

NORTH EASTERN INSHORE FISHERIES & CONSERVATION AUTHORITY

8 June 2023

Hybrid Meeting Virtual/Meeting Room 8, County Hall, Cross Street, Beverley, HU17 9BA

AGENDA

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

Annual Meeting Business

3. Greetings and Introductions to new members and appointees **10 minutes**

4. Membership of the Authority **10 minutes**

- 4a. Extract from Standing Orders:-

“Order of Business

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

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

- 4b. To elect a Chair for the ensuing year
Last year: Dr Stephen Axford

- 4c. To elect a Vice-Chair for the ensuing year
Last year: Councillor David Chance

5. To appoint an Executive Committee for the ensuing year (8 Members with Chair and Vice-Chair as ex officio members and with equal representation between Local Authority and MMO appointees) **5 minutes**

Last year: Chair, Vice-Chair
Councillors, Randerson, Allcock
Professor Mike Elliott, Mr G Redshaw, Mr G Collins. Mr A Wheeler

6. To confirm membership of Standards Committee **2 minutes**
Last year: Councillors Matthews, Randerson and the Clerk

7. To confirm membership of Science Advisory Group (6 MMO appointees including at least 1 fishing industry representative) **5 minutes**

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

The MMO has recently confirmed the resignations of Messrs Mark Cole and Robert Houghton.

8. To appoint representatives: **5 minutes**

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

- (i) Flamborough Harbour Commissioners (2 representatives)

Last year: Cllr Chris Matthews
Mr R Houghton

The MMO has recently confirmed the resignation of Mr Houghton

- (ii) Staithes Harbour Board (4 representatives)

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

The MMO has recently confirmed the resignation of Mr Cole

(b) To attend meetings of:-

- (i) Association of Inshore Fisheries and Conservation Authorities Forum

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

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

Meeting Business

9. To consider the Minutes of the Authority meeting held on 1 December 2022 (*pages 1-6*) **5 minutes**

10. To consider the Minutes of the Executive meeting held on 30 March 2023 (*pages 7-10*) **5 minutes**

Items for decision

11. NEIFCA Financial Outturn 2022/2023 (*pages 11-18*) **15 minutes**

12. NEIFCA Draft Annual Report 2022/2023 (*pages 19-46*) **10 minutes**

13. Reimbursement of expenses and allowances for General Members (*pages 47-48*)
15 minutes

Items for discussion

14. Science Advisory Group Update – 9 March & 31 May 2023 (*pages 49-52*) **10 minutes**
15. Tees & North Yorkshire Shellfish Mortality Update (*pages 53-54*) **10 minutes**
16. Management of scallop dredging 2023/2024 (*pages 55-62*) **10 minutes**
(Not for wider circulation)
17. Management of permitted intertidal and sub-tidal fixed net fisheries 2023/2024 (*pages 63-70*)
10 minutes
18. Chief Officer's Operational report (*pages 71-95*) **10 minutes**
19. Fisheries Statutes and Regulations – Prosecutions (*pages 96-99*) **5 minutes**

Items for information

20. NEIFCA byelaw update (*pages 100-111*) **10 minutes**
21. Reports from partner Agencies and bodies (*pages 112-119*) **10 minutes**
- 21(a) Marine Management Organisation
- 21(b) Environment Agency
- 21(c) Natural England
22. Any other items, which the Chairman decides, are urgent by reason of special circumstances which must be specified.

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

AUTHORITY MEETING 01 DECEMBER 2022

Present:

Dr Stephen Axford
Councillor David Chance
Councillor Rhys Furley
Councillor Paul Stewart
Miss Rachel Hanbury
Councillor Stephen Harness
Miss Rebecca Lynam
Councillor Chris Matthews
Mr Michael Montgomerie
Mr Gary Redshaw
Councillor Tony Randerson
Councillor Mark Wilkes
Mrs Donna-Maria Mear
Mr Graham Collins
Mr Kevin Woodcock
Councillor Shane Moore

Representing:

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

Mrs Caroline Lacey, Clerk, Mr David McCandless, Chief Officer, Mr Stephen Chandler, Treasurer, Dr Ralf Bublitz, Senior Environmental & Scientific Officer, Mr Paul Slater, Environment representative, Mr Christian Proud and Mr 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

25.	APOLOGIES FOR ABSENCE
	Apologies of absence were received from MMO members Councillor Allcock, Councillor Copsey and Natural England Appointee Claire Argent. Councillor Rhys Furley from Hull City Council was introduced to members following appointment to the authority.
26.	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.
27.	MINUTES OF THE AUTHORITY MEETING HELD ON 08 JUNE 2022
	Resolved – That the minutes of the Quarterly meeting held on 08 June 2022 be approved as a correct record and signed by the Chair.

28.	MINUTES OF THE EXECUTIVE MEETING HELD ON 21 SEPTEMBER 2022
	Resolved – That the minutes of the Executive meeting held on 21 September 2022 be approved as a correct record and signed by the Chair.
29.	BUDGET MONITORING
	<p>The Treasurer presented a report to advise Members of the budget position at the end of month 07 (October) in 2022/23. At the end of October 2022, the Authority had net expenditure of £661,028 against an expected £678,632 underspending by £17,604. A forecast outturn underspend of £24,754 was predicted due to additional one-off recharge income from NEIFCA employees working on the European Lobster Settlement Index project.</p> <p>The forecast included estimated costs of the £1,925 Local Government Employers pay award due to be paid to staff in November 2022. Grants & contributions underspend of £26,082 due to £17,500 recharge income from staff time and vessel costs generated by the European Lobster Settlement Index project which was fully funded by DEFRA and £8,690 prosecution income.</p> <p>Repairs on the main vessel NEG III were almost complete and electrical testing had commenced. The total cost of the work was yet to be finalised and officers were awaiting the insurance assessors report.</p> <p>Work had commenced on the patrol vessel replacement project. It was proposed that a supplementary budget of £10,000 in 2022/23 and £20,000 in 2023-24 be approved, funded from the Renewals Fund reserve, to support associated additional staffing and travel costs.</p> <p>The Department for Environment Food and Rural Affairs (DEFRA) had developed Fisheries Management Plans (FMPs) as a new policy tool to implement the objectives of the Fisheries Act 2020. IFCA's had been asked to support the 3-year programme and with additional grant aid support from Defra. NEIFCA received £50,000 for 2022/23 with the funding for the second and third years yet to be announced. It was proposed that the funding would be used to create a fixed-term Environmental Officer post, initially for one year to support the programme and approval was sought to establish a supplementary budget of £7,000 in 2022/23 and £43,000 in 2023/24 fully funded via the Defra grant. It was proposed that the forecast balance of the grant as at 31 March 2022, of £43,000 be transferred to the External Projects reserve at the financial year end.</p>
	<p>Resolved –</p> <ul style="list-style-type: none"> a) That the budget monitoring position is noted. b) That a supplementary budget to fund the revenue costs of the patrol vessel replacement project of £10,000 in 2022/23 and £20,000 in 2023/24 is approved, funded by the Renewals Fund reserve. c) That a supplementary budget to fund the additional cost of supporting DEFRA's Fisheries Management Plan programme of £7,000 in 2022/23 and £43,000 in 2023/24 is approved, funded by grant income, and the forecast balance at outturn is transferred to the External Projects reserve.

30.	LEVY 2023/2024
	<p>The Treasurer presented a report to determine the levy on member local authorities for 2023/24 and to highlight issues relating to the setting of the levy for 2024/25 and 2025/26.</p> <p>At its meeting on 2 December 2021, the Authority set a levy totalling £1,337,343 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 awards, 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. The 2022/23 levy was increased by 3% to cover the cost of increases in pay and inflation offset by savings within supplies and services budgets. Indicative increases of 2% for 2023/2024 and 2024/25 were proposed but not agreed.</p> <p>The Bank of England's November monetary policy report described an extremely challenging outlook for the UK economy, which was expected to be in recession for a prolonged period, and CPI inflation remains high at over 11% in the near term. In the Autumn Statement on 17 November the Chancellor announced that local authorities would still receive an increase in funding in 2023-24 and 2024-25 and that the government was seeking recommendations from Pay Review Bodies where applicable for pay awards for 2023-24. It was not yet known how this would impact on the specific grant local authorities receive for Inshore Fisheries and Conservation and in relation to potential future pressure on resources from other agencies on NEIFCA to perform additional work previously undertaken by them.</p> <p>The National Joint Council (NJC) Local Government Pay Award for 2022/23 was agreed at £1,925 increase on all at pay points which is a 10.5% increase for the lowest grades. The higher than anticipated pay award was offset by the reversal of the 1.25% increase in Employers' National Insurance from 6 November 2022. It was forecast that the pay award would be 2.5% in 2023/24 and 2% in 2024/25 and 2025/26.</p> <p>Given the pay award and inflationary pressures, a levy increase of 3% was proposed. In putting forward the proposal the Clerk, Treasurer and Chief Officer were mindful that the funding authorities were facing financial pressures of their own, in particular the pressure from the increasing cost of energy, goods and wages. Members unanimously agreed that the requested 3% was a fair and reasonable figure.</p>
	<p>Resolved –</p> <ul style="list-style-type: none"> a) That the levy increase for 2023/24 be agreed and the Clerk be authorised to issue demands on the relevant local authorities (a 3% increase), as presented at Appendix A. b) That the Authority acknowledges the issues affecting NEIFCA and their effect upon the levy for 2024/25 and 2025/26, which is anticipated to be a minimum of a 2% increase each year. c) That a detailed budget for 2023/24 be brought to the Authority for approval at the Executive meeting in March 2023.

