

# NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

## AUTHORITY MEETING

08 JUNE 2022

### Present:

Councillor Ron Allcock  
Dr Stephen Axford  
Mr Matthew Barnes  
Councillor David Chance  
Councillor Paul Drake Davis  
Prof Mike Elliott  
Miss Rachel Hanbury  
Councillor Stephen Harness  
Miss Rebecca Lynam  
Councillor Chris Matthews  
Mr Michael Montgomerie  
Mr Gary Redshaw  
Mr Andrew Wheeler  
Councillor Mark Wilkes

### Representing:

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

Mrs Caroline Lacey, Clerk, Mr David McCandless, Chief Officer, Mr Stephen Chandler, Treasurer, Mr Tim Smith, Senior Environmental & Scientific Officer, Claire Argent, Emma Jones, NEIFCA Support Services Officer, Natural England representative, Paul Slater, Environment representative and Patrick Gray, MMO representative also attended the meeting.

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

<b>01.</b>	<b>APOLOGIES FOR ABSENSE</b>
	Apologies of absence were received from MMO members Collins and Mear, Councillor Members Randerson, Stewart, Smith, and Fletcher.
<b>02.</b>	<b>DECLARATION OF PERSONAL OR PREJUDICIAL INTERESTS</b>
	<b>Resolved</b> –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.
<b>03.</b>	<b>GREETINGS AND INTRODUCTIONS TO NEW MEMBERS AND APPOINTEES</b>
	The Clerk reported that the following new Members had been appointed to the Authority:  Councillor Paul Drake-Davis – Hull City Council Mr Matthew Barnes – MMO appointee Miss Rachel Hanbury – MMO appointee
<b>04.</b>	<b>TO ELECT A CHAIRMAN</b>
	The Authority had received two nominations in writing from the current Chair, Dr

	Stephen Axford and MMO appointee Rachel Hanbury. 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 majority vote.
	<b>Resolved</b> - That Dr Stephen Axford, MMO appointee be elected as Chairman for the ensuing year.
<b>05.</b>	<b>TO ELECT A VICE CHAIRMAN</b>
	The Clerk reported that the authority had not received any nominations in writing and asked the membership if there were any nominations at the meeting. Councillor David Chance, North Yorkshire County Council, was nominated by Councillor Matthews and seconded by Councillor Allcock, there were no further nominations. Councillor David Chance was duly elected as Vice Chairman.
	<b>Resolved</b> - That Councillor David Chance be elected Vice-Chairman for the ensuing year.
<b>06.</b>	<b>TO APPOINT AN EXECUTIVE COMMITTEE</b>
	<b>Resolved</b> – 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.
<b>07.</b>	<b>TO CONFIRM MEMBERSHIP OF STANDARDS COMMITTEE</b>
	<b>Resolved</b> - That Councillors Matthews, Randerson and Clerk be appointed for the ensuing year.
<b>08.</b>	<b>TO CONFIRM MEMBERSHIP OF THE SCIENCE ADVISORY GROUP</b>
	<b>Resolved</b> – 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.
<b>09.</b>	<b>TO APPOINT REPRESENTATIVES TO SERVE AND REPORT QUARTERLY</b>
	<b>Resolved</b> - (a) That the following be appointed for the ensuing year to serve and report quarterly on :-  <b>Flamborough Harbour Commissioners (2 representatives):</b> Councillor Chris Matthews Mr R Houghton

