recognised by trade Unions and used extensively across the UK private and public sectors. The GLPC scheme is used extensively across the Local Government Sector and is suited to both management and more manual roles. CCC consider GLPC to be better suited in assessing IFCA job roles based on their experience of working with Cornwall IFCA and supporting their job evaluation processes.</p> <p>CCC was the only independent organisation found which possessed an extensive level of expertise in job evaluation processes combined with a detailed working knowledge of IFCAs at operational level. As such, a formal approach was made to CCC who provided an outline specification for the provision of independent job evaluation services to NEIFCA, including additional support and advice, at a cost of £4,574.40 which had been accepted.</p> <p>Both the Chief Officer and Operational Support Manager were excluded from the meeting whilst members discussed the report in detail.</p> <p>Following a detailed discussion and debate by all members, the Clerk summarised that all members were happy to endorse the utilisation of the GLPC scheme of job evaluation for all NEIFCA posts and endorsed the formal engagement with CCC. Members agreed that the consultation with Trade Unions should commence and that a meeting should be arranged for all staff along with the Clerk, to reassure staff that all current posts were to remain and to provide some indicative timescales for implementation. Members were not happy to endorse the recommendation that the recruitment and selection process at indicative levels should run parallel with the independent job evaluation work by CCC, and insisted that any vacant posts should be advertised with the current terms and conditions and salary grade, review pending.</p>
	<p>Resolved</p> <ul style="list-style-type: none"> (a) Members noted the report. (b) Members endorsed the utilisation of the Greater London Provisional Council (GLPC) Scheme of job evaluation for all NEIFCA posts. (c) Members endorsed the formal engagement with Cornwall County Council in support of the implementation work. (d) That the Clerk will act as the named point of contact in relation to the Chief Officer's post. (e) That any vacant posts will be advertised at the current salary with review pending.

	(f) The Clerk will attend a meeting with all staff to provide an update on the Organisational Review and implementation.
4.	ANY OTHER BUSINESS
	Nothing to report.
	The meeting closed at 11:00am

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

MEETING OF THE EXECUTIVE COMMITTEE

16 APRIL 2020

Present

Councillor Ron Allcock
 Dr Stephen Axford
 Councillor Edward Bell
 Kirsten Carter
 Prof Mike Elliott
 Councillor Chris Matthews
 Mr Gary Redshaw

Representing

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

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

Due to the restrictions associated with the Covid-19 pandemic, the meeting took place via a telephone conference dial in, the meeting commenced at 15:00.

5.	APOLOGIES
	Apologies for absence were received from Council Member Randerson.
6.	DECLARATION OF PERSONAL OR PREJUDICIAL INTERESTS
	Resolved – The Clerk asked Members to declare any personal or prejudicial interests with respect to items on the Agenda and the nature of such interests. No such interests were declared.
7.	TO TAKE NOTES OF THE MEETING HELD ON 05 FEBRUARY 2020 AS A CORRECT RECORD
	Resolved – That the minutes of the meeting held on 05 February 2020 be approved as a correct record and signed by the Chairman.
8.	NEIFCA ANNUAL PLAN 2020/2021
	The Clerk and Chief Officer submitted a report detailing the draft Annual Plan for 2020/2021 and to authorise the drafting of an accompanying annual report, summarising Authority's main activities and outputs during the 2019/2020 year. At the point of finalising the plan in March the Covid-19 pandemic had started to seriously impact the UK leading to the implementation of significant restrictions on businesses, infrastructure and movement. In response NEIFCA had had to modify its operations significantly in line with government guidelines.

	<p>Resolved – (a) That members endorse the plan for 2020/2021 for submission to Defra.</p> <p>(b) That members authorise the drafting of an annual report, summarising the Authority’s main activities and outputs during the 2019/2020 year for submission to the June 2020 meeting of the Authority.</p>
9.	NEIFCA REPLACEMENT PATROL VESSEL
	<p>The Chief Officer submitted a report to update members on progress with the project to replace the Authority’s main patrol vessel. A full detailed background was included in the report for member’s information. In order to move the project forward, officers were seeking endorsement, in line with the decisions taken by the full Authority on 10 September 2015, to progress a formal tender process in relation to the 9.5m Cabin RIB component of the project. Following the receipt and evaluation of tenders and further consultation with Authority members, it would be the intention to agree a contract with the preferred bidder to progress the build and commission of the RIB. The projected costs of building and commissioning the 9.5m cabin RIB were expected to range from £360 to £390K. Funding would be drawn from the vessel renewal fund with the potential to be supplemented from savings and funds drawn from the general reserve. Strategically this would bring an extremely valuable vessel asset into operation in advance of the sale of NEG III and the build and commission of a new main vessel, providing enhanced capability for safe, fast intercept work, particularly at night and in response to a developing threat from nomadic vessel operators.</p>
	<p>Resolved – (a) That members note the report.</p> <p>(b) That in accordance with the decision made by the Authority on 10 September 2015 members endorse the commencement of a formal tendering process to obtain a price for the build and commission of a cabin Rigid Inflatable Boat (RIB), one of the two ‘daughter’ crafts associated with the replacement project.</p> <p>(c) That subject to receipt and evaluation of tenders and further consultation with Authority members, a contract is let for the purchase of a new cabin RIB.</p> <p>(d) That a special meeting of the Executive Committee be convened to agree next steps surrounding the replacement of the main vessel.</p> <p>(e) That the Clerk and Chief Officer seek a dispensation from Government to borrow monies to support the financing of the replacement of the main vessel.</p>
10.	REVENUE BUDGET 2020/21
	<p>The Treasurer provided members with a detailed budget for new 2020/21 financial year which had been produced in line with the draft 2019 Annual Plan, Strategic Risk Register and local priorities and in consultation with senior operational staff. Members had previously agreed a total levy of £1,285,536 at the Authority meeting held on 5 December 2019. The Authority’s budget had been reviewed in detail by the Chief Officer and his senior management team, together with the Treasurer, to identify the level of expenditure necessary to meet operational priorities through to 31 March 2021. The draft budget incorporates the 5% levy increase approved at the Authority Meeting on 5 December 2019, to enable the successful completion of the staffing and organisational review. Approval was also sought to remove the £35,000 external projects supplementary budget, which was fully funded by external grants, following the completion of the scheme.</p>
	<p>Resolved – a) That the draft budget for 2020/21 be approved</p> <p>b) That the level of general reserves is maintained at £228,449 (18%) of the annual levy</p> <p>c) That the £35,000 supplementary budget for external projects, fully funded by grants is removed from the 2020/21 budget following completion of the scheme.</p>

11.	BUDGET REPORT 2019/20
	<p>The Treasurer of the Authority presented a report detailing the budget position at the end of month 11 (February) in 2019/20. At the end of February 2020, the Authority had a net expenditure of £988,553 against an expected £1,063,055, underspending by £74,502. The forecast outturn underspend was £76,945 mainly due to employee underspends due to vacancies (£50,315) which would allow for the planned transfer of £102,900 plus accrued interest into the Renewals Fund and £10,000 into the Vehicle Replacement Reserve. At the end of the financial year it was proposed that the outturn underspend on employees is transferred to the General Reserve to support any pressures from implementing the staffing and organisational review and any remaining underspend transferred to the Renewals Fund to contribute towards the replacement of the patrol vessel. Based on the current projection the proposed transfer to the General Reserve at the year-end would be £44,679 and the proposed transfer to the Renewals fund would be £32,266.</p>
	<p>Resolved – (a) That the budget monitoring position is noted; (b) That a one year supplementary budget of £52,070 is approved for the Project Pincer-Next scheme in 2019/20 fully funded by European Maritime & Fisheries (EMFF) grant; (c) That the 2019/20 final outturn underspend on employees be transferred to the General Reserve and that any remaining underspend be transferred to the Renewals Fund</p>
12.	NEIFCA ORGANISATIONAL REVIEW IMPLEMENTATION UPDATE
	<p>The Clerk and Chief Officer submitted a report to update members on progress with the implementation of the NEIFCA organisational review. Since the last meeting of the Executive Committee held on 5 February 2020 November work had continued on progressing the implementation of the recommendations contained within the 2019 report. A formal meeting was held with NEIFCA staff at Whitby on 27 February 2020 and chaired by the Clerk. Following the meeting NEIFCA staff were sent copies of their job profiles for review and comment alongside further information on the Greater London Provincial Council (GLPC) job evaluation scheme to be utilised by Cornwall County Council (CCC) as part of the process. Whilst CCC had advised that the job evaluation work had been impacted to some degree by Covid-19 issues they were expecting it to be completed before the 16 April in time for the meeting. Unfortunately, given the intervening Easter break on top of the ongoing impacts of Covid-19, this had not been possible. The Chair requested that following receipt of the outputs from CCC a video conference meeting be arranged for Executive Committee members to discuss the findings.</p>
	<p>Resolved – (a) That Members note the report. (b) That once the outputs from the Job Evaluation process, undertaken by Cornwall County Council, are received and reviewed, a further meeting of the Executive Committee be arranged to progress the implementation.</p>
13.	RISK MANAGEMENT STRATEGY & STRATEGIC & OPERATIONAL RISK REGISTER REVIEWS
	<p>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 Strategic and Operational Risk Registers had been reviewed to consider any potential changes which have occurred over the last six months and affected the key risks identified within the Registers. The next review of the Strategic Risk Register would normally be scheduled for September 2020 but given the uncertainties surrounding the impacts of the associated with the ongoing Covid-19 pandemic they would remain under weekly review. The identified risks had also been ranked in order of</p>

	significance (highest residual risk score). Considerations surrounding the impacts of the Covid-19 pandemic, particularly relating to operational risk remained at the forefront alongside more strategic risks associated with staffing vacancies, funding for a replacement patrol vessel and implications surrounding the 2019 Organisational Review.
	Resolved – That the revised Risk Management Strategy be adopted and the revised Strategic and Operational Risk Register be approved and reviewed in six months’ time.
14.	NEIFCA HEALTH AND SAFETY POLICY & SAFE WORKING PRACTICES 2020/2021
	The Chief Officer provided a report to inform members of the completion of the annual review of the Authority’s Health & Safety provisions; a revised policy was included within the report. The Chief Officer reported that policy and provisions were reviewed continuously throughout the year at NEIFCA staffing and Senior Management Team meetings and the guidance documents represented the most current version at the time the report was written. Since the last review in November 2019 the Chief Officer advised that there had been no notable incidents or accidents to report whilst staff had been working. Over and above the standard operational risk assessments and associated safe working practices, NEIFCA officers had responded rapidly to the unprecedented impacts and risks associated with the worsening Covid-19 pandemic. In managing these impacts an overarching set of Covid-19 specific risk assessments had been developed alongside a set of supporting control measures. These were being strictly followed by all staff alongside the standard safe operational practices when working. These additional systems were dynamic, subject to daily review and would be amended to take account of any changes in risk and or governmental advice. Members requested assurance that sufficient plans were in place in terms of PPE and the availability of face masks and gloves for all officers.
	Resolved – (a) Members noted the report.
15.	NEIFCA PERMITTED INTERTIDAL NETTING FISHERY 2019/20
	The Chief Officer provided a report to update members on the current situation surrounding the issuing of intertidal fixed netting permits to target sea bass and ongoing legislative conflict with European Fisheries provisions. A new Council Regulation, (EU) 2020/123, was published on 27 January 2020 which had maintained the longstanding prohibition governing the commercial fishing for sea bass from the shore and as a result no intertidal sea bass permits had been issued for the 2019/2020 season. The Chief officer advised that the situation would remain under review and a further report would be presented to the full Authority at its meeting in December 2020. The Authority’s legal advice remained unchanged, that unless the current prohibition on commercial fishing for sea bass from the shore was removed from the legislative framework no permits should be issued.
	Resolved – (a) That Members note the report. (b) That given the continuation of the European ban on commercial sea bass fishing from the shore, no intertidal permits are issued. (c) That the situation surrounding intertidal permits remains under review.
16.	EXCLUSION OF THE PUBLIC