31.	MARINE & COASTAL ACCESS ACT 2009 (SECTION 155) – MAKING OF XXIX HUMBER ESTUARY FISHING BYELAW
	<p>The Chief Officer presented a report to inform Members of the intention to make a new byelaw regulation in accordance with the duty imposed by section 153 and the provisions contained within sections 155, 156, 158 and 160 of the Marine and Coastal Access Act 2009.</p> <p>The Humber Estuary Fishing Byelaw XXIX was introduced in 2014 under the revised approach to protect a bed of dwarf eelgrass present along the intertidal grounds at Spurn Point from fishing activity and bait digging. These eelgrass beds provide key ecosystem services including nursery and refuge grounds for fish, foraging grounds for birds, sediment stabilisation, nutrient cycling and carbon sequestration. However, this species is highly sensitive to smothering from shifting sediment which can be caused by disturbance from fishing activity, bait digging and natural erosion.</p> <p>Annual surveys of the eelgrass bed have been conducted in conjunction with Yorkshire Wildlife Trust since the introduction of the byelaw, with data compared across years to determine the stability (number of years present) of the eelgrass bed. The initial boundary of the protected areas was defined based on the presence of the eelgrass bed in 2014. There is now sufficient data to indicate stable presence of eelgrass outside the existing protected area. To ensure sufficient protection of the designated feature officers propose altering the offshore extent of the protected area.</p> <p>The Conservation of Habitats and Species Regulations 2017 requires that the IFCA exercise its functions, which are relevant to marine conservation, so as to secure compliance with the requirements of the Habitats and Birds Directives. Altering the boundary of the protected area would ensure continued compliance with the Regulations. The revised boundary would also provide a buffer for new growth and further expansion of the eelgrass bed in the future and reduce the need to revise the boundary again should the distribution of the species continue to increase.</p>
	<p>Resolved – a) That the Authority approves the making of the byelaw.</p> <p>b) That the Authority instructs the Clerk to give requisite notice by advertisement of the intention to apply to the Secretary of State for confirmation of said byelaw.</p>
32.	MARINE & COASTAL ACCESS ACT 2009 (SECTION 155) – MAKING OF XXVIII SHELLFISH PERMIT BYELAW 2022
	<p>The Chief Officer presented a report to inform Members of the intention to make a new byelaw regulation in accordance with the duty imposed by section 153 and the provisions contained within sections 155, 156, 158 and 160 of the Marine and Coastal Access Act 2009.</p> <p>Since the late 1990s levels of potting effort had increased steadily throughout the NEIFCA district placing increasing pressure on crab and lobster stocks. Steady progression in terms of modernisation across the inshore fishing fleet during the last decade had also contributed to increasing effort leading to persistent calls from the industry to limit the number of pots that vessels can work within the NEIFCA district. This picture was supported by the most recent stock assessments undertaken by both NEIFCA (2018) and CEFAS (2019) which concluded that the exploitation levels for</p>

	<p>lobsters and edible crabs were above the maximum sustainable yield and stock status for both species is considered low. Recent events off the Tees and North Yorkshire coast also brought the potential vulnerability of stocks, in terms of impacts from external events outside of fishing pressure, into very sharp focus.</p> <p>Strengthening the management of fishing pressures would improve stock resilience. The new draft byelaw regulation would also maintain existing technical conservation measures and cap the number of shellfish permits within the NEIFCA district. Members were advised of the outcome of the informal consultation, with 60-70% of feedback being that pots should be capped at a set number. Having listened to stakeholders, the proposed maximum number of pots would be changed from 800 to 1000.</p> <p>The Chief Officer advised that 2 existing byelaws would be incorporated into this new flexible byelaw, and because of complexity of this, it might take more time than originally thought.</p> <p>Hobby operators would be limited to a maximum of 5 pots – with a proposed fixed charge of £10. Cllr Moore, rep. Hartlepool Borough Council, raised concerns about the reduction of the number of pots allowed to be used by hobby fishermen in the Hartlepool district, especially after the recent mortality incident. The Chief Officer explained that it is was not proposed that NEIFCA limit the number of hobby permits offered but reduce the number of pots in the water to conserve stocks.</p>
	<p>Resolved – a) That the Authority approves the making of the byelaw.</p> <p>b) That the Authority instructs the Clerk to give requisite notice by advertisement of the intention to apply to the Secretary of State for confirmation of said byelaw.</p>
33.	CHIEF OFFICERS OPERATIONAL REPORT
	<p>The Chief Officer presented a report to provide members with a comprehensive and detailed operational summary covering the period June 2022 to November 2022, which included an update on the major engine failure on North Eastern Guardian III, progress to date on the replacement of the Authority's main vessel and the Tees & North Yorkshire Shellfish Mortalities.</p> <p>Members were informed by the Chief Officer that NEG III was now operational with further testing planned in mid-November.</p> <p>The main vessel replacement project had now commenced and officers were in the process of visiting and assessing a number of potential shipyards across the UK, Europe and the Far East who had expressed an interest in potentially building a vessel. Officers were working to complete pre-market engagement as quickly as possible before the end of this calendar year and following that, an outline specification and supporting procurement documentation would be finalised in readiness to go out to tender following final review by the Executive Committee.</p> <p>The Chief Officer also touched upon the shellfish management proposals and the Shellfish Mortality investigations and the national IFCA 4 yearly review which members were encouraged to engage in.</p>

	Resolved – That the report be noted.
34.	TEES & NORTH YORKSHIRE SHELLFISH MORTALITY UPDATE
	The Chief Officer presented a report to update members on the ongoing issues relating to shellfish mortality in waters surrounding the Tees and North Yorkshire. Since the last Authority meeting held on 8 June 2022. Members raised concerns over the level of officer time and resources invested in the associated work. The Chief Officer and the Environmental Manager confirmed that NEIFCA continued to closely monitor the situation. Members were also asked to consider and endorse the recommendations emanating from the Parliamentary EFRA Committee.
	Resolved – a) That Members note the report. b) That Members endorse the recommendations emanating from the Parliamentary EFRA Committee.
35.	SCIENCE ADVISORY GROUP UPDATE
	The Chair of the Science Advisory Group presented a report to update members on the most recent proceedings of the Science Advisory Group (SAG) following meetings held on 27 May and 23 September 2022.
	Resolved – That the report be noted.
36.	FISHERIES STATUTES & REGULATIONS - PROSECUTIONS
	The Clerk submitted a report on the fisheries enforcement activities taken by the Authority for the period May 2022 to November 2022.
	Resolved – That the notes be received.
37.	REPORTS FROM PARTNER AGENCIES AND BODIES
	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. Paul Slater from the Environment Agency also provided a verbal update at the meeting.
38.	ANY OTHER BUSINESS
	Nothing to report.
	The meeting closed at 11.35am.

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

MEETING OF THE EXECUTIVE COMMITTEE

30 MARCH 2023

Present

Dr Stephen Axford
Mr Graham Collins
Prof Mike Elliott
Mr Gary Redshaw
Mr Andrew Wheeler
Councillor David Chance
Councillor Ron Allcock
Councillor Tony Randerson

Representing

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

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

The meeting took place at County Hall, Beverley, members also had the option to dial into the meeting via Zoom, the meeting commenced at 13:30.

48.	APOLOGIES
	None Recorded
49.	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.
50.	TO TAKE NOTES OF THE MEETING HELD ON 21 SEPTEMBER 2022 AS A CORRECT RECORD
	Resolved – That the minutes of the meeting held on 21 September 2022 be approved as a correct record and signed by the Chairman.
51.	TO TAKE NOTES OF THE MEETING HELD ON 23 JANUARY 2023 AS A CORRECT RECORD
	Resolved – That the minutes of the meeting held on 23 January 2023 be approved as a correct record and signed by the Chairman.

52.	NEIFCA ANNUAL PLAN
	<p>The Chief Officer, David McCandless presented a report for members to review the Annual Plan for the year 2023/2024. The Chief Officer discussed with members the ambitious local plans for the year ahead but cautioned that priorities could change in the event of any unforeseen occurrences arising such as the shellfish mortality event.</p> <p>The Clerk of the authority, Caroline Lacey, proposed some additional minor amendments to the plan which were accepted.</p>
	Resolved - (a) The annual plan for 2023/2024 was reviewed.
53.	REVENUE BUDGET 2023/2024
	<p>The Treasurer presented a report to provide Members with a detailed operational budget for 2023/2024.</p> <p>Members were informed the 3% levy increase approved at the Authority Meeting in December 2022 had been incorporated into the budget along with increases to reflect the impact of a 2023/24 pay award on employee budgets. In addition, a review of individual budget lines had been undertaken to ensure they were set at an appropriate level within the existing budget. Supplementary budgets for 2023/24 include external funding for the ELSI project and Fisheries Management Plans, along with funding from the renewals fund to supplement the Patrol Vessel Replacement Project.</p>
	Resolved – (a) The draft budget for 2023/24 is approved (b) The level of general reserves is maintained at £228,450 (17%) of the annual levy
54.	BUDGET REPORT 2022/2023
	<p>The Treasurer presented a report to advise Members of the budget position at the end of month 09 (December) 2022/2023.</p> <p>At the end of December 2022, the Authority had realised net expenditure of £1,090,319 against an expected £949,427 overspending by £140,892. The forecast outturn overspend of £179,108 was due to the £240,000 estimated cost of patrol vessel repairs offset by savings from additional one-off recharge income from NEIFCA employees working on the European Lobster Settlement Index project.</p> <p>It was anticipated that the projected outturn position would realise an overspend of £179,108 to be funded from the Patrol Vessel Maintenance Reserve and Renewals Fund, which could be reduced if the insurance settlement for the Patrol Vessel major repair was finalised prior to the financial year-end. The forecast included the planned transfer of £102,900 plus accrued interest into the Renewals Fund and £10,000 into the Vehicle Replacement Reserve.</p>
	Resolved – (a) The revenue budget monitoring position is noted.
55.	RISK MANAGEMENT STRATEGY & STRATEGIC AND OPERATIONAL RISK REGISTER REVIEW
	<p>The Clerk presented a report to inform members that in accordance with the Authority's Risk Management Strategy, a six monthly review of the Strategic and Operational Risk Registers has been undertaken and is reported for information.</p> <p>Currently, primary identified risk areas are financial, relating to cost recovery associated with the major engine failure onboard North Eastern Guardian III (NEG III) during July 2022 and the potential costs and funding pressures associated with the replacement of NEG III.</p>

	Elevated reputational risk, surrounding the Authority's ongoing response to the shellfish mortality event which occurred in October 2021 was also identified and noted.
	Resolved - That the revised Strategic and Operational Risk Register be reviewed in six months' time
56.	NEIFCA HEALTH AND SAFETY POLICY & SAFE WORKING PRACTICES 2023/2024
	<p>The Chief Officer presented a report to inform members of the completion of the Annual review of the Authority's Health & Safety provisions.</p> <p>Since the last review in September 2022 the Chief Officer was pleased to advise that there had been no notable incidents or accidents to report whilst staff have been working and all are currently fit and well.</p> <p>All current and longstanding safe working practices have been maintained including revised provisions implemented during 2022 to support potting survey work conducted from North Eastern Guardian III. The most notable change related to the mandatory wearing of 'stab vests' by NEIFCA staff. Recent intelligence combined with a more active enforcement regime has increased the potential risk of a stabbing occurring at Sunderland. The risk level was now considered possible (previously remote). In order to ensure the continuation of safe operations at Sunderland 'stab vests' would now be required to be worn at all times. Elsewhere within the NEIFCA district the risk of a stabbing occurring is still considered remote.</p> <p>The Chief also reassured members that all staff are correctly trained in all aspects of their role and will continue to monitor this on a regular basis.</p>
	Resolved – Members noted the report.
57.	TEES AND NORTH YORKSHIRE SHELLFISH MORTALITY - UPDATE
	<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.</p> <p>Since the NEIFCA stock assessment report was published in September 2022, the Environmental and Scientific team had been working very hard on a follow up report in consultation with the Marine Management Organisation and further guidance had been sought from the Science Advisory Group which had provided further direction on the report.</p> <p>Environmental & Scientific Manager Ralf Bublitz presented the findings of the report and gave members an overview of the challenges faced by the team with regards to the data received from the MMO.</p> <p>Members also discussed the role of NEIFCA going forward in the investigation and how best to present the updated report, once concluded, to the industry.</p>
	Resolved – Members noted the report
58.	CHIEF OFFICERS OPERATIONAL UPDATE
	The Chief Officer, David McCandless provided members with an operational report covering the period December 2022 to February 2023. The main points on a local level, having already been covered within this meeting, included the vessel replacement project and the shellfish mortality incident.

