

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

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

Commencing 09:30 hrs on 2 DECEMBER 2021

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

3. To take the Minutes of the Meeting held on 14 July 2021 as a correct record, consider any matters arising and authorise the Chairman to sign (*pages 1 to 7*)
4. To take the Minutes of the Executive Committee meetings held on 2 September 2021 (*pages 8 to 10*)
5. New Whitby Storage Facility (*pages 11 to 12*)
6. Levy 2022/2023 (*pages 13 to 17*)
7. Revision of Byelaw XXIX Humber Estuary Fishing Byelaw 2016 (*pages 18 to 20*)

Items for discussion

8. Chief Officer's Operational Report (*pages 21 to 45*)
9. Budget monitoring 2021/2022 (*pages 46 to 49*)
10. Fisheries Statutes and Regulations – Prosecutions (*pages 50 to 51*)

Items for information

11. NEIFCA Updated Staff Handbook (*pages 52 to 53*)
12. Reports from partner Agencies and bodies (*pages 54*)
 - 12(a) Marine Management Organisation
 - 12(b) Environment Agency
 - 12(c) Natural England
13. 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

14 JULY 2021

Present:

Dr Stephen Axford
Mr Mark Cole
Mr Graham Collins
Prof Mike Elliott
Dr Clare Fitzsimmons
Miss Rebecca Lynam
Councillor Chris Matthews
Mrs Donna-Marie Mear
Mr Michael Montgomerie
Mr Gary Redshaw
Councillor Phil Webster
Mr Andrew Wheeler

Representing:

MMO appointee
MMO appointee
MMO appointee
MMO appointee
MMO appointee
MMO appointee
East Riding of Yorkshire Council
MMO appointee
MMO appointee
MMO appointee
Hull City Council
MMO appointee

Mrs Caroline Lacey, Clerk, Mr David McCandless, Chief Officer, Mr Stephen Chandler, Treasurer, Mr Tim Smith, Senior Environmental & Scientific Officer, and Patrick Gray, MMO representative also attended the meeting.

The Committee met at The Spa, South Marine Drive, Bridlington. The meeting started at 10:30am.

67.	APOLOGIES FOR ABSENCE
	Apologies of absence were received from MMO members Houghton, Woodcock, Councillor Members Allcock, Chance, Copsey, Dick, Harness, Randerson and Stewart, and EA representative Slater.
68.	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.
69.	GREETINGS AND INTRODUCTIONS TO NEW MEMBERS AND APPOINTEES
	The Clerk reported that the following new Members had been appointed to the Authority: Councillor Mark Wilkes – Durham County Council Councillor Phil Webster – Hull City Council Councillor Norman Dick – South Tyneside Borough Council

	Mr Kevin Woodcock – MMO appointee Mr Mark Cole – MMO appointee Dr Clare Fitzsimmons – MMO appointee
70.	TO ELECT A CHAIRMAN
	The Clerk reported that the current Chairman, Councillor Chris Matthews was unable to stand for the position of Chairman due to other commitments, the Authority had received one nomination in writing from the current Vice Chair, Dr Stephen Axford, MMO appointee. The Clerk asked the Authority if there were any other nominations. There were no further nominations. Dr Stephen Axford was proposed and seconded and was elected Chairman by a unanimous vote by the Authority. Dr Stephen Axford thanked Councillor Matthews for his time as Chairman on behalf of the Authority.
	Resolved - That Dr Stephen Axford, MMO appointee be elected as Chairman for the ensuing year.
	TO ELECT A VICE CHAIRMAN
	The Clerk reported that the authority had not received any nominations in writing, and asked the Authority if there were any nominations at the meeting. Councillor Phil Webster, Hull City Council, expressed an interest at the meeting, there were no further nominations. Councillor Phil Webster was elected Vice Chairman by a unanimous vote by the Authority.
	Resolved - That Councillor Phil Webster be elected Vice-Chairman for the ensuring year.
71.	TO APPOINT AN EXECUTIVE COMMITTEE
	Resolved – That the Chairman, Vice-Chairman Councillors Randerson and Allcock Mr Graham Collins, Mr Andrew Wheeler, Mr Gary Redshaw and Professor Mike Elliott be appointed for the ensuing year. One Local Authority position remained vacant, the Clerk agreed to contact all the Local Authority Representatives to fill the vacant post.
72.	TO CONFIRM MEMBERSHIP OF STANDARDS COMMITTEE
	Resolved - That Councillors Matthews, Randerson and Clerk be appointed for the ensuing year.
73.	TO CONFIRM MEMBERSHIP OF THE SCIENCE ADVISORY GROUP
	Resolved – That Chair, Vice-Chairman Miss Rebecca Lynam, Mr Mark Cole, Mr Graham Collins, Dr Clare Fitzsimmons, Mr Robert Houghton, Professor Mike Elliott, Mr Michael Montgomerie, and representatives from the Marine Management Organisation, Natural England and the Environment Agency be appointed for the ensuing year.

74.	TO APPOINT REPRESENTATIVES TO SERVE AND REPORT QUARTERLY
	<p>Resolved - (a) That the following be appointed for the ensuing year to serve and report quarterly on:-</p> <p style="padding-left: 40px;">Flamborough Harbour Commissioners (2 representatives): Councillor Chris Matthews Mr R Houghton</p> <p style="padding-left: 40px;">Staithes Harbour Board (4 representatives) Councillor David Chance Mr Steven Mallinson Mr Mark Cole 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 style="padding-left: 40px;">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 Officer was a Director of The Association of Inshore Fisheries & Conservation Authorities .</p>
75.	MINUTES OF THE AUTHORITY MEETING HELD ON 18 DECEMBER 2020
	<p>Resolved – That the minutes of the Quarterly meeting held on 18 December 2020 be approved as a correct record and signed by the Chair.</p>
76.	MINUTES OF THE EXECUTIVE MEETING HELD ON 5 MARCH 2021
	<p>Resolved – That the minutes of the Executive meeting held on 05 March 2021 be approved as a correct record and signed by the Chair.</p>
77.	NEIFCA FINANCIAL OUTURN 2020/2021
	<p>The Treasurer of the Authority presented a report of the Annual Accounts for NEIFCA for the year ended 2020/21. The report provided the income and expenditure account, detailed balance sheet and position on reserve accounts. Members requested reassurance that once all of the staff vacancies were filled, there would be adequate funds in the staffing budget to meet the required demands, the</p>

	Treasurer reassured members that there was sufficient budget to cover the additional salaries. Members also questioned if the £50,000 held in the Patrol Vessel Maintenance Reserve was sufficient, the Chief Officer reassured members that this was an additional reserve to cover any insurance excess costs for a substantial issue with the offshore assets, in addition to the offshore Repairs and Maintenance budget.
	Resolved - a) That the Statement of Accounts were approved as presented b) That Members Approved the Outturn position
78.	MANAGEMENT OF SCALLOP DREDGING 2021/2022
	The Chief Officer presented a report to support consideration of recommendations for the 2021/2022 fishery. A detailed background was included in the report for member's information. The Chief Officer informed members that due to the Covid-19 pandemic, on-board monitoring of the permitted vessels had not been possible during the 2020/21 season.
	Resolved – (a) That members note the report. (b) Members endorse the reopening of the permitted fishery on the same basis as the previous five seasons and that a maximum of three permits are offered in line with the draft application process for the 2021/2022 season.
79.	MANAGEMENT OF PERMITTED INTERTIDAL SEA BASS FISHERY 2021/2022
	The Chief Officer presented a report to update members on the current situation surrounding the EU prohibition on commercial fishing for sea bass from the shore and to present a scheme for re-opening the fishery on 1 October 2021. The Chief Officer provided a verbal update on the background of the ongoing conflict between European fisheries legislation, designed to protect sea bass stocks, and the Authority's intertidal netting permit scheme for the benefit of new members. The legislative conflict had been ongoing since the end of 2017 but the Chief Officer was pleased to report that following communications with Defra on Friday 4 June 2021, changes implemented via secondary legislation by the UK government would enable the Authority to re-open the fishery again.
	Resolved – (a) That Members note the report. (b) That given the introduction of new secondary legislation which will permit five operators to work intertidal fixed nets within the NEIFCA district from 30 July 2021 members support the re-opening of the permitted fishery, in accordance with the Authority's fixed netting byelaw regulations, from 1 October 2021. (c) That members endorse the draft procedure for allocating the permits.
80.	NEIFCA DRAFT ANNUAL REPORT 2020/2021
	The Chief Officer provided members with a draft Annual Report covering the period, 2020/2021, summarising the Authority's outputs and activities during the year. Members were asked to provide any comments or feedback to the Chief Officer by the 30 July 2021.
	Resolved – That the report be noted.

81.	UPDATED STAFFING HANDBOOK
	The Clerk and Chief Officer presented a report which provided members with an updated version of the NEIFCA 'Staffing Handbook', containing comprehensive information on staffing policies and procedures for review and consideration. Members were informed that the changes and updates brought the Authority's policies and procedures in line with current employment legislation. The revised staffing handbook was currently out for consultation amongst the Authority's staff and trade unions.
	<p>Resolved – (a) That the updated version of the NEIFCA Staffing Handbook be provisionally approved subject to any further consideration of comments received from staff and or Trade Union representatives.</p> <p>(b) That members delegate authority to the Executive Committee to review and consider any such comments and finalise the Handbook.</p> <p>(c) That a final version of the Handbook is provided for member's information at the next Authority meeting.</p>
82.	NEIFCA INTERNAL AUDIT REPORT 2020/2021
	The Clerk presented a report to inform members of the findings of the annual audit report. The purpose of the audit is to provide management with assurance about the effectiveness of the controls identified and the exposure to risk that any control weaknesses may cause. The overall assurance opinion is substantial. A sound system of governance, risk management and controls exist, with internal controls operating effectively and being consistently applied to support the achievement of objectives in the area audited. A copy of the report was included for members' information.
	Resolved – That the report be noted.
83.	CHIEF OFFICERS OPERATIONAL REPORT
	The Chief Officer presented a report to provide members with a comprehensive and detailed operational summary covering the period December 2020 to June 2021. Since the last update provided to members at the meeting held on 18 December 2020 NEIFCA operational contingency planning remains dynamic, evolving in response to the ever-changing situation surrounding the Covid-19 pandemic. Up to the end of December 2020, national work streams were largely focused finalising arrangements for exiting the European Union. IFCA involvement was channelled through the national Association and Chief Officer's group. The report also provided members with a detailed overview of Enforcement and Compliance Work, continued efforts on securing finance for the replacement of the Authority's patrol vessel, delivery of the new 9.5mtr Cabin Rib and priority work streams for the next 6 months.
	Resolved – That the notes be received.