	That the public be excluded from the meeting for consideration of the following item (Minutes 17) 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 17).
17.	MEMBERSHIP OF THE NATIONAL ASSOCIATION OF IFCAS
	<p>The Chief Officer presented a report to update Members on recent changes within the national Association of IFCAs and to take a decision on the status of the NEIFCA’s continued membership. A background on the AIFCA format and creation was detailed in the report for members information.</p> <p>Alongside the other IFCAs, with the exception of the Isles of Scilly, NEIFCA currently contributed £12K per annum from its annual budget to support the running of AIFCA. Issues and concerns surrounding the functioning of AIFCA and value for money began to surface in 2017 leading to the formal resignation of Devon and Severn IFCAs.</p> <p>In recognition of the developing internal concerns surrounding the functioning and effectiveness of AIFCA an independent review was instigated during 2018 which carried NEIFCA’s full support. The report noted the extent of member dissatisfaction surrounding the Association and outlined a set of priority recommendations designed to improve its functioning and effectiveness. Whilst the implementation of the review was progressing further concerns came to light and having discussed the matter further with the Clerk, Chair and Vice Chair, the Chief Officer formally resigned as a Director of AIFCA on 9 January 2020.</p> <p>The Chief Officer advised members that the Chief Executive of AIFCA had tendered his resignation but concerns still remained.</p> <p>Members were informed that officers were currently in receipt of invoices covering AIFCA subscriptions for the 2020/2021 year but these had not been processed pending the Executive Committee’s decision.</p> <p>Members discussed the Authority’s continued membership of the National Association of IFCAs in detail, debating its effectiveness and questioning its actual value for money, and consensus was that during the current climate, in terms of Brexit and the need for a coherent national voice, it was agreed that the Authority should pay for the 2020/21 membership, with a full report to be taken to the December Authority meeting. Members also requested that the Chair of the AIFCA be made fully aware of the Authority’s feelings and the content of the discussions which had taken place, and the uncertainty surrounding continued membership after 2020/21.</p>
	Resolved – (a) That Members note the report (b) That NEIFCA pays its 2020/2021 subscription for one year, pending the recruitment of a new Chief Officer, with a formal review undertaken again in March 2021, confirmed in writing with the Chair of AIFCA. (c) The Chief Officer notifies the Chair of the AIFCA expressing the Authority’s concerns and uncertainty over continued membership after 2020/21, and concerns raised over value for money, with a full report to be taken to the December Authority meeting.
18.	ANY OTHER BUSINESS

	The Chair suggested that due to ongoing Covid 19 pandemic, the June Authority meeting date should be postponed until September, with all options considered in terms of teleconferencing and video conferencing. A meeting of the Executive Committee will be held on the original date of the June Authority meeting.
	The meeting closed at 16:40

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

MEETING OF THE EXECUTIVE COMMITTEE

21 JULY 2020

Present

Councillor Ron Allcock
 Dr Stephen Axford
 Councillor Edward Bell
 Prof Mike Elliott
 Councillor Chris Matthews
 Mr Gary Redshaw

Representing

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

Clerk Caroline Lacey, East Riding of Yorkshire Council, Stephen Chandler East Riding of Yorkshire Council, Heather Timbrell, Cornwall Council and Kevin Pearce Cornwall Council also attended the meeting.

Due to the restrictions associated with the Covid-19 pandemic, the meeting took place via Zoom, the meeting commenced at 09:30.

1.	<u>APOLOGIES</u>
	Apologies for absence were received from Council Member Randerson and Kirsten Carter.
2.	DECLARATION OF PERSONAL OR PREJUDICIAL INTERESTS
	Resolved – The Clerk asked Members to declare any personal or prejudicial interests with respect to items on the Agenda and the nature of such interests. No such interests were declared.
3.	TO TAKE NOTES OF THE MEETING HELD ON 16 APRIL 2020 AS A CORRECT RECORD
	Resolved – That the minutes of the meeting held on 16 April 2020 be approved as a correct record and signed by the Chairman.
4.	EXCLUSION OF THE PUBLIC
	That the public be excluded from the meeting for consideration of the following item (Minutes 17) 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 17).

5.	NEIFCA ORGANISATION REVIEW IMPLEMENTATION UPDATE
	The Clerk submitted a report detailing the work completed to date on the staffing and organisational review and requested that Members consider the 13 questions posed in the report prepared by Cornwall Council.
	<p>Resolved –</p> <p>(a) That the rank order following the job evaluation exercise be signed off and including the proposed points to grade matrix.</p> <p>(b) That two options be worked up in respect of the pay structure based on the approved budget and the approved budget plus the salary underspend carried forward from 2019/20 for consideration by the Executive</p> <p>(c) That pay ranges be developed for each post for consideration with progression being linked to performance.</p> <p>(d) That working hours remain as current and that options are put forward in respect of the current allowances paid</p>
6.	ANY OTHER BUSINESS
	There were no items of any other business.
	The meeting closed at 11:04 a.m.

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY**MEETING OF THE EXECUTIVE COMMITTEE****2 September 2020****Present**

Councillor Ron Allcock
 Dr Stephen Axford
 Councillor Edward Bell
 Councillor Tony Randerson
 Prof Mike Elliott
 Councillor Chris Matthews (Chair)
 Mr Gary Redshaw
 Kirsten Carter

Representing

North Lincolnshire Council
 MMO appointee
 Durham County Council
 MMO appointee
 MMO appointee
 East Riding of Yorkshire Council
 MMO Appointee
 MMO Appointee

Clerk Caroline Lacey, East Riding of Yorkshire, Stephen Chandler East Riding of Yorkshire Council and Heather Timbrell and Kevin Pearce from Cornwall County Council also attended the meeting.

Due to the restrictions associated with the Covid-19 pandemic, the meeting took place via a 'Zoom' conference dial in, the meeting commenced at 10:00.

1.	<u>APOLOGIES</u>
	There were no apologies.
2.	DECLARATION OF PERSONAL OR PREJUDICIAL INTERESTS
	Resolved – The Clerk asked Members to declare any personal or prejudicial interests with respect to items on the Agenda and the nature of such interests. No such interests were declared.
3.	TO TAKE NOTES OF THE MEETING HELD ON 21 JULY 2020 AS A CORRECT RECORD
	Resolved – That the minutes of the meeting held on 21 July 2020 be approved as a correct record and signed by the Chairman.
	EXCLUSION OF THE PUBLIC
	That the public be excluded from the meeting for consideration of the following item (Minutes 17) 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.

4.	NEIFCA ORGANISATIONAL REVIEW IMPLEMENTATION UPDATE
	<p>The Committee received a report from Cornwall County Council on potential pay structures taking account of the decisions made at the previous meeting and the costs associated with adopting each of the pay structures, together with an equalities impact assessment. A proposal to freeze the unsocial allowance payment and to not offer the unsocial allowance payment to new recruits was also considered.</p>
	<p>Resolved – (a) The Committee agreed to adopt the half depths pay structure (b) The Committee agreed to fund the structure at the midpoint by: <ul style="list-style-type: none"> • Not recruiting to a vacant IFCO/Shore based Officer role • Requiring the CFO to make operational savings of £20k (c) That a further consideration be given to the unsocial hours payments and that a further paper be brought to a special meeting of the Executive to be arranged in October</p>

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

MEETING OF THE EXECUTIVE COMMITTEE

12 November 2020

Present

Councillor Ron Allcock
 *Dr Stephen Axford (Chair)
 Councillor Edward Bell
 Councillor Tony Randerson
 Prof Mike Elliott
 Councillor Chris Matthews
 Mr Gary Redshaw

Representing

North Lincolnshire Council
 MMO appointee
 Durham County Council
 MMO appointee
 MMO appointee
 East Riding of Yorkshire Council
 MMO Appointee

Clerk Caroline Lacey, East Riding of Yorkshire and Stephen Chandler East Riding of Yorkshire Council also attended the meeting. David McCandless attended the first part of the meeting to provide operational clarification.

Due to the restrictions associated with the Covid-19 pandemic, the meeting took place via a 'Zoom' conference dial in, the meeting commenced at 09:30.

* Dr Stephen Axford chaired the meeting in his role as Vice Chair

1.	<u>APOLOGIES</u>
	Apologies for absence were received from Kirsten Carter.
2.	DECLARATION OF PERSONAL OR PREJUDICIAL INTERESTS
	Resolved – The Clerk asked Members to declare any personal or prejudicial interests with respect to items on the Agenda and the nature of such interests. No such interests were declared.
3.	TO TAKE NOTES OF THE MEETING HELD ON 6 OCTOBER 2020 AS A CORRECT RECORD
	Resolved – That the minutes of the meeting held on 6 October 2020 be approved as a correct record and signed by the Chairman.
	EXCLUSION OF THE PUBLIC
	That the public be excluded from the meeting for consideration of the following item (Minutes 17) 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.

4.	NEIFCA EMPLOYEE PAY AND REMUNERATION POLICY
	The Clerk submitted a report on the NEIFCA Employee Pay and Remuneration Policy, which set out the organisation's pay policy including how employees would progress through the pay range.
	<p>Resolved – (a) The Committee approved the draft pay policy subject to the inclusion of making clear that 'acting up' should not normally continue for more than one year. For consultation with the Unions and staff.</p> <p>(b) The Committee confirmed the principles set out in the draft pay policy and established by Cornwall Council that offers be made on the first increment of each grade except where this resulted in a reduction in salary. In which case the offer would be at the first appropriate increment that offered an increase. As set out in Appendix B to the Committee report.</p> <p>(c) The Committee confirmed that the CFO post would not attract overtime or unsocial allowance payments.</p>

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
18 December 2020

LEVY 2021/22 TO 2023/24

Report by the Treasurer

A. Purpose of Report

To determine the levy on member local authorities for 2021/22.

To highlight issues relating to the setting of the levy for 2022/23 and 2023/24

B. Recommendations

- (i) That the options for the levy increase for 2021/22 be considered by the Authority and the Clerk be authorised to issue demands on the relevant local authorities (at the level approved) as presented at Appendix A.
- (ii) That the Authority acknowledges the issues affecting NEIFCA and their effect upon the levy for 2022/23 and 2023/24, which is anticipated to be a minimum of a 2% increase each year.
- (iii) That a detailed budget for 2021/22 be brought to the Authority for approval at the Executive meeting in March 2021.

1. Background

- 1.1 NEIFCA is a statutory body, made by Order on the 1 October 2010 and vested with its full powers on 1 April 2011. Article 16 of the Order sets out that ‘the expenses incurred by the Authority must be defrayed by the relevant councils’, therefore NEIFCA has levying powers on the relevant councils. The relevant councils and the proportion of expenses that each must bear are set out in the Order and are shown at Appendix A.
- 1.2 In accordance with standing orders, all precepts or orders for the payment of money which the Authority from time to time may issue to respective councils shall require the consent of the majority of the council representatives attending such meeting.
- 1.3 Any motion to veto the total amount of expenses incurred by the Authority, must be sent in writing to the Clerk at least three clear working days before the meeting of the Authority. The Authority must give notice in writing of that motion to each Council member.