	On a national level, the Chief Officer gave an update on operations, with the implementation of FMP's being a significant part of workstreams going forward. The review of all IFCA's is currently underway with a slight delay, with the report due in early Autumn.
	Resolved – Members noted the report
59.	ANY OTHER BUSINESS
	<p>Member Graham Collins raised the issue of remuneration for MMO members who attend meetings requesting that it fell into line with payments Councillors received from their authorities. The Clerk advised that local authority members received no additional payments for attending meetings other than expenses related to travel. This position was also supported by Councillor Chance.</p> <p>The Chief Officer advised that he would look into the status of other IFCA's and their payment structures and provide additional information to support a report to the next Authority meeting.</p>
	The meeting closed at 15:27

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
8 June 2023

FINANCIAL OUTTURN 2022/23

Report of the Treasurer

A. Purpose of Report

To report the outturn position for the Authority for the year ended 31 March 2023.

B. Recommendation

- i. That Members note the 2022-23 outturn overspend of £37,851.
- ii. That the planned transfers to reserves of £102,900 to the Renewals Fund and £10,000 to the Vehicle Replacement reserves are approved.
- iii. That the 2022-23 Fisheries Management Plan grant underspend of £50,000 is transferred to the External Projects Reserve and that the previously approved supplementary budget in 2023-24 financial year is increased to £50,000.
- iv. That the £8,987 overspend on the Patrol Vessel Replacement project is funded from the Renewals Fund alongside the previously approved £10,000 supplementary budget.
- v. That the resulting £78,864 overspend is funded from the Patrol Vessel Maintenance Reserve.

1. Introduction

- 1.1 This report provides the final income and expenditure account and balance sheet for the year ended 31 March 2023.
- 1.2 NEIFCA, which is classified as a joint committee, has no statutory obligation to prepare accounts which are externally audited. From 1 April 2015 any expenditure overseen by a joint committee was subject to audit as part of the main accounts of the constituent audited body, in this case the contributing local authorities. However, a set of accounts is prepared to inform the Authority of the position at the financial year end.

2. Responsibility of the Authority

- 2.1 The North Eastern Inshore Fisheries and Conservation Authority is required –

- to make arrangements for the proper administration of its financial affairs and to secure that one officer has the responsibility for the administration of those affairs. That officer is the Treasurer.
- to manage its affairs to secure economic, efficient and effective use of resources and safeguard its assets.

3. Responsibility of the Treasurer

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

4. Comprehensive Income and Expenditure

- 4.1 The Comprehensive Income and Expenditure Statement is attached as Appendix A.
- 4.2 Detailed monitoring of expenditure against the profiled budget has been undertaken on a monthly basis and reported to the Authority and Executive meetings throughout the year. At the Executive meeting on 14 March 2023, it was reported that the projected outturn was a £179,108 overspend due to cost of the patrol vessel engine repairs and that there was significant uncertainty in estimating the total cost of the work and outcome of the insurance claim.
- 4.3 The total net expenditure for 2022/23 of £1,272,295 is shown in Appendix A. The revenue outturn overspend is £37,851 and is summarised in the table below. There has not been any capital expenditure in this financial year. The outturn position is made up of a number of compensating variances.

NEIFCA Revenue Outturn 22-23	Over/Underspend	£
Patrol Vessel Repairs	Overspend	327,903
Patrol Vessel Repairs Insurance Settlement	Underspend	-162,102
Fisheries Management Plan Grant	Underspend	-50,000
Employees (vacancies & overtime)	Underspend	-38,191
Lobster Settlement Index Staff & Boat Time	Underspend	-26,400
Court & Prosecution Income	Underspend	-9,190
Patrol Vessel Replacement Project	Overspend	8,987
Other Minor variances	Underspend	-13,156
Total	Overspend	37,851
Funded by:		
Transfer to External Projects Reserve - Fisheries Management Plan		50,000
Transfer from Renewals Fund - Patrol Vessel Replacement Project overspend		-8,987
Transfer from Patrol Vessel Maintenance Reserve - Patrol Vessel Repairs		-78,864
		-37,851

- 4.4 The outturn includes a £165,801 overspend due to the cost of the patrol vessel engine repairs and overhaul of the second engine following mechanical failure in August 2022. The repairs were complete by December 2022 at a total cost of £327,903. The insurance claim was successful and a settlement of £162,102 has been agreed. There are also

underspends on staffing of £38,191 due to vacancies and savings on overtime and £26,400 additional income for work recharged to the Lobster Settlement Index project.

- 4.5 The outturn also includes a £50,000 underspend on the Department for Environment, Food & Rural Affairs (DEFRA) Fisheries Management Plan grant for 2022-23 which is proposed to be transferred to the External Project Reserve and the previously approved 2023-24 supplementary budget of £43,000 is increased to £50,000 fully funded by the grant. The grant is part of three year programme and will receive additional funding to support the DEFRA led FMP programme, help co-ordinate communications & engagement with inshore fisheries communities and contribute fisheries management experience through technical advice and evidence to support policy development and implementation.
- 4.6 At the Authority meeting on 1 December 2022 a supplementary budget of £10,000 was approved in 2022-23 to fund the revenue costs of the patrol vessel replacement project funded by the Renewals Reserve. Expenditure on project was £18,987 resulting in £8,987 overspend which is proposed to be funded from the Renewals Fund.
- 4.7 It is proposed that the remaining overspend due to the patrol vessel repairs of £78,864 is funded from the Patrol Vessel Maintenance Reserve.

5. Balance Sheet

- 5.1 The Authority's Balance Sheet, attached as Appendix B, is a representation of its net worth. As expected, the Authority's main asset, North Eastern Guardian III, forms the majority of its worth. The vessel has been depreciated over its anticipated useful working life, leaving an estimated residual value of £539,440. The 9.5m Cabin Rigid Inflatable Boat is also included on the Authority's Balance Sheet and is being depreciated over its anticipated useful working life, resulting in an estimated residual value of £369,269 as at 31 March 2023.
- 5.2 Usable Reserves of £1,746,453 have increased by £65,049 as a result of planned transfers to the Vehicle Replacement and Renewals Fund reserves of £10,000 and £102,900 respectively. It is also proposed that £50,000 Fisheries Management Plan grant underspend is transferred to the External Projects Reserve. The transfers to reserves are offset by a £78,864 transfer from the Patrol Vessel Maintenance Reserve towards the cost of patrol vessel engine repairs and refurbishment and a £18,987 transfer from the Renewals Fund for the revenue costs of the Patrol Vessel Replacement project.

6. Reserves

- 6.1 The final outturn has increased the value of reserves held which are shown at Appendix C. The general reserve enables the Authority to demonstrate its financial standing as a 'going concern' and to be in a position to meet unforeseen liabilities. The closing balance at 31 March 2023 is £228,450. The reserve represents 17% of the annual levy for 2023/24, which is considered to be a reasonable level of balances for the Authority to hold.
- 6.2 The Authority also maintains specific reserves. In 2011-12 the Authority created a reserve to manage the risk associated with patrol vessel maintenance. Due to its nature, certain maintenance is cyclical rather than annual and other maintenance may be of an exceptional and urgent nature. At the Executive meeting on 8 September 2022 it was agreed that the cost of the repair of the main engine and associated refurbishment of the second engine would be funded by a combination of in-year underspends, vessel insurance, Patrol Vessel Maintenance Reserve and Renewals Fund. As outlined above in-

year underspends and the settlement of the insurance claim has resulted in a £78,864 transfer from the Patrol Vessel Maintenance Reserve. The remaining balance as at 31 March 2023 is £1,136. It is proposed that the level of funding required in the Patrol Vessel Maintenance Reserve is reviewed as part of the wider Patrol Vessel Replacement project.

- 6.3 A vehicle replacement reserve was established to fund the maintenance and replacement of vehicles. Maintaining a vehicle replacement reserve enables the fleet programme to be effectively managed and an annual set aside of £10,000 was approved by the Executive. Currently the Authority owns one small multi-purpose van, one large transporter van, two 4x4 'pick up' vehicles, one all-terrain two-seater 'gator' and leases a further 4x4 'pick up' and a pool car. Owning vehicles has proven much more cost effective in terms of flexibility of managing mileage and additional 'end of term costs' which are applied with each lease agreement.
- 6.4 The levy included £102,900 to be transferred to the Renewals Fund, which is funding set aside towards the replacement of the patrol vessel. Revenue expenditure on the Patrol Vessel Replacement Project has resulted in a £18,987 transfer from reserves. The balance now stands at £1,444,085.
- 6.5 It was agreed at the Authority Meeting on 8 June 2022 that the option of ERYC purchasing the vessel and leasing it to NEIFCA would be explored and members delegated authority to the Executive Committee to act as the principal working group to oversee the preparatory work including finalising the proposed financing plan through ERYC, developing the procurement documentation including vessel specification and a parallel process to support the sale of the current vessel. A special meeting of the Authority has been convened to approve the next steps and all Councils will be asked to approve an increase to the annual levy to fund the ongoing lease costs over and above the annual set-aside to the reserve of £102,900.

Contact Officer

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Principal Accountant, East Riding of Yorkshire Council

Stephen Chandler
Treasurer

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY						
COMPREHENSIVE INCOME AND EXPENDITURE STATEMENT						
2021/21		2022/23				
Net Expenditure		Expenditure	Income	Net Expenditure	Original Budget	Variance
£		£	£	£	£	£
406,215	Central / Headquarters	420,169	17,194	402,975	431,690	-28,715
117,755	Land Based Operations	133,761	5,964	127,796	127,970	-174
455,827	Offshore Operations	857,288	186,475	670,812	532,270	138,542
83,765	Environment	113,125	11,400	101,725	132,510	-30,785
0	Projects	124,715	155,728	-31,013	10,000	-41,013
1,063,562		1,649,057	376,762	1,272,295	1,234,440	37,855
Net Income		Expenditure	Income	Net Income	Original Budget	Variance
£		£	£	£	£	£
SOURCES OF FINANCE						
1,298,390	Annual levy on Local Authorities	0	1,337,344	1,337,344	1,337,340	(4)
233,961	Contribution from Reserves	0	0	0	0	0
-243,079	Cont (to)/from Capital	0	0	0	0	0
-112,900	Contribution to Earmarked Reserves	112,900	0	-112,900	-112,900	0
1,176,372		112,900	1,337,344	1,224,444	1,224,440	-4
Net Overspend						37,851
Contributions to earmarked reserves					£	
Renewals Fund					102,900	
Vehicle Replacement					10,000	
					112,900	