84.	FISHERIES STATUTES AND REGULATIONS – PROSECUTIONS
	The Clerk submitted a report on the fisheries enforcement activities taken by the Authority for the period December 2020 to June 2021.
	Resolved – That the notes be received.
85.	REPORTS FROM PARTNER AGENCIES AND BODIES
	The Marine Management Organisation partner briefing papers had been circulated prior to the meeting, papers from the Environment Agency and Natural England were unavailable at the time of printing. Patrick Gray, MMO representative also provided a verbal update at the meeting. The Chairman requested that the Chief Officer request written reports from partner agencies at an operational level.
86.	ANY OTHER BUSINESS
	Members requested that the Authority’s social media posts should not contain images of fishing vessels. The Chief Officer did reassure members that the posts are very closely monitored and quality checked prior to posting to the public.
	The meeting closed at 12:15

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

MEETING OF THE EXECUTIVE COMMITTEE

02 SEPTEMBER 2021

Present

Dr Stephen Axford
Mr Graham Collins
Prof Mike Elliott
Councillor Tony Randerson
Mr Gary Redshaw
Mr Andrew Wheeler
Councillor Phil Webster

Representing

Chairman
MMO appointee
MMO appointee
MMO appointee
MMO appointee
MMO appointee
Vice Chairman

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

The meeting took place at The Spa, North Marine Drive, Bridlington, the meeting commenced at 09:30.

12.	APOLOGIES
	Apologies for absence were received from Councillor Ron Allcock.
13.	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.
14.	TO TAKE NOTES OF THE MEETING HELD ON 5 MARCH 2021 AS A CORRECT RECORD
	Resolved – That the minutes of the meeting held on 05 March 2021 be approved as a correct record and signed by the Chairman.
15.	STRATEGIC AND OPERATIONAL RISK REGISTER
	The Clerk presented a report to inform members that in accordance with the Authority's Risk Management Strategy, a sixth monthly review of the Strategic and Operational Risk Registers has been undertaken and is reported for information.
	Resolved - That the revised Strategic and Operational Risk Register be reviewed in six months' time

16.	NEIFCA UPDATED STAFFING HANDBOOK
	The Clerk and Chief Officer presented a report which provided members with a final draft version of the updated NEIFCA 'Staffing Handbook' for members approval. The Chief Officer informed members that following the period of staff consultation, there had been two items of feedback received. The comments received related to the functioning of the Deputy Chief Officer Role and the staffing structure. The Chief Officer advised that consideration would be given to a revision of the staffing structure included in the staff handbook to provide greater clarity if needed. Comments had also been received regarding the necessity for a standby/callout policy. It was agreed at the meeting that there would be a review at the 2022 September Executive meeting to consider the need for such a policy based on evidence collated through the year.
	Resolved – (a) That the updated version of the NEIFCA Staffing Handbook is approved. (b) That the handbook is subject to regular review, as a minimum, annually, with any proposed changes considered by the Executive Committee. (c) A revision of the staffing structure is considered following consultation with the Chief Officer, Clerk and HR.
17.	NEIFCA HEALTH AND SAFETY POLICY & SAFE WORKING PRACTICES 2021/2022
	The Chief Officer presented a report to inform members of the completion of the Annual review of the Authority's Health & Safety provisions. Since the last review in March 2021 the Chief Officer was pleased to advise that there had been no notable incidents or accidents to report. Over and above the standard operational risk assessments and associated safe working practices, NEIFCA officers continued to respond rapidly to the unprecedented impacts and risks associated with the ongoing Covid-19 pandemic to both protect staff and comply with all current governmental advice. Members queried what provisions are in place for visitors aboard the Authority's patrol vessels, the Chief Officer assured members that visitors are given a safety briefing and PPE. The Chief Officer also reported that the Deputy Chief Officer along with the offshore team were currently looking at modifications to the Offshore Safe Working Practices to incorporate the new Cabin RIB.
	Resolved – Members noted the report.
18.	BUDGET MONITORING 2021/2022
	The Treasurer presented a report to advise Members of the budget position at the end of month 03 (June) in 2020/21. At the end of June 2021, the Authority has net expenditure of £257,931 against an expected £283,113, underspending by £25,182. The forecast outturn underspend is £54,400 mainly due to employee underspends due to vacancies (£85,361). The underspend had been offset by expenditure on agency staff and patrol vessel overspends due to the increased insurance costs relating to the new Cabin RIB. It was anticipated that the outturn position would be an underspend of £54,390 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 was proposed that any underspend is transferred to the Renewals Fund towards the replacement of the patrol vessel.
	Resolved – (a) That the revenue budget monitoring position is noted. (b) That the capital budget overspend is fully funded from in year underspends.

	(c) That any remaining underspend at the year-end be transferred to the Renewals Fund towards the replacement of the patrol vessel.
19.	NEIFCA ANNUAL REPORT
	The Chief Officer presented a report which provided members with a copy of the 2020/2021 NEIFCA Annual Report for members information. The Chief Officer reported that IFCA's were currently looking at how data is captured and presented at a national level and ways to capture more meaningful environmental data against performance indices.
	Resolved - Members noted the report.
20.	ANY OTHER BUSINESS
	Nothing to report.
	The meeting closed at 10:15.

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
2 December 2021

New Whitby Storage Facility

Report by the Chief Officer.

A. Purpose of Report

To seek members approval to formally complete on the lease of a new storage facility at Whitby, North Yorkshire.

B. Recommendations

1. That members note the report and approve the completion of the lease

1. Background

- 1.1 Following the delivery of North Eastern Guardian III at the end of 2007 the need for a dedicated storage facility, close to the vessel's berth in Whitby, was quickly recognised. The then new vessel carried a significantly larger array of ancillary equipment than any previous vessel including pots, dredges, nets, underwater cameras, sondes, side scan sonar units alongside a range of spares and other miscellaneous maintenance items. At the time one of the Authority's senior staff offered a secure unit on his property, close to Whitby which provided a very cost-effective solution for a number of years. During 2016 it became apparent that this solution could not be sustained in the longer term and following recommendations from internal audit, alternative options were explored. At the same time the Authority agreed to increase the annual levy with a proportion ringfenced to support a new independent storage solution.
- 1.2 Despite significant difficulties finding alternative storage accommodation in the Whitby area, during 2017, two small units were eventually found on an established industrial estate in the town but the combined space could not accommodate all the equipment associated with the running and operation of the Authority's vessels. This has resulted in some equipment being relocated to other sites increasing travel and staffing time and complicating effective asset management and control, issues repeatedly highlighted within internal audit reports covering 2018/2019, 2019/2020 and 2020/2021.
- 1.3 During February 2020 officers were contacted by Scarborough Borough Council (SBC) who advised that they were at the early stages of scoping and planning a new suite of industrial units in Whitby. Given the historical and ongoing issues surrounding storage I provided SBC with a provisional expression of interest in one of the units.

- 1.4 The new unit is now fully complete and during the course of construction communications have been maintained with SBC to the point of formal legal completion of the lease pending final Authority approval.
- 1.5 The proposed new unit, No 2, Discovery Way, Whitby Business Park, will provide 2,615ft² of storage space (see site plan), nearly three times the combined size of the two units currently leased including dedicated parking, access and security. This will ensure that all equipment can be stored and managed securely, effectively and efficiently from one site and the new unit will also cover any future needs.

Costs

- 1.6 The terms of the lease are offered for ten years with a five-year break clause. The annual rent is £20k and business rates are estimated at £10k per annum. Providing the completion of the new lease is agreed, officers will give notice on the current storage units. The costs associated with the new unit will be met from a combination of funds allocated for the existing units, additional funding provision allocated during 2016/2017 and a small re-alignment from other areas. No additional funding will be required from member Local Authorities.

Due Diligence

- 1.7 In terms of storage, regular market testing has been undertaken in the Whitby area since 2007 with very few suitable opportunities ever identified which would either meet the specific needs or budget required by the Authority. In advance of the decision on the new lease, some final market testing has been completed which unusually identified one potential site in Whitby, close to the location of the new proposed unit. This is a legacy industrial facility which is currently available and has been viewed by officers. Although the annual rent is slightly cheaper at £18,500 pa it has been ruled out because at 15,500 ft² it is considered too large and unmanageable and the estimated business rates are £30,000 pa, with total annual costs of £50K, excluding ancillary expenses, placing it out of scope of existing budgetary provisions.

Contact Officer

David McCandless, Chief Officer
Ext 3690

Background Papers

Site Plan of new Unit.

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
2 December 2021

LEVY 2022/23 TO 2024/25

Report by the Treasurer

A. Purpose of Report

To determine the levy on member local authorities for 2022/23.

To highlight issues relating to the setting of the levy for 2023/24 and 2024/25.

B. Recommendations

- (i) That the levy increase for 2022/23 be considered by the Authority and the Clerk be authorised to issue demands on the relevant local authorities at 3% as presented at Appendix A.
- (ii) That the Authority acknowledges the issues affecting NEIFCA and their effect upon the levy for 2023/24 and 2024/25, which is anticipated to be a minimum of a 2% increase each year.
- (iii) That a detailed budget for 2022/23 be brought to the Authority for approval at the Executive meeting in March 2022.

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 18 December 2020, the Authority set a levy totalling £1,298,392 including £100,000 plus accrued interest transferred to the renewals fund and £10,000 transferred to the vehicle replacement fund. The levy had been fixed at £1,139,521 from 2011/12 to 2016/17, meaning the 2017/18 increase was the first for 6 years. For 2018/19 and 2019/20, increases were agreed covering the cost of pay increases, however in 2020/21 an increase of 5% was agreed to fund both the annual pay increase (2.75%) and to support the staffing and organisational review. The 2021/22 levy was increased by 1% to cover the cost of increases in pay. Indicative increases of 2% for 2022/2023 and 2023/24 were proposed but not agreed.
- 2.2 The Bank of England's November monetary policy report explains that although the UK economy continues to recover from the Covid-19 pandemic, there is upward pressure on inflation which is expected to peak in the spring, interest rates are likely to rise and there is a high degree of uncertainty around the economic outlook. CPI has risen to 4% in October 2021 and, due to rising energy costs, the Bank predicts the level of CPI will rise to 4.5% in November and remain around that level through the winter reaching a peak of around 5% in April 2022. The upward pressure on inflation is expected to dissipate and rates begin to fall in the second half of next year as supply chain disruption eases, global demand rebalances and energy prices stop rising. NEIFCA will experience this increase in inflation as a pressure on energy, fuel and other supplies. In the Autumn Budget and Spending Review 2021 on 27 October 2021 the Chancellor announced that public sector workers would see pay rises over the next 3 years in a return to the normal pay setting process and that local authorities would receive an estimated average real-terms increase of 3% in core spending power. It is not yet known how this will impact on the specific grant local authorities receive for Inshore Fisheries and Conservation and in relation to potential future pressure on resources from other agencies on NEIFCA to perform additional work previously undertaken by them.
- 2.3 The staffing and organisational review was complete by December 2021 and was funded from the additional budget provision approved in the 2020/21 Levy, £20,000 base budget savings and the 1% increase in the 2021/22 levy. All vacant posts have been recruited to which will enable NEIFCA to better respond to future service demands. The National Joint Council (NJC) Local Government Pay Award for 2021/22 is yet to be agreed with the latest offer of 1.75% for all but the lowest paid being rejected by the unions. It is forecast that the pay award will be at least 2% in 2022/23 along with a 1.25% increase in Employers' National Insurance. It is anticipated that the pay award will be 2% in 2023/24 and 2024/25. The levy proposals for 2022/23 and the apportionment of this levy between the relevant councils are shown at Appendix A.
- 2.4 The pay award and National Insurance implications require a levy increase of 2.5% and if inflation at 4% was applied to all non-pay budgets this would equate to a proposed 3.9% levy increase. However, savings of £11,000 can be made within supplies and services budgets, principally on travel and subsistence, to reduce the proposed levy to 3%.
- 2.5 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, in particular the pressure from the increasing cost of energy, goods and wages. The current outlook is

uncertain due to the Covid-19 pandemic, the impact of the exit from the European Union on 1 January 2021 and delays in the reform of local government funding. With this in mind the increase in the levy is proposed to be 3% in 2022/23.