2. Levy Considerations and Proposals

- 2.1 At its meeting on 6 December 2019, the Authority set a levy totalling £1,285,536 including £100,000 plus accrued interest transferred to the renewals fund and £10,000 transferred to the vehicle replacement fund. The levy had been fixed at £1,139,521 from 2011/12 to 2016/17, meaning the 2017/18 increase was the first for 6 years. For 2018/19 and 2019/20, increases were agreed covering the cost of pay increases, however in 2020/21 an increase of 5% was agreed to fund both the annual pay increase (2.75%) and to support the staffing and organisational review. Indicative increases of 5% for 2021/22 and 2022/23 were proposed but not agreed. The COVID-19 pandemic has placed even more pressure on local authority budgets therefore a 5% increase is now considered unrealistic.
- 2.2 The Bank of England's most recent monetary policy report explains that the economic outlook remains uncertain and is dependent on the evolution of the COVID-19 pandemic and measures taken to protect public health. CPI has fallen to 0.5% and the Bank predicts the level of CPI to remain around 0.5% over the winter but rising to 2.1% by December 2021 and remaining close to the target of 2% to the end of the forecast period. NEIFCA will experience this reduction in inflation as a temporary saving on fuel and other supplies. The government Spending Review 2020 on 25 November 2020 introduced a pause in the increase in public sector pay for 2021-22 excluding those working in the NHS. The expected exit from the European Union's Single Market and Customs Union on 1st January 2021 is also anticipated to result in increased economic uncertainty. 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 staffing and organisational review is expected to be fully completed by 31 January 2021 and will be funded from the additional budget provision approved in the 2020/21 Levy along with £20,000 base budget savings, with the balance of £11,754 to be funded from the General Reserve (dependant on the decision made earlier in the agenda). It is anticipated that the review will improve recruitment and retention enabling NEIFCA to better respond to future service demands. The Levy is not required to be increased in 2021/22 due to the pause in the increase in public sector pay, however a 1% increase would cover the balance of £11,754 and would mean that there would not be a requirement to fund the cost of the review from the General Reserve in future years. The levy proposals for 2021/22 and the apportionment of this levy between the relevant councils are shown at Appendix A.
- 2.4 In putting forward these proposals the Clerk, Treasurer and Chief Fisheries Officer are mindful that the funding authorities are facing financial pressures of their own. The current outlook is extremely uncertain due to the COVID-19 global pandemic, the expected exit from the European Union's Single Market and Customs Union on 1 January 2021, the move to 75% business rate receipts, benefit reform, a new spending needs assessment and a one year only financial settlement for 2021/22. With this in mind the increase in the levy is not proposed to be increased for 2021/22.

3. Reserves

- 3.1 The NEIFCA General Reserve stands at £273,128 as at 1 April 2020 (Appendix B). The latest budget monitoring report (Agenda item 10) shows that an outturn underspend of £214,006 is forecast and, if a 1% levy increase is agreed, it is expected that the balance of the General Reserve as at 31 March 2022 will remain at to £273,128.

- 3.2 The replacement of the patrol vessel remains a key risk for the Authority, included within the Levy proposals is a contribution to the renewals reserve of £102,900. The project consists of three individual components, replacement of the main patrol vessel, alongside the separate build and commission of two daughter craft, a 9.5m Cabin Rigid Inflatable Boat and an 8m aluminium work boat. The procurement contract for the build and commission of a new 9.5m Cabin RIB was approved at the Special Authority Meeting on 17th August 2020. The cost of £383,774 will be funded from the Renewals Reserve. The vessel is due to be delivered in April 2021.
- 3.3 It is proposed in the latest budget monitoring report that the balance of the projected outturn underspend of £214,006 is transferred to the Renewals Fund. This will bring the total of the Renewals Fund to £1,237,772 at 31 March 2022. This together with the second hand sale value of the current main patrol vessel may not be enough to replace it. Further clarity on the cost of a replacement vessel should be available during 2021. At this time it is not proposed to increase the contribution to the renewals reserve, any shortfall in cost will need to be considered further. With Authority members lobbying Government for grant funding or changes to legislation to enable NEIFCA to borrow, as funding multi-million pound investment in a vessel through the levy is not considered feasible.
- 4. Determination of Levy for 2022/23 and 2023/24**
- 4.1 Indicative increases in the Levy of a minimum of 2% to cover the cost of increases in pay are proposed in 2022/23 and 2023/24.

Contact Officer

Liz Smith (liz.smith@eastriding.gov.uk)
Principal Accountant, East Riding of Yorkshire Council

Stephen Chandler
Treasurer

Background Papers: NEIFCA\2021-22\Levy\Levy Requirements 2021-22

Appendix A

**NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY
LEVY 2021/22**

LOCAL AUTHORITY	Allocation	2020/21	2021/22 (1%)	Increase	2021/22 (2%)	Increase
	%	£	£	£	£	£
Durham County Council	5.56	71,476	72,190	715	72,905	1,430
East Riding of Yorkshire Council	22.22	285,646	288,503	2,857	291,359	5,713
Hartlepool Borough Council	2.77	35,610	35,966	356	36,322	712
Hull City Council	11.11	142,823	144,251	1,428	145,680	2,857
North East Lincolnshire Council	11.11	142,823	144,251	1,428	145,680	2,857
North Lincolnshire Council	5.56	71,476	72,190	715	72,905	1,430
North Yorkshire County Council	22.22	285,646	288,503	2,857	291,359	5,713
Redcar and Cleveland Borough Council	2.77	35,610	35,966	356	36,322	712
South Tyneside Metropolitan Borough Council	5.56	71,476	72,190	715	72,905	1,430
Stockton on Tees Borough Council	5.56	71,476	72,190	715	72,905	1,430
Sunderland City Council	5.56	71,476	72,190	715	72,905	1,430
		1,285,536	1,298,392	12,856	1,311,247	25,711

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

	2020/21	2021/22
General Reserve	£	£
Balance brought forward	273,128	273,128
Usage	0	0
Transfer from Revenue	0	0
Balance carried forward	<u>273,128</u>	<u>273,128</u>
Patrol Vessel Maintenance	£	£
Balance brought forward	50,000	50,000
Usage	0	0
Transfer from Revenue	0	0
Balance carried forward	<u>50,000</u>	<u>50,000</u>
Renewals Fund	£	£
Balance brought forward	1,201,700	1,326,739
Usage	-191,867	-191,867
Transfer from Revenue	316,906	102,900
Balance carried forward	<u>1,326,739</u>	<u>1,237,772</u>
Vehicle Replacement	£	£
Balance brought forward	21,482	31,482
Usage	0	0
Transfer from Revenue	10,000	10,000
Balance carried forward	<u>31,482</u>	<u>41,482</u>
TOTAL USEABLE RESERVES	<u>1,681,349</u>	<u>1,602,382</u>

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
18 December 2020

Strategic & Operational Risk Register – Six Monthly Reviews

Report of the Clerk.

A. Purpose of Report

To inform members that in accordance with the Authority's Risk Management Strategy, a six monthly review of the Strategic and Operational Risk Registers has been undertaken and is reported for information.

B. Recommendation

That the revised Strategic and Operational Risk Register be reviewed in six months' time.

1. Background

1.1 The Risk Management Strategy and associated Strategic and Operational Risk Registers were first approved by the shadow Authority at its quarterly meeting held on 25 January 2011 (Minute 17 refers).

1.2 The Authority agreed that the Risk Management Strategy be reviewed on an annual basis and that the Strategic and Operational Risk Registers be reviewed every six months and reported to the Authority (Minute 17 refers). In accordance with these recommendations the Risk Management Strategy and Operational Risk Registers were reviewed, updated and reported to members of the Executive Committee on 16 April 2020. (Minuted item 13 refers).

2. Strategic & Operational Risk Register Reviews

2.1 The Strategic and Operational Risk Registers have been reviewed to consider any potential changes which have occurred over the last six months and affected the key risks identified within the Registers. The risks have been reviewed and the changes are highlighted in bold within the attached registers. An updated position for each of the key indicators is also included in the Register. The next review of the Strategic Risk Register is scheduled for March 2021. The identified risks have also been ranked in order of significance (highest residual risk score).

2.2 The ongoing impacts of the Covid-19 pandemic, particularly relating to operational risk remain very much at the forefront of assessed operational risk alongside more strategic risks associated

with staffing vacancies, funding for a replacement patrol vessel, pending decisions surrounding the 2019 Organisational Review and the end of the EU exit transition period.

- 2.3 Specifically in relation to EU exiting arrangements, at the time of writing, uncertainty surrounding future trading arrangements and EU fishing access in UK waters remained. In terms of NEIFCA the risks associated of a no deal exit are low other than managing resource requests from the UK government to support offshore related patrol work. The likelihood of mass incursions into UK waters by EU vessels in our IFCA region is considered very low. The Marine Management Organisation have completed extensive planning to cover a range of potential scenarios post 31 December 2020 and the current ask of the English IFCA is to provide offshore support as ‘eyes and ears’ when conducting normal ‘day to day’ business. Outside NEIFCA the potential risks to the local fishing industry and associated businesses, in terms of the UK not securing a trade deal with the EU, are significant given that 80 to 90% of local shellfish caught are currently exported to the EU.
- 2.4 The revised Strategic Risk Register is attached as Appendix 1, the Operational Risk Register as Appendix 2 and the risk based enforcement matrix, a sub register of the Operational Risk Register, as Appendix 3 for members information. All changes are highlighted.

Contact Officer

Caroline Lacey, Clerk of the Authority
Ext 3000

Background Papers

Strategic Risk Register
Operational Risk Register

NORTH EASTERN INSHORE AND CONSERVATION AUTHORITY - STRATEGIC RISK REGISTER

Risk No	Performance Plan Strategic Objective	Category of Risk	Risk	Gross Risk Score	Control Action	Residual Risk Score	Further Action Required	Update	Risk Owner
NEIFCA 1	An Authority which attracts and keeps the best staff.	Customer/ Staff	Specialist staff and skills shortages. Sickness absence. Triggers include:- (i) Inability to recruit and retain staff. (ii) Inadequate succession planning. (iii) The Authority has a small but dedicated workforce. (iv) Private sector competition (v) Impacts of a global pandemic or other external event	9 (3x3)	Recruitment, retention policies, training and development, surveys of existing staff, analysis at exits interviews and managing sickness absence.	6 (3x2)	Recruitment processes expedited to fill vacancies when they arise. Expedite implementation of 2019 organisational review.	Implications surrounding this area of identified risk will be highly dependent on the implementation of the 2019 Organisational review.	Chief Officer & Deputy Chief Officer
NEIFCA 2	A reputation for smart and prudent stewardship.	Financial Reputation	Failure to manage the Authority's assets, caused by:- <ul style="list-style-type: none"> ● Lack of funding ● Service failures/poor maintenance ● Poor risk assessments and controls ● Inaction on behalf of the Chief Officer and his assistants. ● Age and deterioration of vessels & vehicles 	9 (3x3)	Asset Management Plans - including audit and survey result to target investment and maintenance at high priority areas. Patrol Vessel renewal fund and replacement project ongoing. Maintenance programme. Risk assessments. Inspections and surveys. Insurance.	6 (3x2)	Review and define inspection survey programme. Ensure compliance with the programme. Review health and safety arrangements. Review adequacy of sums insured and compliance with insurance policy conditions. Operating a close monitoring regime on investment priority criteria. Strengthen asset management and control.	Allocation of funds to the Renewals Fund made as part of the annual budget setting increased to £100K pa Sixth monthly review of asset registers. Vessel and vehicle replacement plans in place. Decisions pending surrounding the replacement of the main patrol vessel.	Chief Officer Deputy Chief Officer

NEIFCA 3	A reputation for smart and prudent stewardship. Statutory responsibilities.	Reputation Legal	Failure to meet statutory responsibilities set out by legislation. Main causes of risk are:- (i) Poor leadership/ judgement by managers. (ii) Inadequate monitoring review. (iii) Lack of professional staff. (iv) Legal challenge. (v) Lack of trained, experienced staff. (vi) Impacts of a global pandemic or other similar external factors.	9 (3x3)	Series of performance targets set and measured to meet the requirements. Reported on quarterly basis to the Authority. Understanding and adherence to all governing legislation. Dynamic risk assessments and supporting safe working practices implemented when required.	6 (3x2)	Reviewed on a quarterly basis by reporting to the Authority. Expedite implementation of 2019 organisational review.		Chief Officer
NEIFCA 4	A reputation for smart and prudent stewardship. Strategic objectives	Reputation	Failure to achieve policies, aims and objectives.	9 (3x3)	Annual Plan produced each year outlining strategic objectives. Performance measured against number of targets. Reviewed in March. Exceptions reported to Authority. Constitution, Standing Orders Schemes of Delegation. The Authority has put in place structures and processes to govern decision making.	6 (3x2)	Reviewed on a quarterly basis by the Authority.		Chief Officer
NEIFCA 5	A reputation for smart and prudent stewardship	Reputation/ legal	Failure to deliver revised fisheries management policies within Marine Protected Area Sites which fall within the Authority's jurisdiction. Procedural delays in the formal making of regulations.	9 (3x3)	Full engagement with Defra, MMO, national working groups and local management groups.	6 (2x3)	Regular updates and progress reports to Science Advisory Group, Executive and full Committee.	4 out of five outstanding byelaw regulations have now been confirmed since March 2019 and one has been refused.	Chief, Deputy Chief Officers. Senior Environmental & Scientific Officer Environmental & Scientific Officers.