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY				
BALANCE SHEET				
1 April 2022		31 March 2023		
£		£	£	£
	LONG TERM ASSETS			
2,338,957	Waterborne Assets - Gross Book Value	2,338,957		
-1,399,634	Waterborne Assets - Depreciation	-1,426,152		912,805
234,484	Vehicles and Equipment - Gross Book Value	234,484		
-128,925	Vehicles and Equipment - Depreciation	-146,033		88,451
	Work in Progress			
1,044,882				1,001,256
	CURRENT ASSETS			
	Debtors			
34,993	HMRC - VAT	2,678		
103,907	Other	268,752		
3,318	Prosecution Costs	3,318		
-2,328	Provision for Bad Debt	-2,328	990	
479	Payment in Advance	479		272,900
	Short Term Investments			
	Cash and cash equivalents			
1,350,000	Temporary Investments	1,400,000		
379,735	Cash at Bank and in Hand	253,642		
350	Petty Cash	350		1,653,992
	CURRENT LIABILITIES			
-172,550	Creditors	-163,938		
	Receipt in Advance			-163,938
2,742,786	NET ASSETS			2,764,209
	FINANCED BY			
1,681,404	Usable Reserves			1,746,453
1,061,382	Unusable Reserve			1,017,756
2,742,786	TOTAL RESERVES			2,764,209

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY		
RESERVES		
General Reserve	2022/23	2023/24
	£	£
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	2022/23	2023/24
	£	£
Balance brought forward	80,000	1,136
Transfer from Revenue	0	0
Transfer to Revenue	-78,864	0
Balance carried forward	<u>1,136</u>	<u>1,136</u>
External Projects	2022/23	2023/24
	£	£
Balance brought forward	0	50,000
Transfer from Revenue	50,000	0
Transfer to Revenue	0	-50,000
Balance carried forward	<u>50,000</u>	<u>0</u>
Vehicle Replacement Reserve	2022/23	2023/24
	£	£
Balance brought forward	12,782	22,782
Transfer to Revenue	0	0
Transfer from Revenue	10,000	10,000
Balance carried forward	<u>22,782</u>	<u>32,782</u>
Renewals Fund	2022/23	2023/24
	£	£
Balance brought forward	1,360,172	1,444,085
Transfer from Revenue	102,900	102,900
Transfer from General Reserve	0	0
Transfer to Revenue	-18,987	-20,000
Balance carried forward	<u>1,444,085</u>	<u>1,526,985</u>
TOTAL USEABLE RESERVES	<u>1,746,453</u>	<u>1,789,353</u>

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
08 June 2023

Draft NEIFCA Annual Report 2022/2023

Report by the Chief Officer.

A. Purpose of Report

To provide members with a draft framework Annual Report covering the period, 2022/2023, summarising the Authority's outputs and activities during the year.

B. Recommendation

1. That members note and endorse the contents of the framework report and authorise officers to finalise the document and submit it to Defra for information.

1. Background

- 1.1 Section 178 of the 2009 Marine and Coastal Access Act places a statutory duty on Inshore Fisheries and Conservation Authorities (IFCA's) to prepare and publish an annual report on their activities.
- 1.2 A draft 'framework' Annual Report covering the period 2022/2023 and summarising the Authority's main outputs and achievements during its eleventh operational year is attached for member's information and review.
- 1.3 Prior to formal submission to Defra there is additional time for members to provide further feedback which can be incorporated into the final draft. If member's have any additional comments please submit them via email return to me by **Friday 28 July 2023**.

Contact Officer

David McCandless
Chief Officer
Tel: 07771936501

Background Papers

Draft 'framework' NEIFCA Annual Report 2022/2023

NEIFCA Framework Annual Report 2022/2023**Foreword**

This report covers the twelfth year of operations and provides a summary account and review of the authority's main outputs and achievements up to the year end on 31 March 2023.

The reporting year was dominated by organisational transition from the restrictions imposed by the global COVID 19 pandemic to more normalised operations. This included a graduated increase in 'face to face' contact in terms of enforcement and compliance work, general 'day to day' working, the commencement of officer inspections at sea and offshore marine survey programmes. The year also presented some significant unforeseen challenges for NEIFCA, particularly relating to extensive shellfish mortality which occurred during October 2021 in inshore crab and lobster stocks in waters surrounding the Tees Estuary and the North Yorkshire coast. The subsequent investigation and monitoring work endured throughout the reporting year and placed a significant strain on all parties involved, not least the affected fishing communities. NEIFCA Officers also had to manage a major engine failure onboard the Authority's main offshore vessel which occurred during July 2022 which also placed significant demands on service provision.

Outside the enduring challenges presented by the shellfish mortality event there were some notable organisational achievements within NEIFCA which included successful delivery of the first year of the European Lobster Settlement Index (ELSI) project in partnership with the Holderness Fishing Industry Group, and the commissioning of a new bespoke fisheries permitting database and catch return system

Clerk of the Authority

Executive Summary

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

This Annual Report produced by North Eastern Inshore Fisheries and Conservation Authority (NEIFCA) covers the period 1 April 2022 to 31 March 2023. It provides a comprehensive review of the authority's twelfth year of operations and charts its main outputs and achievements across key work areas including: Organisational, Legislative Enforcement; Environmental and Scientific Research; Staff training and development; Communications; Partnership working and the delivery of national work streams. The report also provides a summary of the authority's performance and progress against both its national and local working objectives.

EXECUTIVE SUMMARY ACHIEVEMENTS

Main achievements and outputs during 2022/2023 included the following:

- Agreement achieved on an uplifted sound and stable operational budget of £1,377,464.
- During 2022/2023, the first field trials for the DEFRA funded European Lobster Settlement Index project were completed successfully and the first ever Early Benthic Phase Lobster was captured.
- During October 2022 a new online fishing permit system was launched and permit renewals are now processed with the new system.
- On the 1 December 2022 the Authority made two new byelaws. Important Eelgrass habitat within the Humber Estuary will be further protected via a new Humber Estuary Fishing Byelaw and the new flexible shellfish management system will also be implemented via a new byelaw regulation.
- During February 2023, officers successfully completed the recruitment process and appointed two new Environmental and Scientific Officers. All newly appointed staff are progressing positively through their respective probationary programmes.
- Agreement achieved to formally progress the replacement of the main fisheries vessel through procurement to formal tender.

EXECUTIVE SUMMARY

ACHIEVEMENTS CONTINUED

Partnership Working

- The authority retains a strong commitment to active partnership working and is seeking to build on that commitment. In many ways in managing the impacts of the COVID-19 pandemic and the shellfish mortality in October 2021, officers have strengthened active partnership working with all key partner agencies particularly the Marine Management Organisation (MMO), the Environment Agency (EA), Centre for Environment, Fisheries and Aquaculture Science (CEFAS) and DEFRA. Active engagement in monthly tasking and coordination group meetings continued throughout the year alongside active sharing of intelligence and undertaking several joint enforcement operations to target illegal activities.
- During 2022/2023 further joint working was undertaken in conjunction with the Gangmasters and Labour Abuse Authority (GLAA), the Borders Agency and local policing and public protection teams in response to the illegal gathering of intertidal shellfish within the Authority's district. Officers also worked actively with the EA policing intertidal netting activity along the coast and the MMO policing minimum landing sizes and fisheries technical regulations at key ports and landing pints throughout the NEIFCA district.

INTRODUCTION

Introduction

This twelfth Annual Report was developed in consultation with authority members. It provides a summary of the main outputs and achievements across the Authority including: Central policy, encompassing strategic development and legislative review; Legislative enforcement; environmental and scientific research, encompassing fisheries stock assessment, marine survey and monitoring, data management, review of marine consents and licensing applications and marine habitat protection; staff training and development; communications and partnership working. The report complements the authority's 2022/2023 annual plan and also provides a summary of progress against the national IFCA success criteria and high level objectives

Background

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

Financial Overview

The authority's total annual budget for the reporting period 2022/2023 was agreed by members during March at £1,337,343. The budget is allocated across four main areas:

Corporate

Expenditure relating to corporate governance.

Headquarter

The cost of management and administrative support.

Operations

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

Grant aided projects

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

See table on Page 10

2021/2022		2022/2023				
Net Expenditure		Expenditure	Income	Net Expenditure	Original Budget	Variance
£406,215	Central / Headquarters	£420,169	£17,194	£402,975	£431,690	-£28,715
£117,755	Land Based Operations	£133,761	£5,964	£127,796	£127,970	-£174
£455,827	Offshore Operations	£857,288	£186,475	£670,812	£532,270	£138,542
£83,765	Environment	£113,125	£11,400	£101,725	£132,510	-£30,785
£0	Grand Aided Projects	£124,715	£155,728	-£31,013	£10,000	-£41,013
£1,063,562		£1,649,057	£376,762	£1,272,295	£1,234,440	£37,855

Income	Sources of Finance	Expenditure	Income	Net Income	Original Budget	Variance
£1,298,390	Annual levy on Local Authorities	£0	£1,337,344	£1,337,344	£1,337,340	£4
£233,961	Contribution from Reserves	£0				
-£243,079	Contribution to/from Capital - Vehicles	£0				
-£112,900	Contribution to Earmarked Reserves	£112,900		-£112,900	-£112,900	
£1,176,372		£112,900	£1,337,344	£1,224,444	£1,224,440	-£4

Net Overspend £37,851

ORGANISATIONAL REVIEW 2022/2023

Main Achievements

- During April 2022, the authority endorsed and fixed an operational budget of £1,377,464 providing a stable and uplifted funding base.
- During 2022/2023, the first field trials for the DEFRA funded ELSI project were completed successfully and the first Early Benthic Phase lobster was caught. The first ever in the UK.
- During October 2022 a new online permit system was launched and permit renewals have been successfully processed with the new system. Work also extended to the commencement of a new pilot online catch reporting system.
- On the 1st of December 2022 the Authority made two new byelaws which will, subject to process replace existing regulations these will enhance the protection of expanding eelgrass habitat in the Humber Estuary and enable the more effective management of potting effort going forward.
- During February 2023 officers successfully completed the recruitment and appointment of two new environmental and scientific officers. All newly appointed staff are progressing positively through their respective probationary programmes.
- During March 2023 the Authority published an Invitation to Economic Operators to build and commission a new replacement main vessel.

CENTRAL POLICY 2023/2024

Central Policy and Strategic Development

Central policy and strategic development is supported by two key internal sub-groups, the Executive Committee and the Science Advisory Group. The Science Advisory Group comprises of MMO appointees and representatives from Natural England, the Environment Agency and the MMO and is responsible for overseeing regulatory review, development and implementation, scientific and survey work, projects and licensing applications and consents. The Executive Committee comprises of elected and appointed MMO members and provides a smaller more focused decision making group to undertake any work delegated by the full authority, including ratifying emergency byelaw provisions and considering appeals against process. These groups work in tandem with recommendations passing through the Executive Committee for final endorsement by the full authority.

Risk Management

The effective management of risk remains a key priority for officers and members of the authority. A formal strategy supporting the identification and management of risk was first agreed and adopted by members of the shadow authority on 25 January 2011. The strategy and its provisions are reviewed on an annual basis to ensure that it remains 'fit-for-purpose'. Alongside the strategy, the identification and management of risk is supported through a number of risk registers covering both strategic and operational risk, including a risk-based enforcement matrix. All risk registers are subject to six-monthly review with updates reported to authority members and posted on the authority's website. During the reporting year, these reviews and updates were completed during March and September 2022.