3. Reserves

- 3.1 The NEIFCA General Reserve is forecast to be £228,450 as at 1 April 2022 (Appendix B).
- 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 purchase and delivery of a new 9.5m Cabin Rigid Inflatable Boat (RIB), one of the three individual components which together make up the main vessel, has been completed in 2021/22 funded from the Renewals Fund. The vessel was delivered on 19 May 2021 and is fully operational.
- 3.3 It is proposed in the latest budget monitoring report that the balance of the projected outturn underspend of £78,629 is transferred to the Renewals Fund. This will bring the total of the Renewals Fund to £1,355,991 as at 1 April 2022. This together with the second-hand sale value of the current main patrol vessel will not be enough to replace it. Further clarity on the cost and options to obtain a replacement vessel should be available during 2022. 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.

4. Determination of Levy for 2023/24 and 2024/25

- 4.1 Indicative increases in the Levy of a minimum of 2% to cover the cost of increases in pay are proposed in 2023/24 and 2024/25.

Contact Officer

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

Stephen Chandler
Treasurer

Background Papers: NEIFCA\2022-23\Levy\Levy Requirements 2022-23

Appendix A

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY LEVY 2022/23

LOCAL AUTHORITY	Allocation	2021/22	2022/23	Increase
	%	£	£	£
Durham County Council	5.56	72,190	74,356	2,166
East Riding of Yorkshire Council	22.22	288,503	297,158	8,655
Hartlepool Borough Council	2.77	35,966	37,045	1,079
Hull City Council	11.11	144,251	148,579	4,328
North East Lincolnshire Council	11.11	144,251	148,579	4,328
North Lincolnshire Council	5.56	72,190	74,356	2,166
North Yorkshire County Council	22.22	288,503	297,158	8,655
Redcar and Cleveland Borough Council	2.77	35,966	37,045	1,079
South Tyneside Metropolitan Borough Council	5.56	72,190	74,356	2,166
Stockton on Tees Borough Council	5.56	72,190	74,356	2,166
Sunderland City Council	5.56	72,190	74,356	2,166
		<u>1,298,392</u>	<u>1,337,343</u>	<u>38,952</u>

Appendix B

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY RESERVES

General Reserve	2021/22 £	2022/23 £
Balance brought forward	228,450	228,450
Usage	0	0
Transfer to Renewals Fund	0	0
Balance carried forward	<u>228,450</u>	<u>228,450</u>
Patrol Vessel Maintenance	2021/22 £	2022/23 £
Balance brought forward	50,000	50,000
Transfer from Revenue	0	0
Balance carried forward	<u>50,000</u>	<u>50,000</u>
Vehicle Replacement Reserve	2021/22 £	2022/23 £
Balance brought forward	31,482	41,482
Transfer to Revenue	0	0
Transfer from Revenue	10,000	10,000
Balance carried forward	<u>41,482</u>	<u>51,482</u>
Renewals Fund	2021/22 £	2022/23 £
Balance brought forward	1,379,723	1,355,991
Transfer from Revenue	181,529	102,900
Transfer from General Reserve		
Transfer to Revenue	-205,261	
Balance carried forward	<u>1,355,991</u>	<u>1,458,891</u>
TOTAL USEABLE RESERVES	<u>1,675,924</u>	<u>1,788,824</u>

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
2 December 2021

Marine and Coastal Access Act 2009 (Section 155) **Review of Byelaw XXIX Humber Estuary Fishing Byelaw 2016**

Report by the Chief Officer of the Authority.

A. Purpose of Report

To inform Members of the intention to review byelaw XXIX Humber Estuary Fishing Byelaw 2016 and potential formal making of a new replacement regulation in accordance with the duty imposed by section 153 and the provisions contained within sections 155, 156, 158 and 160 of the Marine and Coastal Access Act 2009

B. Recommendation

1. That the Authority notes the report and delegates oversight of the review of the byelaw to the Science Advisory Group and the formal making of any new replacement regulation to the NEIFCA Executive Committee.

1. Background

1.1 Byelaw XXIX Humber Estuary Fishing Byelaw 2016

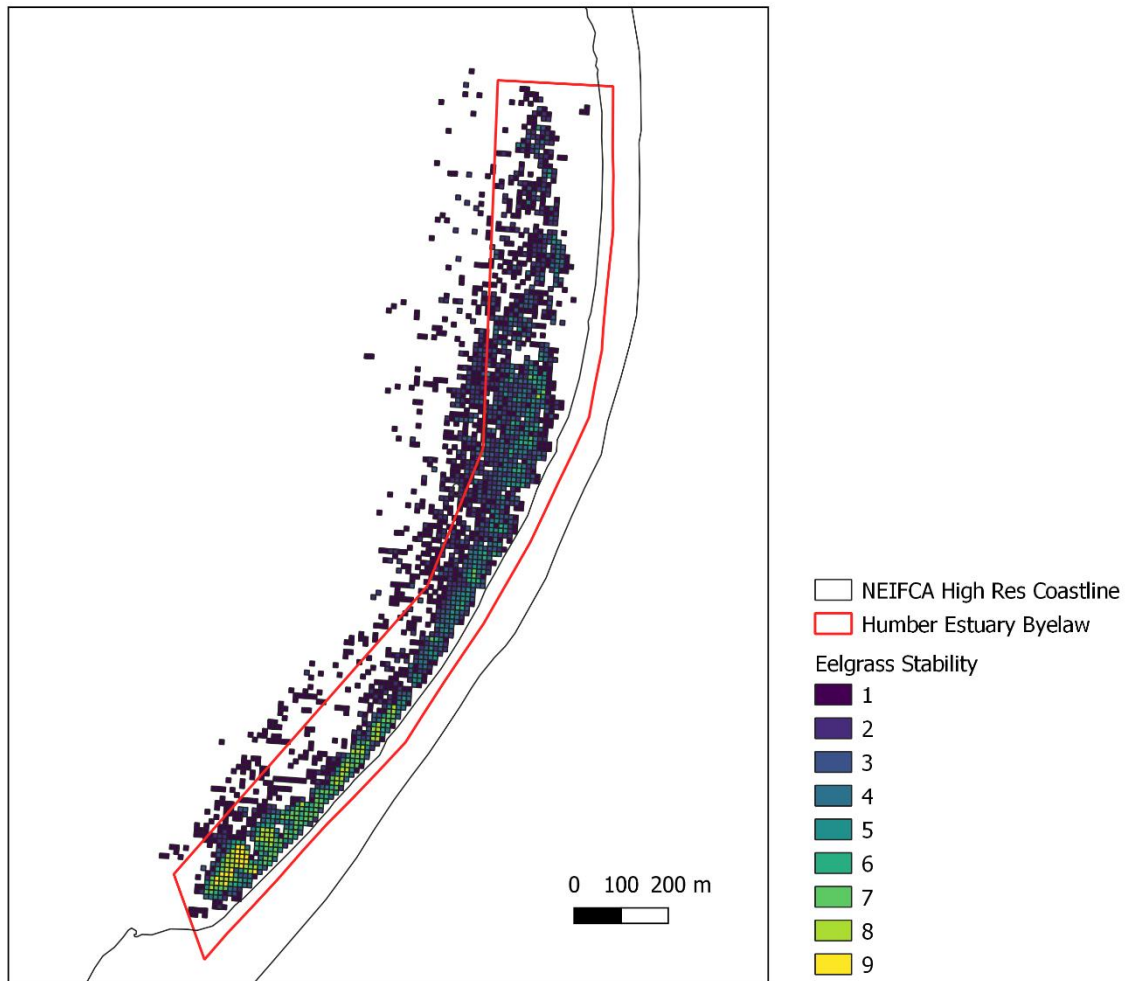
- 1.1.1 This byelaw regulation was confirmed on 15 August 2019 and sets out a number of prohibitions and restrictions on types of permitted fishing activities within the Humber Estuary. Its primary intentions are to ensure the protection of seagrass and sand bank areas which are designated features and sub-features of the Humber Estuary European Marine site. The primary focus of this review is to consider the need to formally extend the boundaries of the Spurn Point seagrass area to ensure the continuing protection of seagrass within the estuary.

1.2 Spurn Point Seagrass Area

The Spurn Point Seagrass Area was first formally designated within the 2014 iteration of the current byelaw and retained un-changed during the second iteration in August 2019. The area is surveyed annually to access and map the prevalence of seagrass. Year on year the data collated from the annual surveys has indicated a slow and steady expansion of sea grass beyond the current boundaries of the designated area. In part this can be put down to the success of the management regime established during 2014 but also to changing and perhaps more favourable environmental conditions. Figure 1 shows a visual representation of the

data up to 2020 alongside the boundaries of the protected area and the trends have continued since.

Figure 1: 8 Year Trends within the Spurn Point Seagrass Area



1.3 **Review Process**

The review will consider the most current data and whether any formal changes in the boundaries of the Spurn Point seagrass area are required at this time. No other changes to existing provisions within the current byelaw will be considered. If it is decided that changes are required informal consultation will then be undertaken with main partners such as the Yorkshire Wildlife Trust and Natural England and key stakeholders. Draft changes to the current byelaw will then be considered by the Science Advisory Group with any final recommendations submitted for consideration by the Executive Committee which may include the formal making of a new replacement regulation. If a new draft byelaw regulation is made it will be subject to a 28-day period of statutory consultation prior to submission to MMO for QA and formal confirmation. All Authority members will be kept updated through the processes and a further update report will be taken to the meeting in June 2022.

- 1.4 A copy of byelaw XXIX Humber Estuary Fishing Byelaw 2016 has been included in the circulation of electronic papers for members information.

Contact Officer

David McCandless, Chief Officer
Ext. 3690

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
2 December 2021

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 August 2021 to November 2021.

B. Recommendation

That Members note the report.