Risk No	Performance Plan Strategic Objective	Category of Risk	Risk	Gross Risk Score	Control Action	Residual Risk Score	Further Action Required	Update	Risk Owner
NEIFCA 6	A reputation for smart and prudent stewardship.	Financial/Economic	<p>Cuts to service, balance budget. Triggers include:-</p> <ul style="list-style-type: none"> • Reduction in Government funding • Budget over spends, insufficient reserves. • Precept set too low. • Lack of compliance with financial regulations • Increased pressure on resources from other agencies • Additional costs associated with the NEIFCA organisational review. • Impacts of National Austerity 	9 (3x3)	Three year financial plan in place based on prudent projections and sensitivity analysis. Budget process flexible enough to deal with changes in funding e.g. savings plans. Lobbying with other Authority's to get better deals. Government assumptions used in the planning exercise. Formal considerations of reserves. Monthly revenue and capital budget monitoring. Demonstrating the ability to manage in-year budget pressures. Early closure of accounts. Attraction of EU and other grants for project works.	6 (2x3)	Ensure sound business cases are made to Authority funders for continued financial support.	Board agreed that the levy for 2020-21 year be increased by 5% to meet identified pressures alongside the continuation of the IFCA 'New Burdens' funding support until end March 2021. CSR 20 has now been delayed until end 2021 and whilst the government has hinted at future restrictions on public sector spending the expectation is that IFCA core funding will be maintained at current levels.	Clerk/ Treasurer/ Chief IFC Officer
NEIFCA 7	A reputation for smart and prudent stewardship.	Disaster Planning	Major incident, i.e. patrol vessel collides with another vessel or runs aground.	4 (1x4)	The appropriate qualifications/licences/tickets are held by the crew. Train staff with skills in marine environment. Adequate Insurance.	4 (1x4)	Continue to keep up to date with training and appropriate qualifications		Chief Officer & Deputy Chief Officer

Risk No	Performance Plan Strategic Objective	Category of Risk	Risk	Gross Risk Score	Control Action	Residual Risk Score	Further Action Required	Update	Risk Owner
NEIFCA 8	A reputation for smart and prudent stewardship	Reputation	Loss or damage to reputation through poor press and public relations Poor management and or use of social media outlets.	6 (2x3)	Good internal communications, PR, reports to Authority, Press releases approved by the Chief Officer and Clerk/Chairman where necessary. Members and key managers to have received media training. Members receive detailed briefings on sensitive issues and confidentiality requirements supported by Standards Committee and procedures. Back up arrangements through the national Association and partner IFCA's.	4 (2x2)	Reviewed on a quarterly basis. Daily management of social media feeds in terms of content and comment.	NEIFCA is expanding its active use of social media outlets such as Facebook with associated increase in reputational risk.	Chief Officer
NEIFCA 9	A reputation for smart and prudent stewardship.	Reputation/ Legal	Officers acting beyond their statutory remit through inexperience. Legal challenge. Potential incident. Adverse publicity.	6 (2x3)	Full training in role. Qualifications. Performance monitoring, target setting, recruitment procedures.	3 (1x3)	As roles develop, change, continuous training and development. EDP process to be utilised for this.	Training strengthened through induction, national IFCA residential course.	Chief Officer

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY - OPERATIONAL RISK REGISTER

Risk Number	Process	Risk Identification	Risk Analysis	Risk Control	Residual Risk	Monitoring		
	Risk Category	Risk	1-8 = Low 8-10 = Medium 10-20 = High	Control Action	1-8 = Low 8-10 = Medium 10-20 = High	By Whom	Review Frequency	Triggers for Action
1	Financial reputation, technical.	<p>Insufficient funding to replace main fisheries vessel, North Eastern Guardian III.</p> <p>Access to European Funding has now been ruled out with no current prospect of securing any additional external funding support.</p> <p>UK exit from the European Union</p>	9 (3x3)	<p>Maintenance of current funding levels to the vessel renewal account including allocating an additional £20K pa. Continued investment in current vessel as a saleable asset. Monitoring and utilisation of all appropriate external funding avenues. One off appropriation of funds to the Renewals Fund considered.</p> <p>Officers continue to explore all external funding options to support vessel replacement.</p>	9 (3x3)	Chairman, Clerk, Chief Officer and Deputy Chief Officer	Quarterly	Budget financial review & reporting to Committees and internal working groups.
2	Staffing	<p>Lack of staffing resources to deliver service and that staff have adequate skills training to achieve performance requirements.</p> <p>Increasing pressures from partner agencies to support their front-line services and primary service delivery could have a negative impact on the delivery of IFCA statutory duties and responsibilities.</p> <p>UK exit from the European Union.</p> <p>Delays in implementing the NEIFCA review. Covid-19 impacts on staffing resources.</p>	12 (3x4)	<p>Communication networks.</p> <p>Staff flexibility.</p> <p>Monitoring of workloads.</p> <p>Workforce Development.</p> <p>Vacancy Management.</p> <p>Adhere to Sickness Policy.</p> <p>Implement Training Plans.</p> <p>Health and Safety.</p> <p>Recruitment processes expedited to fill vacancies.</p> <p>Maintenance of active dialogue with all key partner agencies. AIFCA, NIMEG & TAG.</p> <p>Expedite the implementation of the NEIFCA organisational review. Strict adherence to Covid-19 risk assessments, associated safe working practices and national guidance.</p>	9 (3x3)	Clerk and Chief IFC Officer.	Quarterly.	<p>Reports to Authority.</p> <p>Team meetings/ EDRs.</p> <p>Sickness Review Meetings.</p> <p>Vacancy/sickness.</p> <p>Performance monitoring results.</p> <p>Proactive training programmes.</p> <p>Regularly revise and update supporting Covid-19 risk assessments and safe working practices.</p>

Risk Number	Process	Risk Identification	Risk Analysis	Risk Control	Residual Risk	Monitoring		
	Risk Category	Risk	1-8 = Low 8-10 = Medium 10-20 = High	Control Action	1-8 = Low 8-10 = Medium 10-20 = High	By Whom	Review Frequency	Triggers for Action
3	Financial and contractual.	Unexpected budget demands and variances and failure to achieve agreed budget Income generation is expected to remain low during 2019/2020. Implementation of 2019 organisational review has financial and organisational implications for the Authority.	9 (3x3)	Increase of 5% in 2020/2021 levy with further increases advised. Monitoring systems. Systems to capture spend. Regular budget holder meetings. Internal Audit. Regular reviews of the appropriate level of reserves.	6 (3x2)	Treasurer, Clerk and Chief Officer.	Monthly.	Budget financial reporting.
4	Customer Service/ reputation	Failure to provide agreed service. Failure to establish and achieve performance targets therefore having a detrimental impact on the delivery of service to the customer and achievement of performance objectives. Covid-19 impacts on associated resourcing	9 (3x3)	Performance Indicators. Inspections audit. Workload monitoring. Policy and procedure compliance. Staff training. Communication with customers. Strict adherence to Covid-19 risk assessments, associated safe working practices and national guidance.	6 (3x2)	Clerk and Chief IFC Officer.	Quarterly	Annual reports. Performance monitoring reports. Feedback from staff and customers. Regularly revise and update supporting Covid-19 risk assessments and safe working practices.
5	Financial and reputational	Breaches of new General Data Protection Regulations which came into force at the end of May 2018 could lead to fines and reputational impacts.	9 (3x3)	Key staffed trained and familiar with new GDP regulations. Data Protection Officer role agreed, creation of a register of data processing activities, utilisation of impact assessments when required, creation of public and internal privacy statements and active management of all data processing activities. Advice from ICO.	4 (2x2)	DPO Clerk Chief Officer Support Officer	Monthly	Formal complaint or report to ICO
6	Financial reputation, technical.	Volatility of global oil/fuel markets and national tax changes. Markets remain unstable	6 (3x2)	Regular monitoring of fuel spends included within quarterly reports to Authority. Additional provision made within annual precept.	4 (2x2)	Chairman, Clerk, Deputy Clerk, Chief Officer	Monthly.	Budget financial review & reporting

Risk Number	Process	Risk Identification	Risk Analysis	Risk Control	Residual Risk	Monitoring		
	Risk Category	Risk	1-8 = Low 8-10 = Medium 10-20 = High	Control Action	1-8 = Low 8-10 = Medium 10-20 = High	By Whom	Review Frequency	Triggers for Action
7	Legal/ reputation.	Legal challenge resulting from failure to undertake statutory responsibilities in terms of enforcement, poorly drafted Authority bye-laws or national legislation including national prohibition on landing egg bearing lobsters.	6 (3x2)	Performance monitoring in terms of enforcement targets. Drafting of bye-laws in consultation with Legal Services. Proper consultation processes followed in accordance with statutory requirements. Involvement of NEIFCA Legal team, MMO, DEFRA in final approval of bye-laws. Strengthening enforcement practices and techniques.	4 (2x2)	Clerk, Legal Advisor and Chief Officer.	Monthly and quarterly reports to Authority.	Performance monitoring reports. Legal challenges.
8	Financial reputation.	Failure to deliver projects through lack of resources or investment. Loss of funding and grants resulting in inability to proceed with projects. Change in legislation resulting in inability to generate funds. Reputation for inability to utilise grants awarded. Continued risk level due to ongoing national MPA management programme. Future funding implications of the UK exit from the EU.	3 (1x3)	Budget setting and monitoring process. Procurement policy followed. Appropriate resources available to undertake the project. Skills and knowledge of staff. With regard to supporting national projects ensure maintenance of dialogue and a proactive approach. Business Cases considered with full whole life costs of projects made	3 (1x3)	Clerk and Chief Officer.	Monthly	Performance monitoring reports. Budget reports. Legislative changes. Government funding initiatives. Authority decisions. Contract variation slippage.