Emergency IFCA Byelaws

Section 157 of the Marine and Coastal Access Act 2009 provides a mechanism for IFCA's to introduce emergency byelaw regulations to deal with unforeseen issues requiring urgent action. Emergency byelaws are time limited to a maximum period of eighteen months. Since its inception in 2011, the authority has effectively utilised its emergency byelaw making powers on five separate occasions, most recently on 13 August 2019 to ensure continuity of minimum size regulations.

LEGISLATIVE ENFORCEMENT

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

During 2022/2023 officers were still transitioning to more normalised legislative enforcement activities following the easing of restrictions put in place to manage the impacts of the global COVID 19 pandemic. The 2022/2023 enforcement outputs were also impacted by a major engine failure onboard North Eastern Guardian III (NEG III) which significantly limited offshore operational activity between July and December 2022.

Enforcement Outputs 2022/2023

Enforcement Output	Frequency
Vessel Inspections	353
Vessel Observations	1140
Inspection Reports completed	316
Verbal Warnings	13
Written Warnings	0
Offences Reported	9
Formal Cautions	3
Financial Administrative Penalties	1
Formal Prosecutions	2

ENVIRONMENTAL AND SCIENTIFIC RESEARCH

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

Fisheries Stock Assessment work

The majority of species exploited within the NEIFCA district are a component of wider stock units which extend beyond the six mile limit. During 2011/2012 officers proposed and presented multiple indicator frameworks, a combination of specific reference points and proxies for measuring progress towards achieving sustainable fisheries. Alongside and at the request of authority members, officers have incorporated a broader overview, detailing information on gear types, additional species, economic and socio-economic factors. This analytical work is supported, in the main, by a comprehensive stock assessment programme which includes quayside sampling at four main ports including Hartlepool, Whitby, Scarborough and Bridlington and an offshore monitoring programme covering each of the five main ICES areas located within and surrounding the authority's district. During August 2020, officers received notification from the Marine Conservation Society (MCS) that they had upgraded their sustainability score for North Sea dredge caught scallop which continues to be a developing focus. This decision had been taken in recognition of the improvements that the authority had made to the management of the inshore fishery during the last four years.

Marine Licensing and Consents

During the reporting period, authority officers reviewed 19 licensing and consent applications covering a wide range of projects from maintenance and capital dredging to discharge and infrastructure applications. Further consultation was undertaken regarding major infrastructure projects and planned changes to partner statutory agency fisheries management measures.

Shellfish Mortality - Tees & North Yorkshire

Since the shellfish mortality event in October 2021, NEIFCA Officers have been supporting the key agencies (DEFRA, EA, CEFAS & MMO) with sampling and logistics, dissemination of any further wash-up events and reports, liaising between agencies and engaging industry through working groups. Officers organised three successful meetings between the Universities, industry and agencies to promote a better collaboration. Working alongside the affected industry, Officers collected data on lobster and crabs through observer trips and potting surveys from NEGIII between May and August 2022. The results were published together with the assessment of landings data in a stock monitoring report in September 2022. Since then, the assessment of MMO landings data has continued and a report will be published during the second quarter of 2023 assessing any changes in landings for 2022 compared to previous years. A wash-up log was initiated at the start of the shellfish mortality event in October 2021 and officers are continuing to record any wash up events and reports from the industry, public and social media. This log also supported the assessment of the shellfish mortality event by an Independent, expert panel appointed by government in December 2022. The panel reviewed and assessed all available evidence and published its findings in January 2023 concluding that it was highly unlikely that capital dredging works surrounding the Tees

estuary could have caused the mass mortality. Officers are continuing to work with key partner agencies monitoring ongoing trends within the fisheries and the affected industries but it has proved extremely challenging for all those involved.

MARINE PROTECTED AREAS

European Marine Sites (EMS)

The NEIFCA district contains five European Marine Sites (EMSs); Northumbria Coast, Teesmouth and Cleveland Coast, Flamborough Head, Humber Estuary and the Greater Wash. Flamborough Head and the Humber Estuary are each supported by a management group comprising statutory authorities and other relevant bodies and NEIFCA plays an active role in each. NEIFCA workstreams within the EMSs focus on four main areas; active participation in the EMS management schemes and associated projects; the provision of guidance to developers and input into the licensing conditions of development consent orders within and adjacent to EMSs; stock assessments of commercially important finfish and crustacea; and the appropriate assessment and management of fisheries within EMS boundaries through both voluntary and regulatory measures. Significant progress was made during 2019/2020 in reducing risk to designated Marine Protected Area (MPA) features associated with fishing activity. A seasonal netting prohibition in the waters surrounding Flamborough Head and Filey Brigg came into force to protect the largest mainland UK breeding seabird colony; home to 412,000 seabirds. In addition, a trawling permit management system was introduced for the Humber Estuary. Control of trawl effort will help to protect the valuable habitats and species within the estuary, which also acts as vital spawning and nursery grounds for a range of fish species. Regulations to improve fishery data collection have also been approved.

Marine Conservation

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

Data Management

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

EXTERNALLY FUNDED PROJECTS AND INITIATIVES

European Lobster Larval Settlement Index Project

Funded through the Defra UK Seafood Scheme this is a two-year partnership project with the Holderness Fishing Industry Group which is started to in February 2022. The project aims to better understand the distribution and abundance of newly settled post-larval lobster (Early Benthic Phase Lobster) within the NEIFCA district. This information will be key for predictive stock assessment work. For this project, 40 settlement cages were deployed across the district between May and September 2022. At the end of the first survey season all cages were recovered and the first Early Benthic Phase (EBP) lobster was found in one of the cages off Flamborough Head. This is the first time an EBP lobster was captured in the UK using this method. Additional valuable data was collected on the biodiversity of the benthos and seasonal abundance of planktonic lobster larvae. More data will be collected throughout the 2023 season.

STAFF TRAINING AND DEVELOPMENT

A new staffing appraisal system was implemented during November 2021 and has been further developed through 2022/2023. This new system has strengthened the identification of individual training and development needs across all the operational teams. Alongside it, progress against staff training and development needs are now monitored centrally and reviewed on a six monthly basis. Further ongoing work is also supporting leadership and management development across the Authority's senior management team.

COMMUNICATIONS, PUBLIC ENGAGEMENT AND PARTNERSHIP WORKING

NEIFCA Website

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

Tyne to Tees, Shores and Seas - SeaScapes Partnership

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

Yorkshire Marine Nature Partnership

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

Feedback System

During March 2022 NEIFCA agreed a new service level agreement with East Riding of Yorkshire Council for the provision of enhanced support covering both feedback and information governance. This support was utilised extensively during 2022/2023 to assess and respond to a number of Freedom of Information (FOI) requests and two formal complaints which were primarily driven by concerns arising from the 2021 shellfish mortality event.

Partnership Working

During April 2011, the authority signed a number of 'High Level' MOUs with key partner organisations. These endorsed the principles of communication and positive partnership engagement and continue to support positive working relationships. NEIFCA actively engages in the national intelligence gathering project in collaboration with other IFCA's and the MMO, which includes monthly regional tasking and co-ordination meetings. Since the project was first established NEIFCA has captured and shared 656 fisheries intelligence reports. Active operational partnership working took place throughout 2021/2022 including joint enforcement work with both the MMO and EA. During the year the shore operations team continued to support a national project to encourage anglers to recycle discarded fishing line. Despite the impacts of the COVID-19 pandemic active operational partnership working took place on several occasions with both the Marine Management Organisation (MMO) and the Environment Agency (EA) to monitor the setting of illegal fixed nets from the shore and check compliance on the quayside. During 2021/2022 extensive joint working was also undertaken in conjunction with the Gangmasters and Labour Abuse Authority (GLAA), the Borders Agency and local policing and public protection teams in response to an upsurge in the illegal gathering of intertidal shellfish across the Authority's district. This work resulted in the issue of a number of formal sanctions for fisheries offences and led to wider national investigations into Organised Crime Groups engaged in modern day slavery. Very active partnership working also continued through 2022/2023 with colleagues from the MMO, EA, Defra and the Centre for Environment Fisheries and Aquaculture services (CEFAS) in response to the shellfish mortality and 'washup' events which occurred in waters surrounding the Tees and North Yorkshire.

National IFCA Association

A national association was established on 24 March 2011 to represent and support the work of IFCA's. NEIFCA continues to play an active role in this association through the chairman, clerk and chief officer. Throughout 2022/2023 the national IFCA Association has played a key role in supporting the development of new national marine and fisheries legislative frameworks following the UK's formal exit from the EU on 31 December 2020. This work will continue into and beyond the next reporting year and includes the Joint Fisheries Statement and Fisheries Management Plans.

<p>IFCAs are recognised and heard, whilst working in partnership and engaging with stakeholders; IFCAs implement a fair, effective and proportionate enforcement regime;</p> <p>IFCAs use evidence based and appropriate measures to manage the sustainable exploitation of sea fisheries resources and deliver marine environmental protection within their districts;</p> <p>IFCAs have appropriate governance in place and staff are trained and professional;</p> <p>IFCAs make the best use of evidence to deliver their objectives;</p>	<p>NATIONAL IFCA SUCCESS CRITERIA</p> <p>NEIFCA work streams and organisational priorities are geared towards the positive achievement of the national vision: outlined on page 4.</p> <p>To support the positive delivery of the above national vision, IFCAs have agreed a set of national success criteria matched with corresponding working-level objectives. The vision, success criteria and national working objectives are designed to assist in the creation of a shared understanding of the aims and objectives of IFCAs nationally and focus positive service delivery towards achievement of the national vision. These national IFCA performance criteria also link directly to the UK Marine Policy Statement.</p> <p>Focus and Priorities for the Year - Annual Plan 2022/2023</p> <p>Each year authority members agree and set their objectives and priorities for the year ahead which are outlined within the summary work programme contained within the authority's 2022/2023 Annual Plan. The 2022/2023 plan was adopted by members on 30 March 2022.</p>
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NATIONAL IFCA WORKING LEVEL OBJECTIVES

The following tables provide a summary of the authority's progress towards achieving the Success Criteria and supporting Working Level Objectives (WLO) during the 2022/2023 reporting period.