1. Overview

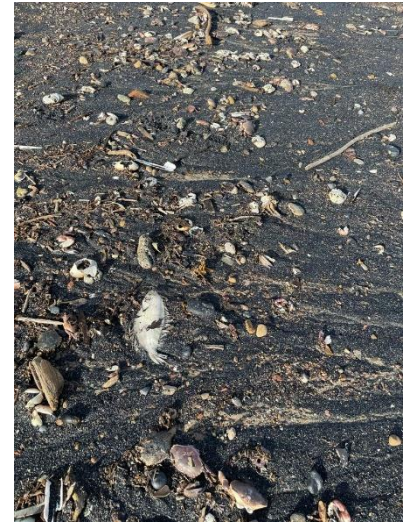
1.1 NEIFCA

Covid-19 Pandemic

Since the last update provided to members at the meeting held on 14 July 2021 NEIFCA operational contingency planning remains dynamic in response to the ever-changing situation. All NEIFCA operational staff are 'double' vaccinated which has significantly assisted in terms of managing the associated risk levels during day to day operational activities although a minority have received boosters. The general approach remains precautionary and staff are continuing to work in 'tight' team 'bubbles' with contact maintained at minimum levels whilst strictly adhering to both national and internal Covid-19 guidelines. Thankfully to date, through the pandemic, I am pleased to report that all NEIFCA staff have remained safe and well.

Tees & North Yorkshire Shellfish Mortalities

On 8 October 2021 officers started to receive reports of dead or dying lobsters and crab species coming ashore in the lower and outer Tees estuary around South Gare. These reports were immediately investigated and verified by the shore operations team. The observed mortalities consisted of mainly smaller edible and velvet crabs with the occasional lobster indicating very weak 'twitching' behaviour when handled. Other unconfirmed reports were received from amateur divers who reported observing quantities of dead shellfish on the seabed around the Tees Fairway on the approach to the estuary. Some images taken by officers during the initial investigations are attached for information.



Following confirmation of the reports a joint agency response was coordinated through Defra with the Environment Agency (EA) and the Centre for Environmental Fisheries and Aquaculture Science (CEFAS) taking the lead in gathering and analysing both biological, water and sediment samples. Tim Smith the Environmental & Scientific manager is leading the Authority's response. The sampling programme has been ongoing since mid-October and officers have assisted both the EA in collecting offshore sea water samples for analysis and CEFAS in gathering both carcass samples from the foreshore and undertaking autopsies.



The response has also been supported by other key national agencies such as the Marine Management Organisation who have been undertaking a review of all relevant licensing consents alongside the Food Standards Agency and the UK Health Security Agency who have been continually assessing any potential risks to public health and wellbeing.

At the beginning of November 2021 fishermen working to the South of the Tees Estuary started to report reduced catch rates and some 'in pot' mortality. These reports continued through November alongside further reports of dead crabs and lobsters being washed ashore as far South as Scarborough. These reports, in the main, appear to be confined to waters within a couple of miles of the coast with vessels working further offshore apparently not affected to any great extent.

On Thursday 18 November 2021 fishermen at Whitby called the first open public meeting to express their deepening concerns. I attended the meeting alongside the Deputy Chief Officer and the Environmental & Scientific Manager. We were the only key agency in attendance and obviously faced a lot of questions which we couldn't answer. We provided a background and update with the information available to us at the time. Much of the discussion centred around ongoing development works in Tees Port and whether those works have led to the disturbance and leaching of historical contaminants into the wider water column. For centuries the Tees estuary has supported an extensive petrochemical, ship building and steel making industry so it wouldn't be an unreasonable hypothesis. The fishing industry have called for a further public meeting to be convened at the beginning of December 2021 with the expectation that more detailed updates will be provided by all of the key agencies involved in the investigations and some outstanding questions will be finally answered.

At the time of writing this report despite the extensive and sustained sampling no clear explanation has been identified for the observed shellfish mortalities. A further update will be provided at the meeting.

Permitted Fixed Net Fisheries

Following the last Authority meeting held on 14 July 2021, in accordance with the supporting byelaw regulation and agreed policy, applications for 8 permits to set fixed nets along the Holderness Coast of East Yorkshire were processed, 5 intertidal and 3 sub-tidal. During the application process no appeals were received and the permits were issued on 28 September 2021 with a valid commencement date of 1 October 2021. The fisheries have since commenced and officers have received the first catch reports covering October. The commencement of the intertidal fishery had been facilitated by a recent change in UK fisheries legislation which had been reported to the Authority on 14 July 2021.

On 23 September 2021, as part of a national programme of education on the work and role of IFCA's, organised by the Angling Trust, I facilitated a virtual discussion evening which was recorded live and can still be viewed online under Angling Trust virtual sea angling forums. At the end of that evening I took some very specific questions about the re-opening of the permitted intertidal fixed net fishery. Following that event on 15 November 2021, I received a legal letter from an organisation called 'Fish Legal' acting on behalf of the Bass Anglers Sport Fishing Society. The letter outlined concerns that the Authority had acted unlawfully in the re-opening of the permitted intertidal fixed net fishery which they considered to be a directed sea bass fishery and therefore not permissible under the revised UK legislation. The letter reserved the right to instigate a Judicial Review against the Authority and the associated decision-making processes. The letter has been referred to the Authority's legal advisors who submitted a formal response on 22 November 2021. The Authority's position is that the supporting byelaw sets out a clear legal framework which underpins the management of the fishery and the issue of permits and the associated fisheries capture a range of different species, including sea bass.

1.2 National

The Environment Act received Royal Assent on 9 November 2021 establishing long term targets for air quality, water biodiversity, resourced efficiency and waste production. The act also established a new independent agency, the Office for Environmental Protection which will be charged with monitoring compliance against the legislation.

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

At the beginning of June 2021, Defra announced the government's intention to advance the designation of a small number of Highly Protected Marine Areas (HPMAs). A list of potential pilot sites is expected to be published by the end of the year 2021 with formal consultation commencing during the spring of 2022.

On 1 June 2021 Defra released a long-awaited report which summarised the outcome of a short independent evaluation project into the benefit and impact of IFCA's following their

establishment in 2010. The work underpinning the report was completed during 2019 but the publication of the report has been delayed due to competing priorities resulting from UK exit from the EU and Covid 19. The report carries some very useful feedback in terms of perceptions surrounding IFCA's and how they have performed since inception. The CATWOE (Customer, Agent, Transformation, Worldview, Owner and Environment) model of evaluation was utilised by the consultants which often appears conflicting upon first review and the report carries a number of summary tables where individual comments are noted against each category. In addition, a more focused evaluation of four categorised IFCA's was completed. At the time NEIFCA was not selected for this component of the project. In very broad terms the report found that IFCA's were generally under resourced but delivering effectively. An electronic copy of the report was circulated to members for information with the meeting papers.

1.3 Summary of meetings and events attended

National Association of IFCA's Training Group	22 nd July 2021
Whitby Maritime Hub Teams meeting	18 th August 2021
Assistant Support Officer Vacancy Interviews	19 th & 20 th August 2021
Yorkshire Maritime Nature Partnership meeting	24 th August 2021
DEFRA MAFCO meeting	25 th August 2021
Regional Fisheries Management Group meeting	26 th August 2021
MMO/IFCA Appointments meeting	31 st August 2021
NEIFCA Executive Committee meeting	2 nd September 2021
IFCA Fisheries Management Plan meeting	3 rd September 2021
National Association of IFCA's Forum meeting	7 th September 2021
DEFRA MAFCO meeting	8 th September 2021
Angling Trust Catch Up meeting	10 th September 2021
National Association of IFCA's Directors meeting	14 th September 2021
HBDSEG Benthic Sub-group meeting	15 th September 2021
National Association of IFCA's Training Group meeting	16 th September 2021
MMO MCSS Training Drop In Session	16 th September 2021
Wild Oyster Local Working Group meeting	22 nd September 2021
MMO/IFCA straddling MPA site meeting	24 th September 2021

RWE Dogger Bank South OWF seabed expert topic group	28 th September 2021
DHC Innovation festival planning meeting	28 th September 2021
AIFCA/IFCA HPMA meeting	28 th September 2021
AIFCA/IFCA HPMA meeting	4 th October 2021
MMO Monthly TCG meeting	6 th October 2021
Defra teach in	6 th October 2021
Natural Capital and Ecosystem Approach workshop	6 th October 2021
Natural Capital and Ecosystem Approach Workshop	7 th October 2021
Seafish regulatory mapping project meeting	11 th October 2021
EA Tyne mussel rope meeting	12 th October 2021
NEIFCA Senior Management Team meeting	12 th October 2021
DHC Innovation festival planning meeting	13 th October 2021
NEIFCA Staff meeting	14 th October 2021
DHC Innovation festival sprint event	18 th October 2021
IFCA Chief Officers Group meeting	20 th October 2021
YMNP Executive board meeting	20 th October 2021
SIAG crab and lobster science sub-group meeting	20 th October 2021
MMO/AIFCA sightings project meeting	20 th October 2021
Sofia OWF meeting	21 st October 2021
Durham Parish of Hunwick & Willington meeting	21 st October 2021
All Party Parliamentary Group Aquaculture	26 th October 2021
NEIFCA Byelaws workshop meeting, Whitby	28 th October 2021
Teesside crustacean incident comms group	1 st November 2021
MMO Monthly TCG meeting	3 rd November 2021
DEFRA MAFCO meeting	3 rd November 2021
Teesside crustacean incident operational group	5 th November 2021
NEIFCA Budget meeting	8 th November 2021

NEIFCA New Website meeting	8 th November 2021
Teesside crustacean incident comms group	8 th November 2021
National Inshore Marine Enforcement Group	9 th November 2021
Project North Sea Nephrops meeting	10 th November 2021
Spurn eelgrass byelaw meeting	11 th November 2021
Teesside crustacean incident operational group	12 th November 2021
Teesside crustacean incident comms group	15 th November 2021
North East Regional Fisheries Group	16 th November 2021
Bridlington school vocational taster event	18 th November 2021
IFCA Technical Advisory Group	18 th November 2021
Teesside crustacean incident operational group	19 th November 2021
Teesside crustacean incident comms group	23 rd November 2021
NEIFCA Annual Staffing Appraisals	24 th & 25 th November 2021
Teesside crustacean incident operational group	26 th November 2021
MMO Monthly TCG meeting	1 st December 2021
NEIFCA Authority meeting	2 nd December 2021

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

- Support the investigation and response to shellfish mortalities
- Advance work on the development of flexible fisheries management systems.
- Review the Humber Estuary Fishing Byelaw
- Complete the joint project with Sussex IFCA developing and implementing a new fisheries database.
- New NEIFCA website to go live.

2.0 **NEIFCA Operational Reports**

2.1 **Land-based Work streams**

2.1.1 *July 2021 to November 2021*

As weather conditions began to improve across the summer months inshore fishing activity increased throughout the NEIFCA district. The shore enforcement team maintained an intensive schedule of patrols and inspections at all the districts ports day and night. Officers have been actively engaging with fishermen ensuring that the industry across the NEIFCA district are fully aware of new and current legislation including posting information notices at ports and landing points throughout the region.

Potting vessels took advantage of the fine summer conditions with good numbers of lobster and edible crab landed throughout the NEIFCA district with average first sale values for lobster of £9 kilo during summer increasing to £21.50 at the beginning of November.

Throughout the reporting period there were some good catch reports from the recreational angling sector with bass from the shore and cod offshore during the summer months and whiting cod and ray from the shore during the autumn winter months.