Risk Number	Process	Risk Identification	Risk Analysis	Risk Control	Residual Risk	Monitoring		
	Risk Category	Risk	1-8 = Low 8-10 = Medium 10-20 = High	Control Action	1-8 = Low 8-10 = Medium 10-20 = High	By Whom	Review Frequency	Triggers for Action
9	Professional, contractual, legal reputation.	<p>Failure to effectively support projects, poor contract documentation, failure to meet contract deadlines, failure to meet legal requirements and procurement legislation Provider fails to deliver the contract.</p> <p>Procurement of a new 9.5m Cabin RIB underway, delivery expected April 2021.</p>	6 (2x3)	<p>Use of internal/external experts/consultants. Robust specifications. Risk Assessments. Strong contract management. Financial, technical and legal vetting of all providers. Procurement policy followed. Monitoring and reporting processes. Meet statutory requirements. With regard to supporting national projects ensure maintenance of dialogue and a proactive approach.</p>	4 (2x2)	Chairman, Clerk and Chief IFC Officer.	Monthly.	<p>Procurement processes. Legislative changes. Contract variations. Timetable slippage.</p>

OPERATIONAL RISK REGISTER – RISK BASED ENFORCEMENT MATRIX

Risk Number	Process	Risk Identification	Risk Analysis	Risk Control	Residual Risk	Monitoring		
	Risk Category	Risk	1-8 = Low 8-10 = Medium 10-20 = High	Control Action	1-8 = Low 8-10 = Medium 10-20 = High	By Whom	Review Frequency	Triggers for Action
1	Environmental	Habitat damage caused by invasive fishing methods. Damage to protected features of European Marine Sites or Marine Conservation Zones Risks from the activities of nomadic scallop dredgers surrounding the NEIFCA area Covid-19 impacts on supporting resources. EU-exit impacts on supporting resources	9 (3x3)	Ongoing monitoring of activities. Active participation in associated schemes of management. Introduction of emergency and long-term Byelaw regulations and codes of conduct governing activities. Enforcement of existing regulations. Timely use of emergency byelaw making procedures when necessary. Working closely with the MMO and Defra to ensure adequate protection remains in place. New byelaw regulation confirmed on 17 December 2015 to strengthen the management of scallop dredging within the Authority’s district. 4 new regulations confirmed between July 2019 and March 2020. 1 rejected.	6 (3x2)	Chief Officer, Deputy Chief Officer Environmental & Scientific Officers	Quarterly to Authority and associated working groups	Significant increases in related activity. Evidence of damage and impact. Complaints
2	Environmental	Impacts on fish and shellfish stocks through non-compliance with regulations. Prohibition on landing egg bearing lobsters.	6 (2x3)	Targeted approach to enforcement at ports and areas of known high non-compliance at peak season. Focus on ports of high volume landings out of season. New intelligence gathering system established to better inform targeted enforcement activity. Strengthening enforcement procedures and techniques.	4 (2x2)	Chief, Deputy Chief and IFC Officers	Monthly	Intelligence reports. Surveillance. Routine observations and complaints

Risk Number	Process	Risk Identification	Risk Analysis	Risk Control	Residual Risk	Monitoring		
	Risk Category	Risk	1-8 = Low 8-10 = Medium 10-20 = High	Control Action	1-8 = Low 8-10 = Medium 10-20 = High	By Whom	Review Frequency	Triggers for Action
3	Environmental	Impacts on fish and shellfish stocks through over-exploitation Pressures on stocks, particularly crustacea remain high although work is continuing on revised management measures.	6 (2x3)	Detailed monitoring of stock health. Development of dedicated management plans and strategies. Tailored management provisions. Sound enforcement. Fisheries accreditation schemes. National coordination. Fishing activities impacted by Covid-19 restrictions.	4 (2x2)	Chief & Deputy Chief Officers and Environmental & Scientific Officers	Quarterly & monthly	Non achievement of stock indicators. Declining catches and fleets. Complaints and comments.
4	Environmental	Impacts on other marine species such as sea birds, cetaceans and other organisms associated with fishing activities	4 (1x4)	Monitoring through fishing permit and catch and effort schemes. One off studies and assessments. Timely use of emergency byelaw making procedures when required. Fishing activities impacted by Covid-19 restrictions.	4 (1x4)	Chief Officer, Deputy Chief Officer Environmental & Scientific Officers	Quarterly to Authority and associated working groups	Negative feedback from catch reporting schemes and or studies. Complaints

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority meeting
18 December 2020

Health & Safety Policy & Safe Working Practices 2020/2021 - Review

Report by the Chief Officer.

A. Purpose of Report

To inform members of the completion of the six monthly review of the Authority's Health & Safety provisions.

B. Recommendation

That Members note the report.

1. Background

- 1.1 The Health and Safety at Work Act 1974 and the management of Health and Safety at Work Regulations 1999 and other associated legislation impose duties on all of us, both of a general and specific nature to ensure as far as is reasonable and practicable, health and safety at work. North Eastern Inshore Fisheries and Conservation Authority wishes, through the preparation and issue of this policy to convey the importance that it places on all measures that promote the health and safety of its employees
- 1.2 This policy and its provisions are reviewed continuously throughout the year both at senior management level and at regular staffing Health and Safety meetings. If appropriate, changes to safe working practice guidelines are made and risk assessments reviewed, including where necessary, the provision of additional safety equipment for officers. Such changes are reported to the Executive Committee on a six monthly basis.
- 1.3 Since the last review in April 2020 I am pleased to advise that there have been no notable incidents or accidents to report whilst staff have been working and as part of this standard six-monthly review all the standard Safe Operational Working Practices and supporting risk assessments have been fully reviewed and updated.
- 1.4 Over and above the standard operational risk assessments and associated safe working practices, NEIFCA officers have continued to respond rapidly to the unprecedented impacts and risks associated with the global Covid-19 pandemic to ensure the protection and well-being of all staff and compliance with all current governmental advice. In managing these impacts an overarching set of Covid-19 specific risk assessments have been developed alongside a set of supporting control measures. These continue to be strictly

followed by all staff alongside the standard safe operational practices when working. These additional systems are dynamic, subject to daily review and are amended to take account of any changes in risk and or governmental advice.

- 1.5 The updated safe working practice documents and revised risk assessments are shared with all operational staff and subject to continuous review by both the senior operational management team and as part of the general staffing health and safety meetings. The entire health & safety regime is underpinned by regular health and safety training and 'refresher' courses undertaken by all operational staff.

Contact Officer

David McCandless
Chief Officer
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Report to: Authority Meeting
18 December 2020

Chief Officer's Operational Report

Report of the Chief Officer

A. Purpose of Report

To provide members with a comprehensive and detailed operational report covering the period September 2020 to December 2020.

B. Recommendation

That Members note the report.

1. Overview

1.1 NEIFCA

Covid-19 Pandemic

Since the last update provided to members at the meeting held on 18 September 2020 NEIFCA operational contingency planning continues to evolve in response to the ever changing situation. Following the announcement of a second national 'lockdown' in England on 2 November 2020 officers have once again moved to a more observational orientated work pattern whilst still maintaining a presence both onshore and offshore. All officers have continued to work in fairly 'tight' team 'bubbles' with contact maintained at minimum levels whilst strictly adhering to both national and internal Covid-19 guidelines. To date all staff have remained safe and well throughout the ongoing pandemic.

The Fishing Industry & Covid-19

Since September fishing businesses have continued to operate at near normal levels of activity despite periodic restrictions applied to the hospitality sectors. That said during the beginning of November and the commencement of a second 'lock down' in England some merchants were reportedly limiting the amount of live shellfish that they were accepting.

1.2 National

Since the beginning of October national work streams have become much more 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 IFCAs. This includes planning for a no deal exit and the potential for widespread non-compliance,

blockades at key EU ports and or illegal fishing activity within UK waters although the risks of such occurring within our IFCA area are considered very low.

1.3 **Enforcement & Compliance Work**

Since the September meeting, thankfully, the reported upsurge in the numbers of ethnic groups gathering shellfish from intertidal areas across the NEIFCA district has slowed down although it still remains an issue. As an example, during the second 'lock down' period at the beginning of November, a group of individuals were inspected at Redcar. The group had travelled from Sheffield to Redcar, despite the 'lock down' restrictions, to gather shellfish to take to a restaurant in Newcastle.

1.4 **NEIFCA Annual Report**

The NEIFCA Annual Report which provides a summary of all the Authority's operational activities between the 1 April 2019 and 31 March 2020 was submitted to Defra on 4 November 2020. The report had previously been reviewed and endorsed by the Authority on 18 September 2020. A copy of the report can be found on the Authority's website at www.ne-ifca.gov.uk.

1.5 **Replacement Patrol Vessel Project**

The overall project consists of three individual components, replacement of the main patrol vessel alongside the separate build and commission of two daughter craft, a 9.5m Cabin RIB and an 8m aluminium work boat. Since the commencement of the project in 2014 senior officers have undertaken a significant volume of work which has included a number of fact finding visits to key shipyards, smaller vessel manufacturers and vessel operators in the UK and Europe to discuss the project, gain first hand experience of associated facilities, resourcing and quality of craftsmanship.

A supporting business case has also been developed to underpin the decision making process and this has been circulated across NEIFCA's membership and more widely to MPs as well.

The maximum anticipated cost of the funding the project is estimated at £4.2 million leaving a current projected funding shortfall of up to £1.988 million. Actual costs cannot be determined until a formal tender process has been completed for the build and commission of the main patrol vessel and the current vessel has been marketed for sale. These processes cannot commence until there is some certainty that the projected level of funding required can be realistically attained.

Officers have invested significant time in highlighting the project across the private sector and seeking additional financial backing including ongoing dialogue with the University of Hull as a potential partner. Alongside that both myself and the Clerk have written a joint letter to the Fisheries Minister requesting a meeting to discuss financing the project. I have also written separately to the 23 Members of Parliament representing constituencies across the member Local Authority areas seeking support for the project and requesting that they also lobby the Fisheries Minister on behalf of NEIFCA. Some very positive and supportive responses have since been received back and although the Minister has not committed to a personal meeting she has advised that her officials will be in touch to organise one with them to further discuss the funding of the vessel. This offer has been followed up again with the Minister.

At the Executive Committee meeting held on 16 April 2020 members considered options to further progress the vessel replacement programme and endorsed the commencement of a formal tender process for the build and commission of the 9.5 m Cabin RIB component. The outcome of the tender process to be considered in consultation with the Authority with the intention of awarding the associated contract.

In total three tenders were received in response to the procurement process and at a special meeting of the Authority held on 17th August 2020 members supported the recommendation to provisionally award the contract to Northern Marine Power Ltd.

Letters were sent to the three companies bidding for the contract on 26 August 2020 informing them of the outcome of the procurement process and a statutory ten day ‘cooling off’ period ended on 9 September 2020.

The build contract was formally signed off with Northern Marine Power Ltd on 13 October 2020 and the vessel build is now underway with expected delivery sometime during April 2021.

1.6 Summary of meetings and events attended

Teesside ‘Net Zero’ Project dial in	28 th September 2020
All Party Parliamentary Group	29 th September 2020
IFCA Chief Officers Group dial in	30 th September 2020
National Association of IFCAs dial in	1 st October 2020
Southern North Sea crab management Group dial in	6 th October 2020
MMO Northern Marine Area TCG	7 th October 2020
Defra/IFCA Group dial in	8 th October 2020
Shell gas exploration project dial in	9 th October 2020
Natural England dial in	12 th October 2020
Yorkshire Maritime Nature Partnership workshop	13 th October 2020
Yorkshire Maritime Nature Partnership steering group	27 th October 2020
IFCA Chief Officers Group dial in	28 th October 2020
Bridlington Bay Lobster workshop	28 th October 2020
Defra/IFCA group dial in	4 th November 2020
Defra Tuna Chart dial in	4 th November 2020
MMO Marine Outcome System Conference	5 th November 2020

IFCA/TAG Teleconference	6 th November 2020
Defra/IFCA group dial in	9 th November 2020
National Inshore Marine Enforcement Group dial in	10 th November 2020
MMO Licensing teleconference	11 th November 2020
Participatory mapping systems webinar	17 th November 2020
Flamborough Head EMS RAG	17 th November 2020
Hull University call/vessel funding	23 rd November 2020
IFCA Chief Officers Group Dial in	25 th November 2020
Humber Coastal Catchment Partnership dial in	25 th November 2020
National Association of IFCAs dial in	1 st December 2020
Humber Estuary Regional Advisory Group	2 nd December 2020
MMO Northern Marine Area TCG	2 nd December 2020
Seascapes Durham Heritage Coast	3 rd December 2020
Yorkshire Marine Nature Partnership	8 th December 2020
Defra/IFCA group dial in	9 th December 2020

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

- Oversee the build and commission of the new 9.5m Cabin RIB
- Implementation of 2019 NEIFCA staffing and organisational review
- Complete a joint project with Sussex IFCA developing and implementing a new fisheries database.
- Commence work on a new NEIFCA website.