31 March 2023

WORKING LEVEL OBJECTIVE	OUTCOME(S)	PERFORMANCE INDICATOR(S) UPDATE 2021/2022	
The IFCA will maintain and implement an effective communication strategy.	<p>The IFCA will maintain a database of stakeholder contacts that will have been reviewed and updated by 31 March each year.</p> <p>The IFCA will have completed a review of its communication strategy and implementation plan by 31 March each year.</p>	<p>Through its fishing permitting schemes NEIFCA maintains an annual database of some 3,000 individual contacts covering both commercial and recreational fishing.</p> <p>The authority maintains a formal communication strategy which is reviewed annually.</p> <p>Copies of annual plans are sent to the Department for Environment, Food and Rural Affairs (Defra) Secretary of State by 30 April each year.</p>	
The IFCA will maintain its website ensuring public access to current fisheries and conservation information for the district, including management	The IFCA will have reviewed its website by the last working day of each month.	A new Authority website 'went live' during at the beginning of April 2022 and information is updated on a daily basis which includes information on live projects or events occurring	

requirements and byelaws. non-reserved IFCA Committee papers will be published.		<p>within the NEIFCA district.</p> <p>Copies of annual reports are sent to Defra's Secretary of State by 30 November in the year in which they are published.</p>	
The IFCA will contribute to coordinated activity at a national level.	By 31 March each year the IFCA will have participated appropriately, proportionately and at the right level of delegation, in regional and national fisheries and conservation activity identified within the annual plan.	Throughout the reporting year Authority Officers have engaged extensively in a wide range of nationally coordinated work streams including joint training and joint intelligence gathering through the National Association of IFCAs, the National IFCA Chief Officers Group, the National IFCA Technical Advisory Group and the National Inshore Marine Enforcement Group. In addition, throughout 2022/2023 NEIFCA played a full and active role in newly established Regional Fisheries Groups and maintained active engagement and participation in the national fisheries intelligence gathering programme.	
<p>The IFCA and its principle partners will have a clear understanding of the roles and responsibilities.</p> <p>Memoranda of Understanding (MoU) with MMO, Natural England, Environment Agency and Centre for Environment, Fisheries and Aquaculture Services (CEFAS) will be maintained.</p>	The IFCA will have reviewed all of its MoUs by 31 March each year. There will be a clear plan in place to update MoUs where necessary, to an agreed standard.	The National Association of IFCAs supports the regular review of MoUs with partner organisations.	
The IFCA will publish its enforcement risk register and strategy, clearly setting out its approach to achieving regulatory	The IFCA will ensure its enforcement risk register and strategy are published and available on its website from 1 April each year.	The authority publishes a comprehensive annual risk register which covers all aspects of risk including enforcement. The authority publishes details of its enforcement activity within its annual report and provides statistics to the National Association of IFCAs in a standard format.	

compliance and potential sanctions that may be applied for infringements and/or offences.	The IFCA will compile records of enforcement activity in a standard format; provide them to AIFCA for collation and publish them on its website.		
The IFCA will manage operational activity and capture, record, evaluate and disseminate intelligence that is compatible with partner organisations. It is engaged in joint working with partner organisations.	Working to the National Intelligence Model (NIM) and participating actively through Tasking and Coordination Groups (TCGs).	Throughout 2022/2023 Officers have been actively engaged in the joint fisheries intelligence gathering programme, collating, assessing and exchanging intelligence in accordance with NIM principles. This involved active participation in the TCG process including joint TCGs with MMO officers.	
Warranted Inshore Fisheries and Conservation Officers (IFCOs) will be trained and accredited to nationally agreed standards. They will maintain professionalism and make appropriate interventions to deliver efficient, effective enforcement activity.	<p>The IFCA will adopt the national code of conduct for IFCOs which will be reviewed annually and published on its website.</p> <p>Warranted Officers attain accreditation. ALL undertaking continuing professional development.</p>	<p>Authority Officers undergo a wide range of training supported by a twelve month probationary process. That training incorporates an induction, an IFCA residential course and 'on-the-job' training and evaluation.</p> <p>A national code of conduct for IFCA enforcement officers was agreed in 2010 and was adopted by the authority. It is reviewed annually.</p>	
The IFCA will identify issues likely to affect sustainable management of the marine environment in the IFC District; undertake risk assessment and gap analysis; review appropriateness of existing measures; evaluate management	<p>The IFCA will record site-specific management considerations for Marine Protected Areas and report progress to the authority.</p> <p>The IFCA will publish data analysis and evidence supporting</p>	Authority officers have completed extensive site feature/activity interaction risk matrices for all Marine Protected Areas (MPA's), including European Marine Sites (EMS's) and Marine Conservation Zones (MCZ's) occurring within the NEIFCA district. A significant	

options and develop and implement proportionate marine management solutions.	new management measures, on its website management information (e.g. sampling and/ or survey results) will be collected periodically after new management measures have been implemented, to demonstrate the extent of effectiveness of the intervention.	<p>supporting management programme commenced during 2013 prioritised towards high risk activities. This work was advanced during 2019/2020 with the confirmation of two regulations protecting features at Flamborough Head, Filey and the Humber Estuary. On the 1 December 2022 the Authority approved the extension of the protected Eelgrass area at Spurn Point in the Humber Estuary Byelaw</p> <p>The IFCA actively supports implementation of a well managed network of marine protected areas by: developing a range of criteria based management options; implementing management measures to ensure that inshore fisheries activities comply with the Marine and Coastal Access Act 2009 and the revised approach to managing commercial fisheries in European Marine Sites; and that local management contributes to delivery of targets for the Marine Strategy Framework Directive, Water Framework Directive and Marine Plans.</p>	
The IFCA will develop Fisheries Management Plans for priority species where appropriate. Shared objectives will be developed with identified partners; actions identified and best practice reflected	The IFCA will include shared agreed objectives and actions from Fisheries Management Plans in its own Annual Plan, which will be published by 31 March each year.	The sustainable management of key lobster and edible crab stocks was further enhanced during 2019/2020 through measures introduced in the revised Crustacea Conservation byelaw. Protection for soft shelled and berried lobsters will help to bolster spawning stock of this species, while the introduction of a maximum	

<p>so that management makes a contribution to sustainable development.</p> <p>Proportionate regulation (for example introducing a legal mechanism such as a byelaw) is used as a last resort; The effectiveness of interventions to improve the delivery of beneficial outcomes is continuously monitored; and</p> <p>There is a clear IFCA Committee process for dealing with agreed interventions quickly, efficiently and effectively, particularly for emergency byelaws.</p>	<p>Progress made in relevant Fisheries Management Plan areas, including maximum sustainable yield commitments, will be noted in the IFCA's Annual Report.</p>	<p>pot size and reducing the maximum size of vessel permitted to fish within inshore areas are important effort controls that will help to ensure the continued viability of the regionally significant fishery. A new minimum size byelaw, developed in collaboration with a number of other IFCAs, was also introduced, confirmed during February 2021. As was a catch return byelaw aimed at improving data capture to inform future management decisions. On the 1 December 2022 the Authority made a new flexible shellfish byelaw subject To approval by the MMO and DEFRA. This new byelaw will introduce a limitation on number of pots and available permits.</p> <p>A new Fisheries Management Plan has been adopted to support the inshore scallop dredging fishery. The plan has been informed by a four year pilot trial which commenced following the introduction of emergency control measures at the beginning of 2015. The plan describes the state of the stocks and the fishery derived from research undertaken by the authority, it outlines current national and local management policy and objectives, and highlights the conservation and fishery management measures in place to ensure a sustainable fishery. The plan will guide development of the dredge fishery, balancing the needs of different stakeholders.</p>	
<p>The IFCA will demonstrate its long-term strategic approach to sustainable marine management by having appropriate</p>	<p>The IFCA will publish a plan on its website by 31 March, setting out the main objectives and priorities for the next financial</p>	<p>The authority has produced an Annual Plan and Annual Report since 2010. The 2022/2023 plan was considered and endorsed by the committee on</p>	

<p>plan-making, review, update and amendment procedures in place. The IFCA will record its performance against corporate outcomes and indicators as soon as practically possible following the end of the financial year.</p> <p>Staff performance management systems will be in place that link to the IFCA success criteria. There will be an induction procedure for new joiners. Staff training and development needs will be identified. Performance will be managed and where necessary, improvement procedures will be followed.</p>	<p>year. A copy will be sent to the Secretary of State.</p> <p>After the end of each financial year, the IFCA will publish a report on its website describing its activities, performance and a summary of audited financial information in that year by 30 November. A copy will be sent to the Secretary of State.</p> <p>IFCA staff will have annual performance management plans in place. Annual appraisals for all staff will have been completed by 31 May each year.</p>	<p>30 March 2022 and submitted to the Secretary of State. The Annual Report covering the 2021/2022 period was submitted to the Secretary of State during August 2022.</p> <p>A new staffing appraisal system commenced during November 2022 which incorporated performance related pay progression. This system enables a bespoke annual training plan to be set to meet individual staff needs underpinned by personal set of work objectives for the year ahead. All staffing appraisals were completed by 1 April 2023.</p>	
<p>The IFCA committee will be supported by an organised, efficient and effective secretariat. New members will receive an induction pack and briefing from the authority.</p> <p>There will be a rolling twelve month schedule of quarterly authority meetings. Notices of meetings and documentation will be made available in line with standing orders.</p> <p>IFCA committee meetings will</p>	<p>An efficient secretariat of IFCA staff support IFCA authority meetings which are held quarterly and are quorate. Meeting documentation will meet standing orders.</p>	<p>During 2022/2023 the Authority maintained a system of 'hybrid' meetings providing for attendance in person combined with virtual engagement to conduct its business. Agendas, supporting papers and minutes were published in accordance with the authority's standing orders and posted on the authority's website.</p>	

<p>be held in public unless material is either confidential or exempt within the meaning of the Local Government Act 1972.</p> <p>A strategic research plan that contributes to greater understanding of the marine environment and delivery of cost-effective management of sea fisheries resources.</p>	<p>The IFCA will demonstrate progress that has made towards identifying its evidence needs by publishing a research plan each year</p>	<p>The authority incorporates its research planning and delivery into both its overarching annual plan and annual report. These are produced in consultation with members and in accordance with statutory procedures. These annual planning and reporting processes are underpinned by an annual research work programme and a five year strategic plan.</p>	
<p>Standard operating procedures describe how data is captured and shared with principal partners.</p>	<p>The IFCA's contribution to Technical Advisory Group (TAG) and progress that it has made towards a national evidence needs programme will be recorded in the IFCA's annual report.</p>	<p>The authority's environmental and scientific leads are fully engaged with other IFCA colleagues through the national IFCA Technical Advisory Group. Through this group, the authority's officers have developed and implemented standard operating practices across most of its work streams.</p>	
<p>Non-confidential meta-data collected through the IFCA research programme should be recorded in a database available to the marine research community.</p>	<p>Non-confidential data is shared reducing the need for duplication of survey effort.</p>	<p>Authority officers share non-confidential meta data through MEDIN and 'one drive' and improving internal data sharing within the authority's membership remains an ongoing workstream.</p>	

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
8 June 2023

Reimbursement of expenses and allowances for General Members of the Authority

Report by the Clerk

A. Purpose of Report

To consider options supporting the reimbursement of expenses and allowances for general members attending Authority meetings.

B. Recommendation

That Members approve the continuing reimbursement of subsistence and travel expenses, paid in accordance with the current Defra approved rates outlined at paragraph 1.4 below.