Fisheries Officers continue to work very closely with the Gang Masters and Labour Abuse Authority (GLAA), Food Standards Agency and Food Crime covering the areas from Redcar to Whitby , Scarborough and Filey, focussing on illegal workers sent to the coast and forced to collect shellfish for the take away industry.

Fisheries Officer have also worked very closely with the Tees Harbour Police which has included a number of presentations informing and updating on the work of IFCAs.

During the beginning of October, reports came in of large quantities of shellfish washed up in and around the Tees / Redcar areas. Officers were immediately deployed to these areas and the reports were confirmed. In response Officers continue to work jointly with The Environment Agency, Marine Management Organisation and CEFAS. Samples of shellfish have been collected from all the sites and passed onto the relevant organisations. Ongoing research work is still underway to find the cause of this event and Officers are continuing to assist in any way possible.

Regular patrols have been carried out along the Holderness coast from Fraisthorpe to Spurn point where T&J netting is permitted by the Environment Agency. Whilst 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 through the summer months

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

NEIFCA supports the anglers line recycling scheme which is an environmentally friendly way for anglers to dispose of fishing line and for it to be recycled and put back into fishing products, Currently NEIFCA has collected 35000 meters of fishing line through recycling bins in its district.

2.2 Offshore Work streams – Monthly Activity Summary

JUNE

During June, the new cabin RIB, Protector III, was regularly deployed and supported joint operational activity with the Border Force at Hartlepool which included patrol, inspection and drone work, over three days. The new vessel continues to function well particularly during enforcement work close inshore during the licensed salmon season. Potting vessels were observed regularly working throughout the district with average prices reported for the time of year.

JULY

NEG III was slipped for annual out of water checks in the PARKOL floating drydock in Whitby. New yearly certificates were issued for all the vessels including Bravo 1, which was also inspected at the same time. During this period the crew supported the recruitment processes to fill key offshore vacancies. One Scarborough based Trawler was observed trawling for demersal fish including dover soles during this period. The inshore lobster season peaked during July as lobsters moulted and subsequent catches increased.

AUGUST

During August large quantities of ‘feed’ were observed in inshore waters throughout the district attracting both mammals and seabirds alike. One particular pod of Dolphins observed south of the Tyne numbered in excess of 20 individuals. Several Sei Whales were also observed. Minimal nomadic scallop activity observed. Potting activity peaking across the Authority’s district.

SEPTEMBER

During this period a number of UK registered Dutch operated Fly Seinners were observed operating very close to the 6NM limit off Flamborough Head. Bridlington based potting vessels had reported some gear losses as a result. Several night patrols were conducted in the vicinity and following these some AIS related transgressions were reported to the MCA. No scalloping activity observed. Potting activity as to be expected for this month.

OCTOBER

During late September, early October numbers of dead seabirds were observed floating on the surface of the sea. This covered an area from Sunderland to Scarborough. No reason for the deaths was evident. Testing of the new broadband system on NEG III proved successful providing coverage in what were previous blackspots. One nomadic scallop vessel was observed East of Flamborough Head beyond the 6NM limit. Later during October there were increasing reports of dead shellfish washing up on the beach between Seaton Carew and Saltburn. Various theories have been put forward with no factual conclusions yet. There has been a strong multi agency response to the reports. Potting vessels working to the North of Whitby and beyond reporting increasing amounts of dead and dying crabs and lobsters within their pots. Survival at Sea courses were attended and completed by a number of our Fisheries Officers at Whitby College this month.

NOVEMBER

Moderate prawning activity observed from Hartlepool to the Tyne, with Prawn prices currently at £4.50. Reports of dying shellfish now extending South from the Tees as far as Scarborough but limited to 3NM from the shore. P3 was tasked by the EA to collect surface and sub-surface seawater samples in the Tees bay area. This was completed successfully, once again making full use of P3's shallow draught and speed. Potting catches very poor within the 3NM affected area with vessels fishing beyond fishing as normal. Out of the three permitted Scallopers, two were inspected recently by NEG III on a night patrol within Scarborough Harbour. One vessel landed 84 bags with the skipper reporting £65 per bag. The second vessel had 54 bags of king scallops. No nomadic scallopers have been observed operating in the district recently. One vessel has been observed longlining from Whitby recently with mixed returns.

ENFORCEMENT & COMPLIANCE SUMMARY

North Eastern Guardian III

Number of Patrols:	30
Nautical miles covered:	3448.38
Fishing Vessel Inspections:	189

Protector III

Number of Patrols:	27
Nautical miles covered:	1174.58
Fishing Vessel Inspections:	261

Bravo I

Nautical miles covered:	70
Fishing Vessel Inspections:	10

2.3 Environmental/Science Work streams

2.3.1 Consents and Licensing

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

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

The following applications were reviewed between July and December 2021:

Reference	Date responded
Dunston Promenade River Wall; Remedial Works	13 July 2021
Scotland England Green Link 2 Environmental Appraisal Scoping	6 July 2021
Demolition of three timber jetties on the River Ouse and removal of several timber mooring posts.	1 November 2021
Kinkerdale Beck, Teesport - Oil Containment Structure	1 November 2021
Tyne Estuary Environmental Enhancements Phase 2	1 November 2021
DONG Energy Westernmost Rough Limited - Operational Marine Licence for Inter Array Cable Repair for Westernmost Rough Offshore Wind Farm	1 November 2021
Installation of Floating Pontoon at Brigham and Cowan Docks	22 November 2021
Redcar Time And Tide Bell	22 November 2021
Dogger Bank Greyke Beck DCO	23 November 2021

2.3.2 Marine Protected Areas

MPA straddling site assessments

Unlike other MPA sites within the NEIFCA district, the Greater Wash SPA extends across jurisdictional boundaries, both to the south with Eastern IFCA and beyond 6nm where the Marine Management Organisation is responsible for the implementation of management. Each Authority has the responsibility under the Habitats Regulations to assess commercial fisheries activities within its jurisdiction to ensure the conservation objectives of the designated features are achieved.

In order to reduce duplication of work and ensure consistency of approach, NEIFCA, EIFCA and the MMO have formed a joint assessment group for the Greater Wash. The MMO will lead on development of the assessment document in partnership with both IFCA's. Implementation of management within the NEIFCA district will remain the responsibility of the Authority, however, no additional management measures are considered likely at this time.

2.3.3 Survey Programme Update

The survey programme has been significantly impacted by both the ongoing COVID-19 situation and staffing levels related to the structural review. Since the beginning of the pandemic, all offshore surveys had to be cancelled. Officers are currently assessing evidence and survey requirements for 2022 and whether these can go ahead. Planned observer surveys aboard the permitted scallop dredging vessels will go ahead across the 2021-2022 season following discussions with permit holders and the implementation of COVID risk assessment measures.

2.3.4 New Environmental and Scientific Staff

In late September two new Environmental and Scientific Officers joined the Authority, significantly increasing operational capacity and a bringing a wealth of relevant knowledge

and experience. Extensive in-house training took place during October, and both Officers have completed the external qualifications required to undertake offshore survey work.

3.0 **National Meetings Update**

3.1 *National Association of IFCA's*

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 Chairman and Chief Officer.

The last meeting of the Association was held on 7 September 2021 and the draft minutes have not yet been circulated.

3.2 *National IFCA Chief Officers Group*

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

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

Copies of the notes of the most recent meetings held on 21 July, 22 September and 20 October 2021 are attached to Appendix B of this report for members information.

Contact Officer: David McCandless
Chief Officer
Ext 3690



IFCA COG Meeting
Wednesday 21 July 2021 @ 09:30 hours
'Microsoft Teams' Teleconference

Minutes
Start: 09:30

Attending: Sam Davis (SD), Rob Clark (RC) AIFCA, Will Wright (WW), David McCandless (DM), Mike Hardy (MH), Tim Dapling (TD), Tom Hooper (TH), Dr Stephen Atkins (SA), Matt Mander (MM), Ian Jones (IJ), Sam Dell (SDell) NIMEG, Tim Smith (TS) TAG.

James Windebank (JW) attended at 11:00 to provide an update on Defra led work on changes to UK fisheries limits.

Paul Tyack (PT) attended at 11:30 to provide an operational update from the MMO.

- 1. Apologies:** Wales & Channel Islands, Julian Gregory (Eastern IFCA), Martin Birchenough (IOM Fisheries).

SD welcomed everyone to the meeting and noted apologies.

2. Minutes of Previous Meeting

The group reviewed and agreed the draft minutes of the meeting held on 26 May 2021

3. Matters Arising & Actions

MMO Update

SD noted that PT had circulated the report into the EA work fatality to the group.

Defra Workstreams Update

SD noted the action for TD to update the IFCA capital asset programme spreadsheet to feed into the development of a new fisheries control funding programme. TD had not been present at the meeting but agreed to re-visit and re-fresh the information (**Action TD**).

MH requested that if time permitted he would like a brief discussion on the Seafish byelaw mapping project within AOB.

4. NIMEG Update

Sam Dell provided a comprehensive update on all current NIMEG work streams including the following:

Vice-Chair

SDell advised that Sean Douglas had stepped down as the NIMEG Vice-Chair due to recent changes in his role within the MMO. Paul Tyack, new Head of MMO Coastal Operations, was appointed as his replacement.

Health & Safety

Options for re-starting a dedicated IFCA Health and Safety sub-group had been endorsed by the group with ownership taken on by AIFCA. NIMEG felt that there was pressing need for centralised system to capture events and near misses across the IFCAs to improve consistency in general safety provision.

Given his expertise in maritime safety RC offered the assistance of Stevie Travis to support the secretariat of any newly established IFCA safety group. SD supported the offer with COG to provide overview and scrutiny **(Action RC/ST/SD)**.

Intelligence Gathering Policy

SDell reported that there were some significant changes coming in terms of the process of gathering and submitting intelligence drawn from the IFCAs. These would be supported via a new MoU soon to be drafted. A new dedicated central web based database had been commissioned and IFCA intelligence leads would be given access to submit intelligence reports directly. SDell advised that it would not become active until the appropriate training had been rolled out across the IFCAs. DM queried how quality and consistency in terms of information imputed could be assured and confidential source material protected. SDell reassured that NIMEG were fully sighted on the potential challenges and appropriate training would play a key role going forward.

IFCA Drone Assets

SDell advised that over 50% of the IFCAs were now building drone capacity. An IFCA drone task watch had been established to support the developing work stream.

MMO Mobile Working Technology

SDell advised that the MMO were now in the position to roll out live technology to support mobile working in the field. This would initially involve imputing sightings onto the mobile app which would then link into the MCSS database. No supporting training had yet been developed. Jon Butler remained the IFCA lead interfacing with the project.

MCSS Usage and Access

SDell advised that the draft MoU supporting IFCA access and usage of MCSS had been reviewed and circulated with a deadline of 26 July 2021 for further comment and 'sign off' by 30 July 2021 **(Action All)**.

Ocean Mind Project

SDell advised that the global charitable organisation, Ocean Mind, were in the process of selecting 5 pilot English MPA sites to trial remote sensing technologies to monitor fishing activities. Sean Ashworth is the IFCA lead interfacing with the project.