2.0 **NEIFCA Operational Reports**

2.1 **Land-based Work streams**

2.1.1 *January to May 2020*

As weather conditions began to deteriorate during the winter months most vessels capitalised on any calm weather to work more pots before strong winds and heavy swells made it impossible to proceed to sea during January and February.

The beginning of March saw the start of a worldwide pandemic COVID 19. The pandemic shut down the entire shellfish markets throughout the UK making merchants unable to export shellfish to European markets such as France, Spain. Most fishermen in the NEIFCA district had to stop fishing and bring all their fishing gear ashore due to merchants refusing to take any landings of crab and lobster. NEIFCA Officers adhered to all government social distance guidelines whilst working during COVID 19

The Beginning of April saw a large fleet of nomadic scallop vessel arrive in the NEIFCA ports having found new ground rich in king scallops around 12/14 nautical miles off Whitby in an area known as Dogger bank. NEIFCA Officers monitored the vessel movements 24hrs a day via AIS and patrolled ports and inspected landings at Hartlepool and Whitby. A number of the nomadic vessels were found to have breached NEIFCA's AIS byelaws whilst moving through the district.

The end of May saw the nomadic scallop vessels move to other grounds after fishing drastically slowed down due to the number of vessels fishing in the area. Most vessels moved into the English Channel and the South West approaches.

During the start of the summer months officers saw large groups of people from areas such as Leeds, Sheffield, Wales, Newcastle travel to the North East coast line to harvest shellfish from the intertidal areas mainly around Redcar. NEIFCA officers presented a strong presence in response and educated many people on what they needed to do in terms of holding permits and what they are entitled to remove from the fishery.

During reporting period, 191 inspections have been undertaken by the shore team covering the following fishing activities:

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

Of the 191 inspections completed 27 offences were reported and 16 verbal warnings were issued.

2.1.2 *June to August 2020*

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 COVID secure inspections 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 new and current legislation. Officers have been actively publishing laminated posters in and around the ports and harbours of the NEIFCA district reminding the industry of its legislation

As the impacts of 'lock down' continued to ease potting vessels took advantage of the fine summer conditions fishing all the way through to into the autumn season with good numbers of lobster and edible crab been landed in all the NEIFCA Ports with a sale value of £9 kilo during summer increasing to £12 kilo at the beginning of September.

A small limited number of vessels throughout the authority's district have targeted fish species using long lines and nets due to the increasing problem with seal predation and damaged cause to fishing equipment by seals

Officers also patrolled the Holderness coast where T&J netting is permitted by the Environment Agency. While out on patrol officers have engaged with recreational anglers and handed out useful educational leaflets notifying them of bag limits entitling them to 2 sized sea bass of 42cm through the summer months

During reporting period, 213 inspections were undertaken by the shore team covering the following fishing activities:

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

Of the 213 inspections completed 53 offences were reported and 13 verbal warnings were issued as follows:

- 26 Offences relating to landing of egg bearing lobsters
- 11 Offences relating to landing of undersized shellfish
- 13 Offences relating to landing V-Notched/Mutilated lobster
- 1 Scalping offence relating to undersize king scallops
- 1 Scalping offence breaching NEIFCA AIS Byelaw
- 1 Instrument offence relating to escape gap

2.1.3 *September to December 2020*

During the reporting period, settled weather conditions enabled vessels within the NEIFCA District to proceed to sea with favourable conditions. Many vessels capitalised on these calm weather conditions with vessels targeted shellfish successfully in good numbers which would normally not be so favourable at this time of the year before strong winds and winter swells made in not possible for vessels to get to sea.

NEIFCA Officers have maintained an intensive schedule of patrols and inspections on land and at sea throughout NEIFCA's district utilising the authority's RIB along with performing a Covid safe joint working operation with Humberside police and Northumbria Marine Police targeting illegally marked fishing equipment and the removal of illegal fishing equipment in the Sunderland area. NEIFCA Officers have also maintained good relations with other agencies such as GLAA and Redcar & Cleveland Police exploitation teams regarding the harvesting of shellfish from intertidal areas on the North East coast mainly Redcar and Southgare

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

During reporting period, 113 inspections were undertaken by the shore team covering the following fishing activities:

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

Of the 113 inspections completed 10 offences were reported and 5 verbal warnings were issued.

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.

Between January and September 2020 NEIFCA Officers conducted joint patrols with the Environment Agency, MMO and the Gangmaster & Labour Abuse Authority (GLAA) carrying out routine enforcement checks, inspecting fishing equipment.

2.1.4 **Recreational Sea Angling**

Between March and the end of May all recreational fishing activity was significantly impacted by the COVID pandemic particularly through national 'lockdown'. This included both shore and charter fishing. As restrictions eased activity increased again. During later summer there were reports of some good catches of mackerel and sea bass from the shore at Hartlepool, Whitby and Filey and smooth hound and rays along the Holderness Coast South to Lincolnshire. Offshore there were some good reports of catches of cod and ling from wreck marks but at times throughout the summer the wind speed has been unseasonably strong and many planned charter trips were regularly cancelled in succession.

Between November and December some good catches of whiting and cod up to double figures were reported from Sunderland, the Humber Estuary and Holderness coast.

2.2 Offshore Work streams

2.2.1 General Review of Offshore Fishing Activity

Trawling

Trawling inshore has been very limited within the Authority's district. During the reporting period only a couple of vessels from Scarborough have been observed actively fishing around Scarborough and Filey bay.

The Nephrop fishery off the Hartlepool and Durham Coast line continued sporadically into the autumn period curtailed by the impacts of the COVID pandemic and over supply, with much held in cold storage and the temporary ceasing of Hospitality venues.

During September a number of pelagic trawlers have been observed operating close to the 12 mile limit off Flamborough Head and the North Yorkshire coast. These have included Swedish, Belgium, Dutch, Norwegian and French registered vessels. A number of the smaller vessels were observed landing directly into the port of Hartlepool.

Potting

During September onwards the brown crab prices had dropped back to pre-China prices. Into the early part of December a noticeable number of Scarborough and Whitby based potters were observed removing pots from the fishery for the winter period.

Netting

During the reporting period no netting activity was observed offshore.

Scalloping

Two of the three permitted scallop dredgers, based in Scarborough, commenced scallop dredging activity, under the Authority's permitting scheme during November 2020. Throughout the duration of the season, activities are being monitored by the North Eastern Guardian III.

Outside the NEIFCA permitted fishery, the Dogger Bank fishery has temporarily been suspended until more stock data can be collated.

2.2.2 Research & Survey Work

As the COVID pandemic took hold at the end of March 2020 all routine offshore patrol work was suspended pending further government guidance. This included all offshore research and survey work. As restrictions have lifted manning levels have been maintained at minimum permissible capacity to manage the risks of staff contracting or spreading the virus. This has significantly restricted the extent of research and survey work that can be carried out although monthly monitoring of temperatures and salinity have continued

2.2.3 Joint Operations

Several Joint operations were conducted during this period .

A joint operation was conducted during September, with the Port of Sunderland Authority, the Humberside Police underwater search and recovery team, The Northumberland Police Marine Unit and our own shore based officers. As a result a large amount of illegal static fishing gear was seized and two individuals were cautioned for related fisheries offences.

Working in partnership with the MCA, during October, a scallop vessel of interest was detained in a local port, where not only fishery offences were detected but also vessel safety and associated non-compliance issues. This resulted in the vessel being removed from the Authority's district and further detained in its home port.

During November a joint operation to gather various scientific data and intelligence information from the central North Sea Dogger Bank area was commissioned by the Marine Management Organisation.

2.2.4 Offshore Enforcement Summary

Between September and early December 2020 NEG III covered 2162.6 nautical miles, completed 28 sea patrols and recorded 330 vessel inspections. 1 scallop dredging related offence was reported. Currently offshore boardings remain suspended in line with COVID 19 safe working practices.

2.2.5 Maintenance Summary

Alongside general maintenance routines, following the recently reported bow thruster failure, a complete replacement unit was purchased to minimise any potential future failures and associated down time.

2.3 Environmental/Science Work streams

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

Applications relating to marine developments can be numerous and each one is considered both independently and cumulatively with any other neighbouring activities. Authority Officers also often play an active role in working groups established for the monitoring and surveillance of developments.

The following applications were reviewed between September 2020 and December 2020:

Reference	Date responded
NSSB Quay 1 repairs River Tees	04/09/2020
Hawkins Point bank protection scheme	05/10/2020
Dawsons No 2 dredging	05/10/2020
Dogger Bank OWF A B UXO clearance	26/10/2020

Early phase consultation has also begun with Shell and their appointed consultant regarding a proposed offshore gas exploration and development project located off the Whitby/Scarborough coastline. Landings data has been provided to industry representatives to support compensation payments.

2.3.2 **Marine Protected Areas**

In June 2019, the Secretary of State announced a review to examine whether and how the strongest protections for areas of sea, known as Highly Protected Marine Areas (HPMAs), could be introduced. The review, led by former Environment and Fisheries Minister Richard Benyon, concluded that HPMAs are an essential component of the MPA network and that government should introduce them into Territorial waters. It provided 25 recommendations covering what HPMAs are and how they should be identified and managed. Bempton Cliffs/Flamborough Head was included in a list of sites recommended to the review panel for further investigation by respondents to call for evidence, panel members and Defra's Statutory Nature Conservation Bodies.

2.3.3 **Survey Programme Update 2020**

The survey programme has been significantly impacted by both the ongoing COVID-19 situation and staffing levels related to the structural review. Industry dredge vessel sampling was maintained until the start of the health crisis in March 2020. Since this time all offshore surveys have had to be cancelled. Shore based surveys for cockles and eelgrass were completed with social distancing measures in place.

Limited quayside sampling has been undertaken when possible with further data collection being undertaken by enforcement officers. In light of the continued situation, alternative methods for collection and sources of data are being investigated for a range of fisheries.

3.0 **National Meetings Update**

3.1 *National Association of IFCAs*

The national Association of IFCA's was formally established on 17 March 2011 following resolution and adoption of draft Articles by majority vote.

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 and the wider membership of the Association or forum comprises of three representatives from each member IFCA, currently the Vice Chairman and Chief Officer.

Established members will be aware of increasing concerns and dissatisfaction surrounding the performance and apparent effectiveness of the Association, reported by the Chief Officer and associated value for money that continuing membership brings. Most recently at the Executive meeting held on 16 April 2020 members considered whether NEIFCA should formally resign its membership of the national Association but agreed that it should be maintained for a further year pending the appointment of a new Chief Executive.

A new Chief Officer of the national Association was appointed and took up his post on 1 September 2020. Rob Clerk, previously Deputy Chief Officer of Sussex IFCA and Chief Officer of Southern IFCA brings extensive experience to the role and will immediately install a fresh approach to leading the organisation. I will present a separate report for members on the Association at the meeting.

3.2 *National IFCA Chief Officers Group*

The Chief Officer's group normally meets four times a year 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.

Since COVID 'lockdown' was implemented at the end of March 2020 the national IFCA Chief Officers Group has met on a weekly to fortnightly basis to exchange ideas and guidance on managing the operational impacts of the pandemic as well as discussing ongoing national work streams.

A copy of the notes of the most recent meeting held on 25 November 2020 are attached to Appendix A of this report.