	<p><b>Staithes Harbour Board (4 representatives)</b>  Councillor David Chance  Mr Steven Mallinson  Mr Mark Cole  Mr Richard Pennall</p> <p>Councillor Chance indicated his intention to continue representing the Authority on the Staithes Harbour board with other representatives re-appointed subject to their confirmation.</p> <p>(b) That the following be appointed for the ensuing year to attend meetings of:</p> <p><b>The Association of Inshore Fisheries &amp; Conservation Authorities Forum (3 representatives):</b></p> <p>Chairman/(the Vice-Chairman to substitute when the Chairman is unable to attend)  Clerk or Deputy Clerk  Chief IFC Officer</p> <p>(c) That it be noted that the Chief IFC Officer was a Director of The Association of Inshore Fisheries &amp; Conservation Authorities .</p>
<b>10.</b>	<b>MINUTES OF THE AUTHORITY MEETING HELD ON 02 DECEMBER 2021</b>
	<b>Resolved</b> – That the minutes of the Quarterly meeting held on 02 December 2021 be approved as a correct record and signed by the Chair.
<b>11.</b>	<b>MINUTES OF THE EXECUTIVE MEETING HELD ON 10 MARCH 2022</b>
	<b>Resolved</b> – That the minutes of the Executive meeting held on 10 March 2022 be approved as a correct record and signed by the Chair.
<b>12.</b>	<b>NEIFCA FINANCIAL OUTURN 2021/2022</b>
	The Treasurer of the Authority presented a report of the Annual Accounts for NEIFCA for the year ended 2021/22. The report provided the income and expenditure account, detailed balance sheet and position on reserve accounts. The revenue outturn underspend of £121,938 was offset by £9,118 overspend on capital, resulting in a net underspend of £112,809. The £9,118 capital overspend related to the purchase of a new 9.5m Cabin Rigid Inflatable Boat (RIB) and was approved to be funded from 2021/22 underspends at the Executive Meeting on 2 September 2021. It was agreed at the Executive meeting on 10 March 2022 that £30,000 of the underspend at outturn be transferred to the Patrol Vessel Maintenance Reserve to fund the cost of replacing the Electronic Charting Display and Information System (ECDIS) with the remainder of £82,809 to be transferred to the Renewals Fund to contribute towards the replacement of the patrol vessel.
	<b>Resolved - a)</b> That the Statement of Accounts were approved as presented <b>b)</b> That Members Approved the Outturn position

<b>13.</b>	<b>NEIFCA DRAFT ANNUAL REPORT 2021/2022</b>
	The Chief Officer provided members with a draft Annual Report covering the period, 2021/2022, 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 29 July 2022.
	<b>Resolved</b> – a) That members note and endorse the report
<b>14.</b>	<b>NEIFCA VESSEL REPLACEMENT PROGRAMME – MAIN VESSEL</b>
	<p>The Clerk, Treasurer and Chief Officer presented a report to update members on progress relating to the replacement of the Authority's main vessel and to seek delegated authority to the Executive Committee to act as the principle working group responsible for overseeing and finalising all associated preparatory work relating to the replacement of the main vessel including the supporting financing model, final vessel specification, procurement processes and proposed process for the sale of the current vessel. At a meeting of the Authority held on 10 September 2015 members received a detailed report from the Clerk and Chief Officer setting out the intended process for the replacement of the Authority's main patrol vessel 'North Eastern Guardian III'. The Authority had continued to set aside funds to replace the vessel into a renewals reserve. The reserve as at 1 April 2022 was projected to stand at £1.360m. The current vessel has a second- hand value currently estimated at £0.900m, giving total funding available of £2.260m and a shortfall in funding of circa £2.25m.</p> <p>Section 179 of the Marine and Coastal Access Act 2009 gives IFCA's the legal power to acquire or dispose of land or property but excludes them from being able to borrow money. The current vessel was purchased with the aid of substantial grant funding. Grant funding had been explored with DEFRA and the MMO and at present there was no available funding to support the purchase of a new vessel and no prospect of grant funding in the short/medium term. DEFRA had confirmed that there was no will to change the underpinning statutory order to enable IFCA's to borrow and have suggested that one of the constituent authorities could borrow monies to support the funding of the vessel. Discussions had also taken place with Hull University and a range of other partners who would be interested in chartering the vessel but have not resulted in any capital contributions. Members were informed that this left 2 possible routes to fund the shortfall, to levy all the relevant councils, or for one of the councils to purchase the boat and lease it to NEIFCA. From a purely financial perspective, East Riding of Yorkshire Council (ERYC) had the capability to facilitate such an arrangement. However, there would be an administrative cost, in addition to the cost of borrowing, which would need to be included within the lease premium and ERYC would need to be assured that the arrangement would not adversely impact its financial position. ERYC would finance the purchase of the vessel through borrowing from the Public Works Loan Board (PWL) to avoid any significant impact on its liquidity.</p>
	<p><b>Resolved</b> – a) That members note the report.</p> <p>b) That members support the delegation of authority to the Executive Committee to act as the principle working group responsible for finalising all associated preparatory work relating to the replacement of the main vessel including the supporting financing model, final vessel specification, procurement processes and proposed process for the sale of the current vessel.</p>