1. Background

- 1.1 Member expenses and allowances were first considered at the inaugural Authority meeting held on 26 October 2010 where members agreed that only receipted travel and subsistence claims resulting from attendance at meetings would be reimbursed (minute 11 refers). The last review of member expenses and allowances was undertaken on 9 March 2017 when members agreed to maintain the status quo (minute 8 refers). At a meeting of the Executive Committee held on 31 March 2023 the reimbursement of general member expenses and allowances was raised and discussed and the Chief Officer agreed to undertake a review of arrangements in place within other IFCA's (minute 59 refers).
- 1.2 Section 15 of SI 2010 No 2193 'The North Eastern Inshore Fisheries and Conservation Order' 2010 provides for the reimbursement of member expenses and allowances incurred in connection with attending a meeting of the Authority or otherwise carrying out the functions of the Authority. The legislation states that an IFCA may pay its members such allowances as it may determine including those in respect of loss of earnings for general members, resulting from attendance at a meeting, who are not employees of the MMO. The legislation also requires that the Authority must determine, before the beginning of each financial year, the circumstances in which a member is eligible for reimbursement of expenses incurred in that year or the receipt of an allowance in respect of that year.
- 1.3 In terms of provisions in place across the other IFCAs, Cornwall currently pays a small 'special responsibilities allowance' to its Chair and Vice Chair and a carers allowance for the day, if circumstances apply and Devon and Severn, offers a small financial loss payment to its general members of £50 for up to 4 hours and £100 exceeding 4 hours but not more than 24 hours, resulting from attendance at meetings. Across the remaining IFCAs, only receipted expenses resulting from attendance at meetings are reimbursed to general members which is in line with current NEIFCA policy. Whilst the payment of a small attendance allowance to general members might attract more applicants to join NEIFCA and encourage more regular attendance amongst general members, there is currently no budget provision set aside for such.

- 1.4 Since 2010, reimbursement of expenditure resulting from attendance at meetings, following submission of a signed receipted claim form, has been paid in line with Defra guidance as follows:-

Subsistence: cost to cover daytime meals necessarily incurred when working away from normal workplace (including snacks, soft drinks and beverages, but not alcohol):

- Over 4 hours up to £5 (one meal)
- Over 10 hours up to £10 (two meals)
- Over 12 hours up to £15 (three meals)
- Over 24 hours up to £20

- 1.4.1 Travel: Rail – cost of standard class rail travel.
Car – standard mileage rates: up to 10,000 miles – 45p mile;
over 10,000 miles – 25p mile.

- 1.5 It is therefore recommended that members endorse the continuation of the present scheme of reimbursing receipted claims resulting from attendance at NEIFCA meetings paid in line with current Defra guidance.

Contact Officer

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Background Papers

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
08 June 2023

Science Advisory Group Update

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

1. Purpose of Report

To update members on the most recent proceedings of the Science Advisory Group (SAG) following meetings held on 9 March and 31 May 2023.

B. Recommendation

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

1. Background

1.1 Since the last Authority meeting held on 2 December 2022, two meetings of the SAG were held on 9 March and 31 May 2023 and is summarised below.

1.2 9 March 2023

At the meeting members considered the following items:

- Tees and North Yorkshire shellfish mortality
- European lobster settlement index project
- Annual Research Plan 2022/2023

1.2.1 *Tees and North Yorkshire shellfish mortality*

Environmental & Scientific Manager Ralf Bublitz delivered an overview to members on the current situation with the Shellfish Mortality Incident in the Tees area and an update on the status of the new report.

The purpose of the second stock monitoring report is to review trends in landings data for crab and lobster across six ports, five of which have reported their catch and landings to have been impacted by the events of mass crustacea mortalities in 2021 (Hartlepool, Redcar, Staithes, Whitby, Scarborough) and assessing the largest unaffected port

(Bridlington). This second report also aims to better assess trends in landings of crab and lobster by inshore vessels, through comparison of various data sources.

Members discussed the pitfalls and critiques of the first report and how crucial feedback on the second report is.

Environmental & Scientific Officer Samira Anand, gave a presentation on the data involved in producing the new report. Landings data from iFish2 and under10 Catch App provided by the Marine Management Organisation and Monthly Shellfish Activity Returns (MSARs) from NEIFCA records were interrogated to assess deviation in annual and monthly landings across a timeseries. The main issue from the first report was pooling the data, with difficulties separating the inshore and offshore fleet. Using IFCO knowledge, a set of sentinel vessels was created to analyse data with the knowledge they were purely inshore fleet.

Members were informed of and discussed the discrepancies with the data provided and the impact that has had on producing the second report.

Environmental & Scientific Officer Samira Anand presented the draft report in full to members. Members discussed the difficulties with the data reporting being very fragmented and if there would be any possibility of adding 'inshore or offshore' onto the MMO catch app as a selection. Members were given a brief overview of NEIFCA's new online catch return system, which removes the problem of mis-reporting as seen on the MMO catch app, as there is an interactive map rather than a free text box.

Members discussed one of the points in the Fisheries Managements Plans is to harmonise data gathered. Chief Officer David McCandless gave a brief history on the historic reporting of catch returns, with the MMO app taking precedence in recent years and the change to electronic reporting means that any paper trails have been lost. Members asked what the barriers would be to industry taking on the new NEIFCA catch return system. It was agreed the biggest obstacle has been the duplication of effort with the different reporting methods. Environmental & Scientific Manager Ralf Bublitz explained that the new system will have the function to generate data for the user in the form of graphs etc which may offer some incentive for industry members to use it.

Members discussed the report. Members commented on making some of the content easier to review, with a conclusion which is less scientific and more focused, with less room for selecting small pieces of the report. Is NEIFCA able to demonstrate vessels moving around the area? Environmental & Scientific Manager Ralf Bublitz advised that yes this would be an option in the future using IVMS. Members also discussed the possibility of changing effort having an impact on landings data. Data for effort is unreliable due to reporting issues, members advised to add this finding to the conclusion of the report. Some members discussed whether the report could include some crude analysis of effort based on landings or days fished.

Members commented about the title of the report, having reviewed the contents it would be advisable to stay away from the words 'stock monitoring' as the data used is based more on catch and landings.

Members advised to add into the report that NEIFCA's own survey vessel has been out of action for a significant period which has had an impact on potting surveys.

Discussions were held about the need to add data from the nearest districts i.e Northumberland and Eastern, to give context to the findings in the report, Environmental & Scientific Manager Ralf Bublitz will look into access to this data.

Members discussed a plan for distributing the report when finished. Would a less scientific related press release with just the conclusion be more beneficial, maybe with some visual graphics. Possibly a more pro active way of releasing it, with meetings to explain the report? Communication with the industry about the findings is key. Trying to be more solutions focused rather than just reactive, with possibly admitting the flaws and being clear about the work NEIFCA are still undertaking. More direction on the roles of each of the agencies would be a good idea. Comms support may be necessary to facilitate this.

Environmental & Scientific Manager Ralf Bublitz and Environmental & Scientific Officer Samira Anand to add their academic titles to the report.

Discussions were held on what NEIFCA could do to be more pro active if any further wash ups occur. Could CEFAS provide training on initial testing of any symptomatic shellfish? The problem has previously occurred with live shellfish being needed by CEFAS, but with the logistics of the lab being on the South Coast, this is almost impossible. Environmental & Scientific Manager Ralf Bublitz advised that the set up for testing at CEFAS is complex and would unlikely be suitable to use on site but would look in to this further with the HFIG lab possibly being available to utilise. Members discussed the approach of NEIFCA going forward with the strategy being to continue to monitor and respond to any events. To maintain observer trips and keyside sampling, and to take direction from the lead authorities in the investigation. Discussions have been held with CEFAS recently in which they have indicated the investigation into the cause is still very much open. Members were assured that inter-agency collaboration has definitely improved since the beginning of the incident, which would make a more co-ordinated response in the event of any future incidents.

Members questioned which agency was lead on analysing environmental impacts of the event. Environmental & Scientific Manager Ralf Bublitz explained that work will be undertaken by CEFAS as part of their One Health initiative which NEIFCA will play a supporting role. There is also scope for some student projects looking into specific factors. It was noted that NEIFCA needs to ensure it is not taking on the roles of other agencies.

Final report will be sent to SAG members for approval before publication.

1.2.2 *Annual Research Plan 2022/2023*

Environmental & Scientific Manager Ralf Bublitz presented the draft annual research plan for 2023/24.

Three new workstreams have been added to the plan, a monthly meat yield survey for Scallops, observer trips on permitted potting vessels during the season and video transects in the Teesmouth area.

Two new Environmental & Scientific Officers will be joining the team in the coming months, with the hope that this will help with the high priority workstreams.

Scallop dredging data was discussed as a very high priority to enable a review of the byelaw, with the possibility to use students to help with analysis.

Members discussed citizen science and the ways in which NEIFCA could work collaboratively with members of the public and industry.

The need for a new drone was also discussed as a way to actively record wash ups.

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

1.2.3 *European lobster settlement index project*

Environmental & Scientific Officer Samira Anand presented an update to members on the ELSI project, currently going into the second year. Members discussed options for inspecting the cages, weathering the cages and the differences in strategy and lessons learned from year one. Biological samples are currently being analysed using a student in the HFIG lab. Funding for the project from DEFRA is for 2 years, but the equipment is purchased in the hopes that NEIFCA can continue with the project going forward.

1.3 **31 May 2023**

At the meeting members considered the following items:

- Tees and North Yorkshire landings assessment report
- Scallop monitoring report

Contact Officer

David McCandless,
Chief Officer,
Ext. 3690

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
8 June 2023

Tees and North Yorkshire Shellfish Mortality - Update

Report by the Chief Officer

A. Purpose of Report

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

B. Recommendation

1. That Members note the report.

1. Background

Within the last update on the Tees and North Yorkshire shellfish mortality event, provided to the Authority on the 1 December 2023, members were advised that Defra had commissioned the establishment of an independent panel of experts to review and assess all research and investigatory work conducted to date. The findings of that panel were published on 17 January 2023 and circulated to members on 23 January 2023. The report concluded that a novel pathogen was the most likely cause of the event with other factors such as sediment dredging/pyridine contamination and an algal bloom, deemed very unlikely to have caused the observed mortalities in crabs and lobsters. The publication of the report drew a series of correspondence exchanges from the Chair of the Environmental Food and Rural Affairs (EFRA) Committee and the North East Fishing Collective to the Secretary of State and the Chair of NEIFCA. The Secretary of State provided a formal response to the Chair of the EFRA Committee on 7 February 2023. Within her response the Secretary of State referenced the first NEIFCA stock assessment report published in September 2022. Following the publication of the Secretary of States letter a significant proportion of blame was directed at NEIFCA for the lack of provision of any compensatory support for the affected fishermen culminating in a formal letter of complaint received from the North East Fishing Collective (NEFC) on 23 February 2023. A response from the NEIFCA Chair to this letter of complaint was sent to the NEFC on 24 March 2023.

Since the first NEIFCA stock assessment report was published in September 2022 the Environmental and Scientific team have been working very hard on a follow up report in

consultation with the Marine Management Organisation with further guidance provided by the Science Advisory Group at meetings held on 9 March and 31 May 2023. A final draft of the report has now been prepared and will be published at the beginning of June 2023. On 31 March Dr Ralf Bublitz and myself provided evidence to a combined local authority scrutiny group led by Redcar and Cleveland Borough Council. That evidence included some provisional findings from the second report. Dr Ralf Bublitz further attended a multi-agency meeting with fishing industry representatives, organised and chaired by the MMO on 26 April 2023.