Contact Officer: David McCandless
Chief Officer
Ext 3690



IFCA COG Meeting
Wednesday 25 November 2020 @ 10:00 hours
'Microsoft Teams' Teleconference

Minutes
Start: 10:00

Attending: Sam Davis (SD), Mat Mander (MM), Will Wright (WW), Rob Clark (RC) AIFCA, Dr Stephen Atkins (SA), Julian Gregory (JG), David McCandless (DM), Mark Southerton (MS), Tom Hooper (TH), Ian Jones (IJ).

Sarah Clark (SC) Devon & Severn IFCA and Paul Tyack (PT) Senior MMO Ops lead joined the meeting at 12:00.

1. Apologies: Tim Dapling (TD), Martin Birchenough (MB), Isle of Man.

2. Minutes of Previous Meeting

SD welcomed those attending and advised that Sarah Clark from Devon and Severn IFCA would be joining the meeting at 12:00 to provide an update on the Shellfish Industry Group and also Paul Tyack from the MMO to update on MMO operations.

MS provided an update on Mike Hardy and the group passed on their collective best wishes.

SD requested that a slot be provided on the agenda of the next meeting for MB to provide a brief overview of fisheries management on the Isle of Man **Action DM**.

The group reviewed and agreed the draft minutes of the meeting held on 28 October 2020.

3. Matters Arising

National IFCA Training Coordinator Post

RC advised the group that interviews for the vacant post had been held over two days concluding on 24 November. The pool of applicants had been very strong and a preferred candidate had been identified. RC was very optimistic that the position would be filled by a suitable candidate. RC expressed his thanks to Kent and Essex IFCA for all their continuing support through the process.

External IFCA Evaluation Report

SD reported no further update on when the report might be published. RC advised that in anticipation he had drafted a provisional response and agreed to circulate it amongst IFCA Chief Officers **Action RC**.

Data Sharing Agreements

SD advised that she needed to speak with Sean Douglas regarding the agreement from a Cornwall IFCA perspective. Other attendees reported that they were still using the DPA request route to access information although others felt that represented a temporary arrangement pending internal MMO 'sign off' of the agreements. SD to seek clarification **Action SD**.

SD noted that 'PFD' use and 'MMO IFCA appointments' were listed for discussion on the agenda.

4. Defra/IFCA Evaluation Criteria Work

TH provided an overview of the Defra led 'evaluation' workshop held on Monday 9 November 2020. There were a range of broad discussions around the principles of future evaluation and supporting matrices with a thrust to work more closely and intelligently with an outcome to establish a steering group to take the work forward. MM emphasised the need for IFCAs to become much more outcome focused. DM highlighted the Defra emphasis on 'theory of change' looking at the interventions, what are the outcomes/objectives followed by the development of supporting evaluation matrices covering short, medium and long term. Discussions also centred on the need for both a local/regional 'theory of change' and a national one. JG advised caution and highlighted the difficulties in trying to develop a singular evaluation system for 10 distinct organisations with differing priorities and approaches. WW felt the work was premature until the implementation of the Fisheries Act provided more clarity. TH felt that it offered an opportunity for IFCAs to set the agenda surrounding evaluation. RC acknowledged the potential risks that co-design might bring but felt IFCAs could explore potential options for developing evaluation criteria through TAG. IJ felt that there was no urgent pressing rush to advance the work. MM highlighted the opportunity for IFCA's to 'get on the front foot' start conversations and planning and build something new and positive. SD felt that COG needed to give consideration to the more strategic components of the associated work and requested that the matter be moved to the January 2021 meeting for further consideration **Action SD/DM**. RC felt that by March 2021 there would be much more clarity surrounding the expectations and ask of IFCAs.

5. MMO/IFCA Appointment Process and Recruitment Programme

RC advised the group that he had been provided with a draft of materials by the MMO to underpin the proposed national recruitment campaign. He had recommended some changes at short notice with the campaign expected to commence on Friday 27 November 2020. IJ updated the group on the current recruitment process already underway within Southern IFCA. Typically, supporting documentation had only been released at very short notice permitting minimal preparation time. MM highlighted a need to move away from the emphasis on fishing or marine sector representatives and move to include other areas of expertise such as organisational or legal. SA requested the revised publicity material be circulated to Chief Officers. The group discussed the need or otherwise for local publicity material to be added covering individual IFCA areas. SD highlighted the need for each IFCA to review their primary point of contact details and prepare for posting details of the national recruitment programme on each IFCA website. MM agreed to seek some further clarifications on the IFCA ask, directly from the MMO **Action MM**.

6. Blue fin Tuna CHART Programme proposal

SD provided a background to the proposal and summarised the current position. The group recognised that it mainly affected the South and South West. SD to support further IFCA dialogue within those regions as the proposal progressed.

7. MCA PFD Use

SD updated the group on the current position surrounding the request from the MCA to IFCA's to support the gathering of data on PFD use across the inshore fishing industry. DM expressed some reservations about the 'ask' from the MCA and the group further discussed GDPR implications. The consensus of COG was to actively support the request from the MCA. DM agreed to re-circulate the proposed recoding template provided by the MCA **Action DM**.

8. National IVMS Project Update

MM provided a detailed update on progression with the national iVMS project. National resourcing to the project had been temporarily re-directed to EU exit with an ongoing 'evaluation' of another 'cheaper' solution but this didn't appear to carry much support as an alternative to either Succorfish or AST. The expected completion date for full implementation had now moved to end of 2023. The national project leads remained confident that EMFF funding could still be fully utilised. The most logical route for phased implementation remained vessel length. JG highlighted pressing urgencies within Eastern IFCA to support the management of the shrimp fishery. MS advised the group that Northumberland IFCA had agreed to trial a small alternative unit on behalf of St Andrews University. MM advised the group that Devon and Severn IFCA were intending to trial some associated remote camera units to monitor associated activity onboard fishing vessels. WW and MM offered further practical support and advice to JG given the pressing priorities within his IFCA area.

9. EU Exit Planning/Fisheries Act

SD provided a current update on the back of the latest information circulated from Sam Dell via NIMEG. WW advised that the Defra emergency cell was now active taking weekly information on EU exit related issues alongside Covid and winter preparedness although little clear direction was forthcoming at present. WW advised that from an EU exit perspective any preparation for associated resource planning should be made for early January 2021. WW indicated that he was happy to receive any IFCA specific queries on EU exit preparations directly.

10. Shellfish Industry Group

Sarah Clark (SC) from Devon and Severn IFCA attended the meeting and provided a comprehensive update on the developing proceedings of the national Shellfish Industry Group facilitated by Seafish. The Shellfish Industry group is the overarching 'umbrella' group to other management groups including the crab and whelk groups. The remits of these groups are designed to capture all relevant interests to inform the development of plans aimed at delivering more sustainable management regimes. The development of the plans to carry three stages. Firstly drawing together collaborative science, allocation and access to resources, trade and marketing expertise and environmental knowledge. The second phase to develop species specific management plans and the third regional management plans and objectives. SC emphasised the pressing need for active IFCA involvement within the groups. DM queried how the groups linked to national strategy and policy delivery. RC provided further thought and conclusion from an AIFCA perspective. RC anticipated that whilst the associated work programmes appeared

disjointed currently the statutory requirement for future national fisheries management plans would ultimately drive clarity in due course. Thoughts echoed by TH. WW considered how IFCA's could better represent themselves currently and offered to present some of the whelk management work undertaken by Kent and Essex IFCA to the groups. SD requested that the matter be added onto the agenda of the December COG meeting for further consideration

Action DM. RC advised that Robbie Fisher had been recently appointed as the Defra lead on Fisheries Management Plans and active IFCA engagement with him was expected to commence soon.

11. MMO Update – Paul Tyack

PT provided an update on personnel movement with the senior MMO coastal operational management team. PT emphasised a strong wish to strengthen operational working relationships with IFCAs particularly in terms of active operational engagement. He felt that in some areas more could be done by the MMO to improve active working relationships especially surrounding attendance and positive interaction at IFCA meetings and in other areas of mutual interest such as byelaw making. MM suggested that sometimes issues arose at more senior level rather than 'ground' coastal level. RC reflected on some very positive joint collaborative work between the MMO and IFCAs including the joint intelligence gathering work and the joint response to the Covid 19 pandemic. RC felt that these positive work areas were often overlooked with an unbalanced focus, at times, on weaknesses. RC offered to commence the development of a joint communication document to highlight some of the positive joint working outcomes achieved by the MMO and IFCAs. SD rounded the discussion off by emphasising the need for MMO and IFCAs to actively support one another. PT offered to continue attendance at COG meetings which was welcomed by the group.

12. DONM

Wednesday 16 December 2020

13. ACTIONS

1. DM to ask Martin Birchenough to provide an update on IOM fisheries management at the next meeting
2. RC to circulate draft response to the IFCA Evaluation Report
3. SD to seek an update from the MMO on the implementation of the data sharing agreements
4. DM to add Defra/IFCA evaluation work to the agenda of the January 2021 meeting
5. MM to seek further clarifications from the MMO in terms of IFCA input into the national appointee recruitment programme
6. DM to re-circulate the MCA PFD recording template
7. DM to add the national Shellfish Industry Group to the agenda of the December 2020 meeting
8. PT to attend the next COG meeting in December 2020.

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
18 December 2020

BUDGET MONITORING 2020/21

Report by the Treasurer

A. Purpose of Report

To advise Members of the budget position at the end of month 07 (October) in 2020/21.

B. Recommendation

- i. That the budget monitoring position is noted.
- ii. That any underspend at the year-end be transferred to the General Reserve to support pressures from the staffing and organisational review and to the Renewals Fund towards the replacement of the patrol vessel.

1. Introduction

4.2 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.

4.3 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 2020.

4.4 At its meeting on 5 December 2019, the Authority set a levy totalling £1,285,536 for the current financial year, including £102,900 plus accrued interest transferred to the Renewals Fund and £10,000 transferred to the Vehicle Replacement Reserve.

5. Spending to 31 October 2020

5.1 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.

5.2 At the end of October 2020, the Authority has net expenditure of £453,053 against an expected £629,717, underspending by £164,542. The forecast outturn underspend is £214,006 mainly due to employee underspends due to vacancies (£141,595):

- Employee underspends of £141,595 - underspends on salaries of £163,356 due to 6 permanent vacant posts. Vacancies have not been recruited to due reduced operations at the start of the financial year due to COVID-19 restrictions and the ongoing organisational review. Within other employee costs expenditure on agency staff is £33,811 higher than budgeted for and is offset by £12,000 savings on training due COVID-19 restrictions. £18,093 of the agency expenditure is funded by income from other organisations;
- Patrol Vessel Running Cost underspends of £48,643 mainly due to savings on fuel due to reduced operations in the first quarter of the year;
- Travel & Subsistence underspends of £30,048 due to reduced expenditure on public transport and expenses following the introduction of the COVID-19 restrictions in March 2020.

5.3 It is anticipated that the outturn position will be an underspend of £214,006 in addition to the planned transfer of £102,900 plus accrued interest into the Renewals Fund and £10,000 into the Vehicle Replacement Reserve. It is proposed that any underspend is transferred to the Renewals Fund towards the replacement of the patrol vessel.