	c) That following the completion of the preparatory work, a further special meeting of the Authority is convened to agree next steps.
<b>15.</b>	<b>SHELLFISH MORTALITY TEES &amp; NORTH YORKSHIRE - UPDATE</b>
	<p>The Chief Officer presented a report to update members on the ongoing issues surrounding shellfish mortality in waters surrounding the Tees and North Yorkshire. On the 8<sup>th</sup> October 2021, officers had started to receive reports of dead or dying lobsters and crab species coming ashore in the lower and outer Tees estuary around South Gare. During November 2021 further reports were received from local fishermen who started to experience reduce catch rates and ‘in pot’ mortality as far South as Scarborough, particularly on fishing grounds closer inshore. Following confirmation of the reports a joint agency response and investigation was launched and coordinated through Defra with the Environment Agency (EA) and the Centre for Environmental Fisheries and Aquaculture Science (CEFAS) taking the lead in gathering and analysing both biological, water and sediment samples, NEIFCA had supported the investigation, working closely with partner agencies. During March 2022 Defra closed the multi-agency response concluding that naturally occurring algal toxins were the most likely cause of the observed shellfish mortalities. Two independent reports produced by the marine specialist acting on behalf of the fishing industry concluded that an anthropogenic chemical, pyridine, was the most likely cause of the mortalities following release from sediments during dredging operations taking place within the Tees Estuary. NEIFCA had continued to work closely with the fishing industry, and had implemented a comprehensive stock monitoring programme in full consultation with the affected industry. The stock monitoring programme included an assessment of trends in catch rates of lobster and crab species, onboard monitoring trips on vessels working in the affected area, potting assessments carried out by North Eastern Guardian III and quayside observational work. Up until the first half of April 2022, outputs from NEIFCA’s monitoring work were generally encouraging with some positive signs of healthy lobsters although catches of crab species remained relatively low. That position changed somewhat towards the end of April beginning of May when a further wash up was confirmed close to South Gare at Redcar consisting of weed material and other marine life including lobsters, crab and some fish species. Alongside this new wash up event officers also started to receive reports of reduced lobster catches, in pot mortality, shellfish displaying symptomatic ‘twitching’ behaviours and the presence of residues of marine detritus on fishing gear. The next steps or ‘recovery phase’ of the multi-agency response had now commenced under the leadership of Defra. Within that process NEIFCA Officers would continue to closely monitor trends and incidents occurring within the affected fisheries in partnership with the local industry and other key agencies including the Marine Management Organisation (MMO), Environment Agency and the Centre for Environment, Fisheries and Aquaculture Science (CEFAS).</p> <p>Patrick Gray gave a verbal update at the meeting to update members on the work carried out by the Marine Management Organisation in relation to the shellfish mortality. Patrick Gray informed members that following the incident, there had been a much more proactive approach around the effected area, there had been an increase in inspections of dredging activity including the monitoring of AIS tracks and onboard inspections. MMO officers were taking all assurances possible to regulate dredging activity in the Tees and Hartlepool.</p>
	<b>Resolved</b> – That the report be noted.