IFCA Compliance Statistics 2020/2021

SDell advised that he had emailed out a request to all IFCAs to submit their 2020/2021 compliance statistics to Rob Clark **(Action all)**.

MMO Regulatory Review

SDell reported that post EU exit the MMO had commenced a project to carry out a 'quick and dirty' review of all EU fisheries technical conservation measures with the intention of removing any unnecessary regulation. SDell felt that COG should take ownership of the work from an IFCA perspective. SDell advised that Sean Douglas should be invited to COG to provide an update **(Action SD)**. MH recommended that the joint IFCA/MMO Strategic Operation group should also be involved.

IFCA Training

SDell advised that some IFCA/MCSS online training had recently been piloted in Eastern IFCA and it had worked very well with prospect of roll out across the other IFCA areas. This training would not attract additional charge. Training on new intelligence systems and processes to follow imminently in advance of roll out.

5. TAG Update

Tim Smith reported that much of the discussion during the most recent TAG meeting had focused on reporting matrices and fisheries management plans (FMPs) and provided a comprehensive update on all current TAG work streams including the following:

Reporting matrices

TS advised that following the collated summary of IFCA survey work submitted to Defra recently conversations had moved onto how IFCAs were utilising the data generated and how associated outputs might inform potential performance indicators. This work also linked to data sources captured via MCSS, particularly the relatively under utilised MPA activity summaries. This also had implications for draft MCSS MoU. TS was concerned that the MoU might exclude the gathering of MPA summaries. MM expressed concerns that the gathering and input of MPA activity into MCSS might be too basic with potential to misinform. DM highlighted the potential benefits of capturing even basic information which wasn't currently. The need for consistency was emphasised supported by appropriate training.

Training

TS also advised that TAG had discussed provision of some basic environmental training through the IFCA training programme led by Stevie. TS felt that some short-term training provision was necessary and Stevie could facilitate and coordinate that.

Fisheries Management Plans

TS flagged the risks of duplication in terms of the proliferation of national groups feeding into the development of FMP's.

Highly Protected Marine Areas

IJ sought guidance on whether IFCAs would or should develop a common policy position on HPMAS. The group felt that the underpinning selection process should be allowed to advance first and the pilot sites identified first.

6. AIFCA Update

Rob Clark provided a comprehensive update on all AIFCA work streams including the following:

Highly Protected Marine Areas

The HPMA work had advanced at pace which presented challenges for the IFCAs. The statutory nature conservation bodies were currently 'mining' relevant information to identify a 'long list' of potential sites and IFCAs had been invited to participate in the process. Economic 'filters' would then be applied to the 'long list' to inform a 'short list' of 5 sites, with a minimum of 2 likely to be located inshore. RC highlighted two key points. External to any other factors the primary focus should be, 'is it a good site' and is the location suitable. Secondary considerations then included associated management costs to be incorporated into the SR21 bid. WW highlighted the implications of site location and proximity to offshore assets. Inshore vessel assets carried an optimum 'sphere of influence'. MM updated the group on a live pilot project currently underway within the Devon and Severn IFCa area which was examining the effects of designation on displacement of activities. A hypothetical pilot MPA had been identified to support the modelling of likely displacement. TD emphasised the need for caution in relation to the associated economic assessment of potential HPMA sites. Given differences in the availability of offshore economic data offshore sites were likely to show a greater economic impact compared to more data deficient inshore sites.

Reporting Matrices

Tom Hooper provided an update on the developing IFCa reporting matrix work. To date there had been discussions with TAG and Defra with plans for a focused meeting sometime during the Autumn/early winter. This work was taking place in tandem with the FMP work streams and carried three key objectives. Firstly to help Defra understand the current matrices utilised to collate IFCa outputs and separate those into an organisational, operational and an associated cause and effect. There also remained a pressing need to manage expectations. This work would then inform focused, longer term monitoring strategies.

Spending Review 21

RC reported that there was no clarity on whether SR21 would cover a more comprehensive 3 or 1 year spending plan and to what extent it would incorporate current or future burdens. RC suspected that IFCAs would be asked to submit a costed bid to Defra during August. SD requested that RC prioritise the supporting work in terms of developing the bid.

RC highlighted the fact that the costs of replacing key assets such as vessels had never been considered within the spending review process and Defra had requested that separate information

be provided by the IFCA's summarising their future projections for capital projects. This information would be fed into the developing fisheries compliance funding programme. RC provided a brief summary of other projects and work streams as follows:

Fishing Activity Mapping Programme

Email to follow to Chief Officers **(Action RC)**.

MPA Management

MMO had requested information from IFCA's relating to the management of certain 'red risk' MPA sites. Email to follow to relevant Chief Officers **(Action RC)**.

Natural England – Remote Electronic Monitoring

RC advised that Natural England had commissioned an REM project around fisheries management. RC would ensure that iVMS would be incorporated into it.

Scallop Call for Evidence

RC advised that the call for evidence to examine latent capacity within the scallop dredging sector was now live and he would re-circulate the supporting information **(Action RC)**.

7. Defra Work streams Update

Territorial Sea – Limit Changes

James Windebank attended the meeting from Defra to provide an update on ongoing work surrounding changes to the UK fisheries limits. JW advised that following EU exit the 2014 baselines now applied across the UK 6 and 12 mile limits. JW sought further guidance from IFCA Chief Officers on implications for their districts. The Isles of Scilly, Kent and Essex and Cornwall IFCA's flagged notable implications in terms of boundary changes and associated issues surrounding the application of standing byelaw regulations. WW highlighted significant issues in the Thames with revisions to the 6 mile limit. JW felt that the majority of IFCA byelaws referred to the relevant district order although legacy byelaws tended to reference the 1983 baselines. TD queried why anything needed to be done currently. Byelaws would still carry legal standing although they wouldn't necessarily sync with the new national fisheries limits. In future this could be addressed nationally pending any agreed changes to IFCA boundaries. JW advised that the work would have to be completed at some point and felt that it might be easier to address it sooner rather than later. In terms of timelines JW advised that preliminary work was likely to commence sometime early 2022 given current Parliamentary pressures. SD advised that she would re-send electronic charts to JW which visualised the impact of changes for Cornwall IFCA.

Fisheries Management Plans

RC provided an update on progression with the AIFCA FMP project. Alongside the £6K of funding earmarked from the AIFCA budget £15K of match funding had been secured from Fish Mongers alongside a further £15K from Defra which secured the project. WW advised that each IFCA needed to identify an appropriate lead to feed into the project and a dedicated project group would be established including representation from COG, NIMEG and TAG. WW suggested Tim Smith NEIFCA/TAG, Sean Ashworth Sussex/NIMEG, Sarah Clark Devon & Severn

IFCA/TAG, Colin Trundle Cornwall IFCA/TAG. WW advised that a framework would be developed to capture evidencing within key shellfisheries including crabs, lobsters, whelks and cephalopods. This initial work would be undertaken in a systematic way supported by specific case studies which would then inform recommendations. The working group would provide the interface with the project consultants. The work would focus on discrete regional stocks although further consideration was needed in terms of where other fisheries such as those exploiting cockle, mussel and clam fitted into the project framework. TD also highlighted the need to include ecosystem and habitat considerations within the process.

8. MMO Operational Update

Paul Tyack announced his recent appointment as MMO Head of Coastal Operations and provided a comprehensive update on MMO operational activity including following:

Blue Fin Tuna

PT advised that the UK retained a blue fin tuna quota of 40 tonnes per annum which could be utilised by the industry. The MMO were currently working up draft guidance on the handling and landing of bluefin tuna and he was happy to share that guidance with IFCA Chief Officers **(Action PT)**.

Under 10m Catch Reporting

PT advised that the roll out of under 10m catch reporting was expected to 'go live' during September 2021 and officers were actively encouraging fishermen to continue using the app within the ongoing pilot. MM highlighted specific issues within Devon and Severn IFCA where officers were experiencing problems accessing data. MM sought guidance on the best point of contact within the MMO to assist. PT advised that he would escalate it **(Action PT)**.

Sea Bass

PT advised that compliance issues surrounding the exploitation of sea bass were escalating and senior enforcement leads were considering utilising RIPA powers to target it such. PT advised that IFCA leads should discuss any particular issues relating to sea bass with their PMOs. WW highlighted issues surrounding the recent implementation of a new SI to modify EU regulations covering the exploitation of sea bass. These issues were considered more appropriate for Defra to consider.

9. iVMS Update

MM provided a comprehensive update on progress with the national iVMS project. MM advised that a key meeting was scheduled for 22 July 2021 to consider 3 minute reporting. MM was not confident that agreement would be reached on implementing 3 minute reporting despite the strong case presented by IFCAs. The MMO and Defra shared concerns that increasing the reporting frequency from 10 to 3 minutes could increase the costs to industry of between £200 and £400 per annum depending on the supplier chosen. Equally if 10 minute reporting was implemented the IFCA byelaw framework could not be used to mandate to 3 minutes. The group considered the fact that the over 12m fleet can currently be poled at a higher rate if required although the additional costs have to be covered by the regulator. The group decided to await the outcome of the meeting then if necessary RC would write to Defra setting out the IFCA concerns surrounding the project **(Action RC)**.

10. National Angling Strategy

TD provided an update on IFCA engagement in the national angling strategy. The AIFCA had endorsed formal engagement at its last meeting. TD and RC attended a Defra angling forum meeting on 21 June 2021 and it remained work in progress. TD had circulated an associated IFCA action plan and policy document for review and input. Supporting IFCA work in terms of MCRS and the management of fixed netting had been highlighted. TD emphasised the value to IFCA's in maintaining active engagement which remained broadly aspirational. IFCA's were viewed as the regulator in the room and should build on that relationship with the sector.

11. AOB

COVID Working Policies

The group considered IFCA working arrangements post COVID. The majority of attendees advocated a blended, flexible, working strategy combining both home and office based working. MM advised that Devon and Severn IFCA were currently consulting staff on future preference. IJ sought guidance on the development of a home working policy.

Sea Bass SI

SA highlighted the issues faced by NWIFCA following the recent introduction of the SI which permitted a by-catch of sea bass from commercial nets set from the shore within three specified IFCA districts. SA advised that discussions remained ongoing with Defra policy makers.

Future format of COG Meetings

SD advised that she was considering the future format of COG meetings to seek out options that might enhance the efficiency and flow of discussions. SD to meet further with DM and RC (Action SD).

Actions

1. TD to review and update the IFCA capital asset programme spreadsheet.
2. RC/ST/SD to advance the establishment of an IFCA safety group.
3. All IFCA reps to provide further comment on the MCSS MoU by 26 July 2021.
4. All IFCA reps to provide their 2020/2021 compliance returns to RC.
5. SD/DM to invite Sean Douglas to the next COG meeting to provide an update on the MMO regulatory review.
6. RC to circulate email covering fisheries mapping project.
7. RC to circulate email request from the MMO in relation to management of 'red risk' MPA sites.
8. RC to re-circulate information on scallop dredging call for evidence.
9. PT to circulate draft MMO guidance on bluefin tuna.
10. PT to escalate Devon and Severn IFCA's request to access catch and effort data.
11. RC to write to Defra escalating IFCA concerns surrounding the iVMS project.