Contact Officer

Liz Smith (liz.smith@eastriding.gov.uk)
Principal Accountant, East Riding of Yorkshire Council

Stephen Chandler

Treasurer

Background Papers: NEIFCA Monitoring File

NEIFCA Budget Monitoring Report as at October 2020

	<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>
	£	£	£	£	£	£
EXPENDITURE						
Employee Expenses						
Pay,NI and Superannuation	704,600	411,017	295,999	-115,018	541,244	-163,356
Other Employee Costs	31,550	18,404	39,625	21,221	53,361	21,811
Premises	30,430	11,610	25,470	13,860	36,709	6,279
Transport						
Patrol Vessel Running Costs	166,120	90,167	53,736	-36,431	117,477	-48,643
Vehicle Running Costs	32,340	19,825	19,395	-430	32,866	526
Travel and Subsistence	35,750	20,854	3,193	-17,661	5,702	-30,048
Supplies and Services	99,400	55,775	62,499	6,724	105,902	6,502
Support Services	93,230	2,065	262	-1,803	95,071	1,841
	1,193,420	629,717	500,178	-129,538	988,331	-205,089
INCOME						
Grants and Contributions	-15,000	-8,750	-40,235	-31,485	-25,098	-10,098
Other Income	-5,780	-3,372	-6,890	-3,519	-4,600	1,180
	-20,780	-12,122	-47,126	-35,004	-29,698	-8,918
NET EXPENDITURE	1,172,640	617,595	453,053	-164,542	958,634	-214,006

	<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>
	£	£	£		£	
NET EXPENDITURE						
Central / Headquarters	463,640	216,889	157,407	-59,482	434,931	-28,709
Land Based Operations	132,200	77,117	64,336	-12,780	113,542	-18,658
Offshore Operations	466,150	259,043	192,393	-66,650	348,394	-117,756
Environment	110,650	64,546	35,136	-29,409	61,767	-48,883
Grant Aided Projects	0	0	3,779	3,779	0	0
	1,172,640	617,595	453,053	-164,542	958,634	-214,006

	<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>
	£	£	£		£	
REPRESENTED BY						
Annual levy on Local Authorities	-1,285,540	-1,285,540	-1,285,536	4	-1,285,540	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
	-1,172,640	-1,285,540	-1,285,536	4	-1,172,640	0

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
18 December 2020

Fisheries Statutes and Regulations Prosecutions

Report of the Clerk of the Authority.

A. Purpose of Report

To provide information on prosecutions taken by the Authority during the period September 2020 to November 2020

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 September 2020.
- 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 R Webster	Landing 3 egg bearing lobsters	N/A	18 September 2020	HOC	N/A	N/A
West Coast Sea Fishing	Breach of dredging regulations	N/A	18 September 2020	FAP	£1000	£1000
Mr M Bull	Breach of dredging regulations	N/A	20 September 2020	HOC	N/A	N/A
Sunzhi Wang	Taking shellfish without a permit	N/A	21 September 2020	FAP	£250	£250
Ocean Fish Vista Ltd	Breaches of dredging regulations	N/A	30 September 2020	FAP	£3,250	£3,250
Emmanuel Fishing Ltd	Breach of 'parts of crab' regulations	N/A	30 September 2020	FAP	£500	£500
Huone Zhene	Taking shellfish without a permit	N/A	06 October 2020	FAP	£250	£250
Mr E Potts	Taking shellfish without a permit	N/A	06 October 2020	FAP	£250	£250
Mr D Traves	Landing four egg bearing lobsters	N/A	13 October 2020	HOC	N/A	N/A
Mr D Slater	Landing four undersize lobsters	N/A	22 October 2020	FAP	£500	£500
JK Zhang	Taking shellfish without a permit	N/A	22 October 2020	FAP	£750	£750
Mr M Hopper	Landing six egg bearing lobsters	N/A	27 October 2020	FAP	£500	£500
Whitelink Seafoods Ltd	Breach of dredging regulations	N/A	27 October 2020	FAP	£1000	£1000
Mrs J King	Breach of dredging regulations	N/A	03 November 2020	FAP	£1000	£1000
Mr A Page	Landing 1 mutilated & 2 us lobsters	York	20 November 2020	£150	£85	£1,800

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
18 December 2020

Membership of the National Association of IFCAs

Report by the Chief Officer

A. Purpose of Report

To provide Members with an update on recent changes within the National Association of IFCAs.

B. Recommendation

1. That Members note the report and support NEIFCA's continued membership for a further year until 30 March 2022.

1. Background

- 1.6 The current format of the AIFCA was established in March 2011 following the creation of IFCAs during 2010. It continues to operate as a limited company by guarantee, led by a singular Chief Executive Officer (who is also a director) and supported by one temporary administrative officer. AIFCA business is guided by a Chair and Vice Chair, elected annually, a board of directors, comprising of the Chief Officers and a wider forum with membership comprising of Chairs or Vice Chairs of the ten IFCAs. NEIFCA is currently represented by the Chief Officer and Vice Chairman.
- 1.7 Alongside the other IFCAs, with the exception of the Isles of Scilly, NEIFCA currently contributes £12K per annum from its annual budget to support the running of AIFCA.
- 1.8 Since its establishment in 2011 the forum and directors have met separately on a quarterly basis, normally in London. The forum to discuss national issues affecting IFCAs and to consider any reported issues and matters of interest occurring around the coast. Generally the forum has also met with the Fisheries Minister once a year and received regular reports from senior Defra and Marine Management Organisation (MMO) staff. The purpose of the directors meetings are to support the running of AIFCA and provide oversight on the governance.
- 1.9 At a meeting of the Executive Committee held on 16 April 2020 members received a detailed update from the Chief Officer relating to issues and concerns surrounding the functioning of AIFCA and value for money in terms of NEIFCA's continuing membership. The Chief Officer also advised members of the recent resignation of the Chief Executive. Whilst members recognised the issues they also considered the added value that membership of a national representative body provided to the IFCAs and in light of the departure of the Chief Executive agreed to continue membership for a further

year and requested that the Chief Officer provide a further update to the Authority at its December 2020 meeting and convey their concerns in writing to the Chair of AIFCA (minute record 17 refers).

- 1.10 A new Chief Executive of AIFCA, Rob Clark, (previously the Chief Officer of Southern IFCA) was appointed during August 2020 and actively commenced the role on 1 September 2020. In the short time that the new Chief Executive has been in post confidence and positivity has already lifted significantly in terms of the functioning of AIFCA.
- 1.11 Given the current climate surrounding the UK's formal departure from the EU, the associated development of a new UK wide marine management regime underpinned by new primary legislation and also the potential impacts of the Covid 19 pandemic on central government funding the need for strong national IFCA representation has never been greater. It is therefore recommended that the Authority maintain their annual subscription to AIFCA until 31 March 2022 with a further update and review of the position at the meeting in December 2021.

Contact Officer

David McCandless,
Chief Officer,
Ext. 3690

Background Papers

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
18 December 2020

NEIFCA Byelaws Update

Report by the Chief Officer

A. Purpose of Report

To update members on our current fisheries byelaw work streams.

B. Recommendation

1. That members note the report.

1. Background

1.1 Byelaw XXXII Fish, Mollusc and Crustacea Byelaw 2019

This new byelaw regulation was formally made by the Authority on 5 December 2019 to replace an emergency byelaw which re-instated long-standing minimum landing sizes for a wide range of fish and shellfish species across the NEIFCA district. The emergency byelaw was required due to changes in EU legislation which affected application across the unlicensed vessel sector. The new regulation was made jointly with Northumberland, Eastern and Kent and Essex IFCAs and is currently in the MMO QA process prior to final consideration by Defra although it has been delayed somewhat by the impacts of the COVID 19 pandemic. Given the delays Defra supported an extension of the current emergency byelaw provisions until 13 February 2021.

Contact Officer

David McCandless, Chief Fishery Officer
Ext. 3690

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
18 December 2020

Provision of Services to NEIFCA

Report by the Chief Officer

A. Executive Summary

To seek the Authority's approval for the continued provision of core services including Clerkship and Secretariat, Treasurer and financial services, Human Resources and Legal services through East Riding of Yorkshire Council with effect from 1 April 2021 until end of March 2024.

B. Recommendation

That Authority members consider the report and approve the continued provision of the following core services through East Riding of Yorkshire Council, with effect from 1 April 2021 for a further period of three financial years until the 31 March 2024:-

- (i) Clerkship
- (ii) Treasurer and financial services
- (iii) Human Resources
- (iv) Legal

1. Background

1.1 Since its inception in 1996 East Riding of Yorkshire Council (ERYC) has played a crucial role in the provision of core services to North Eastern Sea Fisheries Committee (NESFC) and since October 2010, to North Eastern Inshore Fisheries and Conservation Authority (NEIFCA). This has enabled NEIFCA to modernise and develop into one of the most professionally run and respected IFC Authority's in the UK.

1.2 The last review of core service provision to NEIFCA was considered by the Authority on 7 December 2017. Following that review members supported the Chief Officer's recommendation that ERYC continue to provide the core services of Clerkship, Treasurer and financial services, Human Resources and Legal to the Authority for a further period of three financial years (Minute 26 refers). That agreement expires on 31 March 2021. From an organisational perspective it is critical that the current arrangements for provision of these core services continue. This will safeguard the provision of a quality service and the effective and efficient functioning of the organisation as a whole.

1.2 Clerkship

1.2.1 Through the continued relationship with the Clerk and associated links to ERYC, Authority officers and staff have been able to access a wide range of systems and expertise which have been critical to both the effective delivery of 'day to day' operations and the

positive delivery of the Authority's statutory objectives. This currently includes financial, IT, HR and other systems which remain embedded within the ERYC. These systems and associated expertise would be lost if members choose not to support the continued provision of services through ERYC and as an organisation NEIFCA would have to procure and re-develop a wide range of services, externally, from scratch, to support its needs. Given the resource and time demands that this would require it would place the functioning of the Authority at immediate risk of collapse and take many years to re-establish the current position and standing that the Authority currently enjoys.

1.2.2 Contact with the Clerk and ERYC services is daily on a wide range of matters and issues, this access and time is not charged and additional support and advice is readily available, representing an extremely cost effective and efficient service throughout. Input and guidance from the Clerkship to the Chief Officer and his senior management team has also proved invaluable, particularly in terms of governance/risk/discipline/procurement/Health and Safety and operational objectives. Through the Clerkship and ERYC, which is recognised as one of the most efficient and well managed local authority's in the UK, NEIFCA has been able to adopt a wide range of policies and procedures which has improved and strengthened its standing as an organisation. This relationship has ensured that NEIFCA continues to develop and expand in its role at the forefront of inshore fisheries management.

1.2.3 It is therefore recommended that members approve the continued provision of Clerk services by ERYC.

1.3 **Treasurer and financial services**

1.3.1 Treasury and financial services are provided to NEIFCA through an annual Service Level Agreement with ERYC. This includes accountancy and management services, payment services and payroll services. ERYC have provided this service since 1996 and have established a comprehensive working knowledge of the Authority's operational activities. More crucially, NEIFCA is embedded within ERYC payroll and financial systems which would be very difficult and expensive to re-establish. It is therefore recommended that members approve the continued provision of Treasurer and financial services by ERYC.

1.4 **Human Resources**

1.4.1 Human resource support is also provided to NEIFCA through a SLA which is subject to a regular review process. The HR department has built up an extensive working knowledge of the Authority's practices, systems and staffing information which would be difficult to develop elsewhere. It is therefore recommended that members approve the continued provision of HR services by ERYC.

1.5 **Legal Services**

1.5.1 Legal support is provided by the ERYC Legal and Democratic Services team who were appointed through an open tender process completed during 2002. This contract has been reviewed and extended over the years by both NESFC and NEIFCA. Since 2002 the ERYC legal team have developed an extensive knowledge in a wide range of marine case work to Crown Court level, including the active implementation of the Financial Administrative Penalty (FAP) system. The ERYC Legal and Democratic Services Team continue to provide an excellent cost effective service at approximately 50% of the private sector charge and it is extremely important that members approve the continued provision of legal services by ERYC.

1.6 Continuation of existing arrangements with ERYC will be met from current budgetary provisions.

Contact Officer
David McCandless, Chief Fishery Officer,
Ext 3690

Background Papers

None.