<b>16.</b>	<b>SCIENCE ADVISORY GROUP UPDATE – 4 MARCH &amp; 19 APRIL 2022</b>
	The Chair of SAG & the Environmental & Scientific Manager presented a report to update members on the most recent proceedings of the Science Advisory Group (SAG) following meetings held on 4 March and 19 April 2022.
	<b>Resolved</b> – That the report be noted.
<b>17.</b>	<b>NEIFCA INTERNAL AUDIT REPORT 2021/2022</b>
	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 was substantial. A sound system of governance, risk management and control exists, with internal controls operating effectively and being consistently applied to support the achievement of objectives in the area audited. The Clerk was pleased to inform members that the new website had been praised as part of the Audit process. A copy of the report was included for members' information.
	<b>Resolved</b> – That the report be noted.
<b>18.</b>	<b>MANAGEMENT OF SCALLOP DREDGING 2022/2023</b>
	The Chief Officer presented a report to support consideration of recommendations for the 2022/2023 fishery. The 2021/2022 fishery commenced on 1 November 2021 and closed on 30 April 2022, in line with previous seasons three vessels were permitted and no major compliance issues were recorded. Analysis of the monthly catch and effort returns submitted by the operators showed no major concerns in terms of the ongoing health and composition of the available stock but due to the impacts of the Covid-19 pandemic on operational activity, no additional habitat or stock survey data had been collected during the last two seasons, outside the monthly catch and effort information provided by the permit holders, so maintaining the current status quo was a sensible precautionary measure. The intention was therefore to re-open the fishery on 1 November 2022 and a maximum of three permits be offered in accordance with the draft procedure attached to the report. Members were informed that in the medium term, further investigatory work is being planned on the fishery following representation from both the scallop permit holders and the potting sector. This work will look at the feasibility of altering the closed season to run from December to May rather than November to April as current and potential adjustments to the defined scallop dredging areas. Once commenced, this work would be overseen by the Science Advisory Group with any formal recommendations for change considered by the Executive Committee. One of the members at the meeting commented that the scallop fishery is in excellent condition and the quality of the juvenile stock is very high, the member did also comment that there are some concerns from the permitted vessels that static gear is been stored in the scallop dredging area.

	<b>Resolved</b> – That the report be noted.
<b>19.</b>	<b>MANAGEMENT OF PERMITTED INTERTIDAL AND SUB-TIDAL NET FISHERIES 2022/2023</b>
	The Chief Officer presented a report to update members on the planned process and timelines for opening the Holderness Coast permitted intertidal and sub-tidal fixed net fisheries on 1 October 2022. It was proposed that applications for both intertidal and sub-tidal permits are opened on 11 July 2022 with a provisional closing date of 29 July 2022.
	<b>Resolved</b> – That the report be noted.
<b>20.</b>	<b>CHIEF OFFICERS OPERATIONAL REPORT</b>
	The Chief Officer presented a report to provide members with a comprehensive and detailed operational summary covering the period December 2021 to April 2022. Since the last update provided to members at the meeting held on 2 December 2021 several operational staff had contracted Covid-19 and although most had experienced strong symptomatic conditions, in general, they have been able to return to work following a week's recovery at home. From an operational perspective the Authority had now moved to more 'normalised' work arrangements. The report included information on the Tees & North Yorkshire Shellfish mortalities and the Review of the North East Coast Limitation of Net Licences Order, the Environment Agency had recently launched a consultation on future management options to replace the order. The consultation expires on 17 June 2022.  The Chief Officer also highlighted the forthcoming statutory review into the conduct and operation of Inshore Fisheries and Conservation Authorities which was expected to report sometime during Autumn 2022.
	<b>Resolved</b> – That the notes be received.
<b>21.</b>	<b>FISHERIES STATUTES AND REGULATIONS - PROSECUTIONS</b>
	The Clerk submitted a report on the fisheries enforcement activities taken by the Authority for the period December 2021 to April 2022.
	<b>Resolved</b> - That the notes be received.
<b>22.</b>	<b>REPORTS FROM PARTNER AGENCIES AND BODIES</b>
	The Environment Agency partner briefing papers had been circulated prior to the meeting, papers from the Marine Management Organisation and Natural England were unavailable at the time of printing. Claire Argent from Natural England and Paul Slater from the Environment Agency gave a verbal update at the meeting.

<b>23.</b>	<b>ANY OTHER BUSINESS</b>
	Nothing to report.
	The meeting closed at 11.30am.