IFCA COG Meeting
Wednesday 22nd September 2021 @ 09:30 hours
'Microsoft Teams' Teleconference

Attending: **Chair** Sam Davis (SD), Rob Clark (RC) AIFCA, Will Wright (WW), Mike Hardy (MH), Tim Dapling (TD), Julian Gregory (JG), Dr Stephen Atkins (SA), Matt Mander (MM), Ian Jones (IJ), Martin Birchenough (MB).

Paul Tyack (PT) and Sean Douglas (SDs) attended to provide an update on MMO workstreams.

1. Apologies: David McCandless, Tom Hooper and Wales & Channel Islands,

SD welcomed everyone to the meeting and noted apologies.

2. Minutes of Previous Meeting

The group reviewed and agreed the draft minutes of the meeting held on 21st July 2021

3. Matters Arising & Actions from last meeting

- 1) Complete.
- 2) Not complete – RC to follow up Steven Travis (NTLO) to develop ToR for Wider safety Group. Group purpose is to share best health and safety practices
- 3) Assumed complete
- 4) Complete
- 5) Complete
- 6) Complete
- 7) Complete – SD to follow up on hared MPA boundaries
- 8) Complete
- 9) Not Complete – MB queried actions to take re recreational fishers catching BFT
- 10) Not complete
- 11) Complete RC received MMO response to letter

SD proposed a change to the agenda and invited RC to provide update eon national workstreams

RC summarised HPMA progress – Designation is likely to go through a three stage process to reduce the long list of 20-25 potential sites to a shorter list of

approximately 10 sites for public consultation resulting in 5-6 sites going forwards
HPMAs

Concern was raised that the proposed economic screening out of ongoing licensed activities that could not be moved meant that fishing (commercial and recreational) would be the main activities affected by the site designations.

ACTION RC to update COG on the timeline for HPMAs as the expected announcement of the long list sites in October delayed due to NE workload

Concerns raised whether IFCA Byelaws were the most appropriate way to introduce the management of the sites and whether the Statutory Instrument was the better route.

SDs and PT joined the meeting and provided an MMO operational update.

PT explained that mobile working had taken a significant step forward with limited reporting categories going live. It is envisaged that the roll out will gather pace now.

PT updated on BFT fishery with only one eBFT landed by a commercial fishing vessel. SD reported that the CHART programme had caught and released a number of BFT. Concerns were raised about recreational fishers catching BFT outside of the CHART programme.

Sole quota issue in Lyme Bay where some commercial fishers have called for the quota to be reduced due to the additional fishing pressure focused in Lyme Bay. Call to limit quota contrary to MMO's principle of maximising fishing opportunity against quota allocation. MMO considering the opportunity to explore commercial fishers self regulating activity.

Concerns raised that the wider impact of the sole fishery on the habitats and bycatch, particularly crab and lobster.

On a separate matter, concerns over fly seining in the eastern Channel were raised - the impact not just on the target species but wider habitat and bycatch species. MMO tasking patrol assets to undertake last haul analysis.

SDs provided an update on the MMO's regulatory review and data sharing arrangements

All IFCA's had Data Sharing Agreements in place which provide the framework for greater data sharing.

SDs explained that progress was slower due to having to recruit another data sharing expert. The sharing of IVMS data and catch data is being worked on as priorities and although a formal DPA request will not be necessary it will still be required to have and record the stated purpose for accessing the data.

Concerns raised that during development of mobile working IFCA's may not be sighted on all information as it won't be duplicated on MCSS

SDs confirmed that Richard Hoskins was lead officer for FMP work

ACTION SDs to invite Richard Hoskins to update at next COG meeting

SDs set out basis of Regulatory Review between Defra and MMO;

- Look at legislative regime
- Improve services MMO provide
- 'Tell us once' initiative
- Agile fisheries management

Quick run through legislation developed into much bigger piece of work. Look at all areas of fisheries legislation and improve guidance.

Six main areas

- Control Reg
- Tech Con
- IUU
- RBS
- Shellfish
- Licence conditions

No timeline for review

Concerns raised that de-regulation may have unforeseen consequences – potential impacts on inshore fisheries if offshore fleet is deregulated. Criteria for review should be to deliver sustainable fishing and effective effort control – not just modernisation and simplification.

SDS briefly set out developments in national IVMS

Type approval for devices now live – November 12th deadline to announce available devices and roll out process

Final decision on 'ping' rate

Need further input to develop compliance strategy and communication strategy – conversations between fishers now happening on the coast.

Generally IVMS project progressing well

SDs and PT left meeting RC continued with update on workstreams

IFCA Members recruitment, current recruitment phase on going – process improved. Greater ability to match candidate skills to gaps on IFCA. AIFCA still awaiting advice on ten year rule from MMO/Defra.

Seafish regulatory mapping project progressing well. Not fully completed waiting for final geospatial data. No decision on costs associated with updating data sets with new MPAs etc. Roll out delayed until early 2022.

Compensatory guidance on MPAs – good input

Essential Fish Habitat mapping project by NE. Workshop on 15th October

ACTION RC to attend

FMPs – JFS consultation this Autumn – JFS is likely to include identifying forerunner FMPs. Already indicated elsewhere that bass is likely to be included.

The current request to centralise and record examples of management best practice by IFCAs is important to help inform national FMPs. NEF very pleased with quality of information provided by IFCAs to this project.

SA left meeting at 1145hrs and Dom Bailey (DB) arrived.

DB provided update on weekly AIFCA operational briefing. Recently only 5 out of 10 IFCAs provided information for briefing so not circulated. Not clear what if anything JMOCC did with information but Border Force already querying what had happened to updates.

DB received support to continue with update as it was recognized that IFCAs profile needed to be raised through this work.

ACTION All Cos to ensure ENF leads provided information on time

ACTION MM to check with MMO if IFCA assets can be seen on national VMS hub

TD left at 1209, MB left at 1212

AOB

MM raised concerns over the number of Non Powered Vessel permits being issued by MMO. Commercial fishers seeing this as a way round restrictions on their commercial fishing licence restrictions. Concern raised at CIFCA and elsewhere

RC concerned that national update on workstreams dominating COG meetings. Generally accepted that updates were very welcome and helped Cos keep abreast of fast moving national issues. It was considered that meetings to deal with specific subjects might be needed and in light of the amount of issues at present COG meetings to revert to monthly.

ACTION SD to discuss with David McCandless but likely that minute taking in future should just be to record actions from meeting and that it is incumbent on all attendees to take what detailed notes they feel are important at the meeting.

AIFCA received a note from Chair of D&S IFCA on marking of fishing gear that was very helpful and would be discussed with COs at a later date.

Date of next meeting 20th October 2021 – Meeting closed at 1230.



IFCA COG Meeting
Wednesday 20th October 2021 @ 09:30 hours
'Microsoft Teams' Teleconference

Attending: **Chair** Sam Davis (SD), Julian Gregory (JG), Dr Stephen Atkins (SA), Matt Mander (MM), Ian Jones (IJ), Martin Birchenough (MB).

- 1. Apologies:** Rob Clark, Tim Dapling, Mike Hardy, Tom Hooper, Paul Tyack (MMO), Will Wright, Wales & Channel Islands.

SD welcomed everyone to the meeting and noted apologies.

2. Election of Chair and Vice Chair

DM advised the group that 7 nominations had been received for SD to continue as Chair, 5 nominations for MM to continue as Vice Chair, 2 nominations for JG to take up the role of Vice Chair and 7 nominations for DM to continue as Secretary. SD accepted the nomination to continue as Chair and thanked the group for their continued support. MM thanked the group for his majority nomination as Vice Chair but advised that he could not provide the level of commitment required for the role given the challenges currently faced by his IFCA. Following further discussion JG accepted the role of Vice Chair and DM the role of Secretary.

3. Minutes of Previous Meeting – 22 September 2021

Agreed.

4. Matters Arising & Actions from last meeting

- 12) RC update on HPMA timeline – note provided in advance on agenda
- 13) Richard Hoskins to update on FMP work – invitation to November COG meeting
- 14) Essential fish habitat mapping RC to attend workshop - Complete
- 15) IFCA enforcement leads to update DB weekly on vessel planning - Complete
- 16) MM to check if IFCA assets are visible on national VMS Hub – Depends on type of unit, not all visible and some do not carry units. DM provided an update on NEIFCA's position who do not currently carry any VMS units onboard their vessels - Complete
- 17) COG Secretary to move to Action minute format – Complete

5. MMO Operational Update

Action – RC pressing Defra & MMO for definitive view on the ‘10 year rule’ on IFCA appointments.

6. AIFCA Update

SD provided an update on national HPMA work. ‘Coarse’ filter to be applied as a first stage to narrow down potential site locations to approximately 10 followed by further consultation with IFCAs to develop a short list of 3 to 4 sites. List published before Christmas with formal consultation commencing early New Year, 2022.

MM advised that a pilot fisheries displacement project undertaken by Devon and Severn IFCA would report soon highlighting weaknesses in existing processes and limitations in terms of alternative options for the industry, **Action – MM to share findings**

SD report New Economics Foundation project report due for publication end October 2021. The project was supported by IFCA input from relevant officers coordinated by WW. **Action – thanks to WW.**

First virtual IFCA competent officer course trialed, very positive feedback. **Action – acknowledgement to Stevie Travis**

Collective IFCA response produced by RC to consultation on mitigating measures associated with offshore developments. **Action – RC to share**

7. MAFCO

Three main items considered for discussion, IFCA funding, HPMA's, FMP's and regional fisheries groups. IFCA's to consider anything specific to their districts and feedback to SD. **Action – all**

8. IVMS Update

Considerations moving to mandatory dual reporting rate of 10 minutes outside 6 NM offshore with 3 minutes inside 6 NM. Rate potentially mandated via licensing conditions. Final decision deferred. MM to discuss with RC potential to re-allocate IFCA monies back into the project to improve funding support to the industry. **Action – MM**

9. Blue Fin Tuna Update

SD provided a comprehensive update on the project. 15 vessels licensed although 8 taking most of the catches. 250 trips 200 fish tagged finishes on 15 November 2021.

10. Sea bass SI Update

SD circulated 'keeling' draft of the proposed 2022 UK Sea fisheries regulations (sea bass) SI proposing no change. SD also highlighted Defra ambitions to develop a pilot fisheries management plan for sea bass during 2022. MM advocated a national response given that sea bass was primarily an inshore fishery throughout the UK. SD agreed to circulate Cornwall IFCA's response. **Action SD.** MM and SA notified their intentions to seek the removal of NW and Devon and Severn IFCA from the current permissions relating to commercial shore netting.

11. Recreational Sea Fishing Update

Item deferred to next COG meeting for discussion

12. AOB

COG supportive of potential offer of a regular IFCA slot in the Fishing News as an opportunity for more positive presentation of IFCA work around the coast.

COG considered operational impacts on new legislation relating to vessel emissions. JG agreed to circulate link. **Action JG.** Discussions then widened to IFCA environmental strategies and movement towards net zero carbon emissions.

COG discussed ongoing issues managing live Authority meetings in a COVID safe setting with some utilising hybrid options. COG supported further lobbying via Rob and the LGA for legislative change to support virtual formats alongside live meetings.

13. ACTION List Summary

1. RC to seek definitive view from MMO/Defra on 10 year appointments
2. MM to share findings of pilot displacement project
3. RC to share response to consultation on mitigating measures associated with offshore developments
4. All to feedback to SD on any district specific issues to be raised at the forthcoming MAFCO meeting
5. MM to discuss with RC re-allocation of funds into national IVMS project
6. SD to circulate Cornwall IFCA response to sea bass SI
7. JG to share link to marine emissions legislation

Date of next meeting 17th November 2021 – Meeting closed at 1230.

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
2 December 2021

BUDGET MONITORING 2021/22

Report by the Treasurer

A. Purpose of Report

To advise Members of the budget position at the end of month 06 (September) in 2021/22.

B. Recommendation

- i. That the revenue budget monitoring position is noted.
- ii. That any remaining underspend at the year-end be transferred 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 September 2021.

4.4 At its meeting on 18 December 2020, the Authority set a levy totalling £1,298,392 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. Revenue Expenditure to 30 September 2021

5.1 Appendix A summarises the expenditure and income for the Authority for the six months to September 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 September 2021, the Authority has net expenditure of £434,557 against an expected £498,328 underspending by £63,771. The forecast outturn underspend is £78,629 mainly due to employee underspends due to vacancies (£101,063):

- Employee underspends of £101,063 - underspends on salaries of £111,223 due to 5 permanent vacant posts being vacant for the first half of the financial year offset by higher than budgeted expenditure on agency staff. All posts have now been recruited to and the forecast outturn is based on the agreed start dates;
- Patrol vessel overspends of £7,938 mainly due to £24,218 increased vessel insurance costs and £9,118 capital overspend relating to the new Cabin RIB which was previously agreed to be funded from in-year underspend in offset by savings of £7,798 on rent.
- Supplies and services overspends of £13,739 mainly due to £6,720 expenditure on new lobster tags, £15,000 on storage and equipment for the new rental unit in Whitby and £5,460 on database development offset by savings on advertising and legal fees. There are underspends of £13,441 on other supplies and services budgets, principally travel and subsistence.

5.3 It is anticipated that the outturn position will be an underspend of £78,629 in addition to the planned transfer of £102,900 plus accrued interest into the Renewals Fund and £10,000 into the Vehicle Replacement Reserve. It is proposed that any underspend is transferred to the Renewals Fund towards the replacement of the patrol vessel.

6. Capital Expenditure to 30 September 2021

- 6.1 A Special Authority meeting on 17 August 2020 authorised the award of a £383,773 contract for the build and commission of a new 9.5m Cabin Rigid Inflatable Boat (RIB), one of the three individual components which together make up the project to replace the Authority's main patrol vessel 'North East Guardian III'. The Executive meeting on 5 March authorised an additional £31,318 expenditure to incorporate a dynamic vessel stabilisation system and standard charting and radar plotting system to the new vessel. The vessel was delivered on 19 May 2021 and is fully operational.
- 6.2 Capital expenditure is complete and £424,209 has been spent against the £415,091 contract budget, resulting in an £9,118 overspend (See Appendix B). The overspend is due to the addition of ultrasonic anti-fouling system, engine bay camera and delivery costs and was approved to be funded from in year underspends in the Budget Monitoring report to the Executive on 2 September 2021.

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 September 2021

	<i>Approved Budget</i>	<i>Profiled Budget to Month 6</i>	<i>Actual to Month 6</i>	<i>Variance to Profile</i>	<i>Projected Outturn</i>	<i>Variance to Projected</i>
	£	£	£	£	£	£
EXPENDITURE						
Employee Expenses						
Pay,NI and Superannuation	740,700	370,350	263,345	-107,005	629,477	-111,223
Other Employee Costs	46,000	23,000	36,129	13,129	56,160	10,160
Premises	15,740	10,770	10,832	62	18,820	3,080
Transport						
Patrol Vessel Running Costs	188,920	65,233	73,564	8,331	196,858	7,938
Vehicle Running Costs	31,440	10,720	12,445	1,725	32,291	851
Travel and Subsistence	18,500	9,250	6,581	-2,669	19,362	862
Supplies and Services	97,560	34,670	49,967	15,297	111,299	13,739
Support Services	94,420	-1,775	-2,858	-1,083	94,420	0
	1,233,280	522,218	450,005	-72,213	1,158,687	-74,593
INCOME						
Grants and Contributions	-38,000	-19,000	-9,949	9,051	-46,316	-8,316
Other Income	-9,780	-4,890	-5,500	-610	-5,500	4,280
	-47,780	-23,890	-15,449	8,441	-51,816	-4,036
NET EXPENDITURE	1,185,500	498,328	434,557	-63,771	1,106,871	-78,629

	<i>Approved Budget</i>	<i>Profiled Budget to Month 6</i>	<i>Actual to Month 6</i>	<i>Variance</i>	<i>Projected Outturn</i>	<i>Variance to Projected</i>
	£	£	£		£	
NET EXPENDITURE						
Central / Headquarters	419,430	143,370	143,412	42	434,976	15,546
Land Based Operations	129,760	64,880	59,174	-5,706	122,020	-7,740
Offshore Operations	508,680	228,013	202,159	-25,854	460,058	-48,622
Environment	127,630	62,065	22,601	-39,464	89,817	-37,813
Grant Aided Projects	0	0	7,209	7,209	0	0
	1,185,500	498,328	434,557	-63,771	1,106,871	-78,629

	<i>Approved Budget</i>	<i>Profiled Budget to Month 6</i>	<i>Actual to Month 6</i>	<i>Variance</i>	<i>Projected Outturn</i>	<i>Variance to Projected</i>
	£	£	£		£	
REPRESENTED BY						
Annual levy on Local Authorities	-1,298,400	-1,298,400	-1,298,390	10	-1,298,400	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
	-1,185,500	-1,298,400	-1,298,390	10	-1,185,500	0

Appendix B

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY						
CAPITAL						
			2020/21	2021/22		
	Date Approved	Budget	Outturn	Expenditure	Total	Scheme Variance
9.5m Cabin Rigid Inflatable Boat	17/08/2020	383,773	191,887	191,887	383,774	1
Dynamic Vessel Stabilisation & Radar System	05/03/2021	31,318	17,943	13,376	31,319	1
Ultrasonic Anti-Fouling				5,988	5,988	5,988
Engine Bay Camera				1,658	1,658	1,658
Delivery				1,470	1,470	1,470
Total		415,091	209,830	214,379	424,209	9,118

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
2 December 2021

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 July 2021 to November 2021

B. Recommendation

That Members note the report.

1. Background

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

Contact Officer
David McCandless
Chief Officer
Ext. 3690

Name(s)	Offence	Sanction	Court	Date	Fined	Costs Awarded	Costs Requested
Passmore Fishing Ltd	Breach of Scallop Dredging Regulations	FAP	N/A	2 July 2021	£1000	N/A	N/A
John Macalister Ltd	Breaches of Scallop Dredging Regulations	Sentencing Appeal	York	9 September 2021	£48,000**	£7,170	£7,170
Mr I Gheorghe	Recreational sea angler – 15 undersize coalfish	HOC	N/A	16 September 2021	N/A	N/A	N/A
Mr M Burton	Failing to comply with an instruction reasonably given by an IFCO	HOC	N/A	11 November 2021	N/A	N/A	N/A

**Original fine reduced on appeal from £180,000 imposed by Scarborough Magistrates on 5 March 2021

HOC – Home Office Caution

FAP – Financial Administrative Penalty

PROS – Formal Prosecution in Court

OCD – Conditional Discharge

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

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
2 December 2021

NEIFCA Updated Staffing Handbook

Report by the Clerk & Chief Officer of the Authority.

A. Purpose of Report

To provide a version of the updated NEIFCA ‘Staffing Handbook’ for members information.

B. Recommendations

1. That members note the report.

1. Background

- 1.1 The NEIFCA Staffing Handbook provides information and guidance on the Authority’s staffing policies and procedures and is referenced within its main terms of employment. The Staffing Handbook is subject to regular revisions and updates, in the main, to ensure compliance with ever changing national employment legislation and improve and strengthen governance.
- 1.2 This latest version of the NEIFCA Staffing Handbook has been extensively updated to incorporate recent changes following the implementation of the 2020 organisational review. This work has been carried out by senior officers within the East Riding of Yorkshire Council (ERYC) Human Resources Team in consultation with the Chief Officer.
- 1.3 Additional policies covering equality, flexible working, parental and adoption leave and bereavement support have been added to comply with various recent changes in employment legislation since the last refresh. Other policies surrounding staffing codes of conduct, harassment and bullying, grievance, disciplinary and dress codes at work have also been refreshed and updated in line with current employment legislation. New guidelines relating to safeguarding have also been included for the first time to support interaction with young and vulnerable people who may engage with Officers via work exchange or apprenticeship schemes or academic secondments. These had been developed previously but not formally incorporated into the Handbook at the time.
- 1.4 All additional policies and amendments incorporated into the revised Handbook have been adopted from existing ERYC policies which have previously been subject to Trade Union consultation and agreement.

- 1.5 The revised staffing handbook was circulated electronically and in hard copy to all NEIFCA and key Trade Union representatives on 1 July 2021 alongside an executive summary of the key changes made. An initial deadline of 30 July 2021 was set for receipt of any comments and feedback. Following communications with some staff members the deadline was extended until Friday 20 August 2021.
- 1.6 The first draft of the Handbook was provisionally approved by the Authority at its meeting held on 14 July 2021 pending consideration of any further comments received from staff and or Trade Union representatives. Authority members delegated authority to the Executive Committee to consider any such comments and finalise the Handbook (Minute 81 refers).
- 1.7 Although no comments or feedback were received from staff or Union representatives within the specified consultation timelines two staff members emailed feedback and comment to the Chief Officer on Tuesday 24 August 2021. That feedback related primarily to the duties and responsibilities attached to the Deputy Chief Officer role and representation within the staffing structure. The feedback also queried the need for an additional policy to support the operational management of the Authority's patrol vessels. That feedback was briefly considered by the Executive Committee on 2 September 2021 and referred to the Chief Officer and Clerk in consultation with HR for further consideration. Following further considerations, a minor adjustment has been made to the staffing structure within the final version of the staffing handbook to enhance the understanding of the role of the Deputy Chief Officer which currently sits with the Offshore Operational Manager.
- 1.8 An active process of regularly reviewing and updating the Handbook will also be implemented to ensure it remains up to date and 'in tune' with both ever changing employment legislation and NEIFCA operating practices. As a minimum this will take place annually with any updates reported back to the Executive Committee.

Contact Officer

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Background Papers

2021 NEIFCA Staffing Handbook

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
2 December 2021

Partner Reports

Report of the Chief IFC Officer.

A. **Purpose of Report**

To provide members information on partner organisations activities.

B. **Recommendation**

That Members note the report.

C. **Background**

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

Contact Officer

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