Since March 2023 some minor wash ups and reports of such, have continued, particularly surrounding Redcar and Saltburn comprising of mussel, razor clam, starfish, lobster and crab. In general, these have been relatively limited and attributed primarily to the persistent run of onshore winds with the exception of a more substantive event which occurred around 28 April 2023 necessitating a multi-agency response which included CEFAS, the EA and MMO, coordinated by the NEIFCA environmental team. NEIFCA officers are continuing to closely record and monitor all such events and a well defined and rehearsed response plan is in place. Alongside that officers are continuing to enhance the monitoring of catch and landing trends in crab and lobster throughout the NEIFCA district with any associated issues reported directly to the MMO and Defra via a long-established intelligence system. Recently observed drops in nephrop catches have raised ongoing concerns although the traditional fishing season for nephrops is now coming to an end. In terms of the impacts of the 2021 mortality event on crab and lobster potting, inshore fishers at Hartlepool and Redcar have been the most affected.

It is proposed that further updates relating to this matter will be provided to Authority members via the Chief Officer's operational report and the Science Advisory Group update report. If any further significant issues of note arise within the NEIFCA district, such as those which occurred around the Tees and North Yorkshire coast in October 2021, regular electronic updates will be circulated to members and the matter will be included within the agenda of future meetings.

Contact Officer

David McCandless,
Chief Officer,
Ext. 3690

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
08 June 2023

Management of Permitted Intertidal & Sub-tidal Fixed Net Fisheries 2023/2024

Report by the Chief Officer.

A. Purpose of Report

To update members on the planned process and timelines for opening the Holderness Coast permitted intertidal and sub-tidal fixed net fisheries on 1 October 2023.

B. Recommendation

1. That Members note the report.

1. Background

- 1.1 Following the introduction of new national fisheries legislation during 2021, namely, 'The Sea Fisheries (Amendment etc) Regulations 2021', which currently permits unavoidable by-catches of seabass to be retained by 5 shore operators within the NEIFCA district, the intertidal and sub-tidal fisheries were re-opened on 1 October 2022 although fishermen were requested to comply with a voluntary code of conduct to only work 1 section of net rather than the 3 permitted under the current NEIFCA byelaw regulation. This arrangement was established to reduce legislative conflict with the national SI. To compensate intertidal fishermen a discretionary discounted rate was applied to the associated permit fee. The national legislative framework is not expected to change through 2023/2024 so officers are planning now for the re-opening of both the permitted intertidal and sub-tidal fixed net fisheries from 1 October 2023. If there are any unforeseen changes to the existing legislative framework officers will consult with members prior to taking any further action.
- 1.2 It is proposed that applications for both intertidal and sub-tidal permits are opened on 12 June 2023 with a provisional closing date of 28 July 2023. All applicants will be notified in writing on the outcome of their applications by 18 August 2023 and unsuccessful applicants will be offered the right of appeal which will close on 28 August 2023. Any appeals will be considered by the Executive Committee on 14 September 2023. Following consideration of appeals the final allocation of permits will be confirmed in writing under the terms of the byelaw regulation and the permits will then be issued following receipt of the requested permit fee in advance of the commencement of the fisheries on 1 October 2023. A draft procedure outlining the application and allocation process is attached for members information.

Contact Officer

David McCandless, Chief Officer
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Procedure for NEIFCA Area C Fixed Netting Permit Allocation

Issue Date – 08 June 2023

Review Date – June 2024

Contact Officer – David McCandless (Permit Allocation Officer)

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



1. Permit Applications

- 1.1 Applicants can only apply for one type of permit, intertidal or sub-tidal, not both.
- 1.2 **Applications must be received by the Authority by the 28 July 2023.** Applications will only be accepted after the closing date if vacancies remain following initial allocation.
- 1.3 Vacancies for permits will be advertised on the NEIFCA website (www.neifca.gov.uk) subject to NEIFCA discretion.

2. Permit Allocation Process

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

Phase 1 Criteria (Listed in order of Priority)

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

Phase 2 Criteria

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

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

- B) Should there be fewer applicants than the 5 available permits who meet the Phase 1 criteria, then the permit allocation officer will need to make a formal assessment of the available evidence supplied for Phase 1 Criteria from the remaining applicants, based on the following information:
- 1) Track record – What evidence has been supplied to support a track record for catching fish using fixed nets. Over what time period is this available and how much fish can be demonstrated to have been caught?
 - a. The permit allocation officer shall allocate a permit to those applicants who meet Phase 1 criteria (subject to Phase 2 assessment if required)
 - b. The permit allocation officer shall make a list of all unsuccessful applicants; these applicants will be held on the relevant waiting list for the permit applied for. The position of each applicant on this waiting list will be subject to annual review and submission of completed applications forms and evidence. Should any permit become available during the course of the permit year the permit will be allocated to the applicant at the top of this waiting list. The position of each applicant on the waiting list will be determined by their application form and Phase 1 and 2 Criteria.
 - c. Each applicant will be required to submit an annual application form with supporting evidence as per section 1 ‘Permit Applications’.
 - d. **All applicants successful or otherwise will be notified by Friday 18 August 2023.**

3 Right of Appeal

- 3.1 **Any decision by the permit allocation officer that an applicant is not entitled to a permit should be sent together with notification of the right of appeal by Friday 18 August 2023.**
- 3.2 Included within the right of appeal should be information used to assess the application by the permit allocation officer summarising the reason why the applicant was not successful as well as a copy of the Appeal Procedure.

4 Appeal Procedure

- 4.1 The Appeal panel will consist of the members of the NEIFCA Executive Committee.
- 4.2 Appeals must be addressed to NEIFCA Executive ‘Fixed Net Permit Appeal’, Town Hall, Quay Road, Bridlington, YO16 4LP.

- 4.3 **All Appeals must be submitted in writing by Monday 28 August 2023** and will be considered by the Executive Committee meeting provisionally scheduled for 14 September 2023.
- 4.4 The permit allocation officer must satisfy the NEIFCA Executive Committee that the correct application procedure has been followed and that the unsuccessful applicant (appellant) has been provided with all relevant information used to assess their application.
- 4.5 Based on the information supplied by the permit allocation officer and the applicant in writing the NEIFCA Executive Committee will make a decision.
- 4.6 Immediately after the hearing the NEIFCA Executive Committee will provide the permit allocation officer with their decision. The officer will notify the appellant within 7 working days of this decision together with details of how this decision was reached.
- 4.7 The decision of the NEIFCA Executive Committee is final.

5 Further Conditions of Permit Allocation

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

Any breaches, either of the Code of Practice and or such additional criteria or stipulation set, could render the permit holder liable to prosecution by the ERYC and their permission to fish in the inter-tidal zone revoked.

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
8 June 2023

Chief Officer's Operational Update

Report of the Chief Officer

A. Purpose of Report

To provide members with an operational report covering the period 1 December 2022 to 31 April 2023.

B. Recommendation

That Members note the report.

1. Overview

1.1 NEIFCA

Major Engine Failure North Eastern Guardian III

Following the major engine failure which occurred at the end of July 2022 and further to the update provided to members at the meeting on 1 December 2022, I can report that the main engine re-installation was completed at the beginning of November 2022 with preliminary sea trials commencing shortly afterwards. Thankfully things have continued to progress in a positive vein and the main vessel is now fully operational with no major issues reported to date. On 25 April 2023 formal notification was received from the Authority's insurers that a settlement figure of £162K had been offered against a final claim of £171K which represented an extremely positive outcome for NEIFCA. I would like to thank all the officers involved for the time, effort and commitment that they have collectively put into managing this issue from the Deputy Chief Officer, Ian Davies, who led the response and delivery throughout. The First Engineer, Peter Stevenson, who oversaw the removal, strip down, repair and commissioning process through to the Operational Support Manager, Sarah Murray who managed the associated administration and communications with the Authority's insurers.

Main Vessel Replacement Project Update

Following the special meeting of the Executive Committee held on the 23 January 2023 where members supported the commencement of a formal tender process to establish the cost of building and commissioning a new vessel, the Deputy Chief Officer and project

lead, oversaw the finalisation of all the supporting procurement documentation. The Invitation to Tender was published on 9 February 2023 with a provisional deadline of 31 March 2023 set for receipt of bids. This deadline was subsequently extended to 6 April 2023. Following receipt of tenders formal evaluation was completed on 20 April 2023 by a technical evaluation group comprising of the NEIFCA Treasurer, the East Riding of Yorkshire Council procurement support lead, NEIFCA Chief and Deputy Chief Officers and the NEIFCA Operational Support Manager and a preferred bidder was identified through the competitive process. The outcome of the tender process will now be formally evaluated by the NEIFCA Executive Committee on 20 June 2023 with a recommendation, from that evaluation, presented to the Authority on 30 June 2023 for final decision. Parallel processes are also taking place within East Riding of Yorkshire Council (ERYC), who are leading on the financing provisions associated with the project and the Department of the Environment Food and Rural Affairs (Defra) who are providing external capital funding support.

1.2 **National**

IFCA Conduct & Operation Review

Section 183 of the Marine and Coastal Access Act 2009 places a duty on the Secretary of State to lay a report before Parliament on the conduct and operation of IFCAs. This report must be carried out every four years and is scheduled for this year, 2022. This will be the third time that IFCAs have been subject to statutory review since inception during 2010. The supporting process comprises of three main components. The first stage, involving the submission of a self-assessment from each IFCA Chief Officer has now been completed. The second stage involving consultancy led consultation at key port locations throughout each IFCA district has also been completed and the third stage, an electronic questionnaire process across IFCA members and Local Authority representatives, has yet to commence. The work is approximately two to three months behind schedule with a report now expected sometime before the end of the 2023 calendar year.

Fisheries Management plans

The development of Fisheries Management Plans (FMPs) is a key component of the 2020 Fisheries Act to inform future fisheries management policy delivery across a range of exploited stocks in the UK. The first tranche of priority plans are nearing completion prior to the commencement of wider stakeholder consultation and these include king scallop, crab and lobster and sea bass. The approach to the development of the plans has been 'bottom up' with first direction provided by the fishing industry. The Seafish Industry Authority has led and supported much of the consultative phases to date. NEIFCA officers have been very actively involved in the crab and lobster and king scallop FMP events occurring within the Authority's District. At this particular stage in the process IFCA comment has been provided via the National Association but regional specific comment will form an important part of the formal consultative process as the programme progresses. Further guidance and support will be provided through the Science Advisory Group.

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

- Approvals completed to support the commencement of the build and commission of a new replacement vessel.
- Preparation and marketing of North Eastern Guardian III

- Move new shellfish management provisions, including effort limitation and revised measures on the Humber Estuary into the formal consultative phase.
- Support the continued monitoring of stocks and catches across the NEIFCA district.
- Further implementation of the new fisheries database including the capture of electronic catch and effort returns.

1.3 Summary of meetings and events attended

Defra post-investigation catch up	10 th January 2023
IFCA Chief Officer's group	11 th January 2023
Defra 'Teach in' meeting on crustaceans	16 th January 2023
CEO interview panel North Western IFCA	30 th January 2023
North East Coastal Network 'follow up' meeting	31 st January 2023
NEIFCA annual staffing appraisals	6 th to 10 th February 2023
Defra MAFCO meeting	15 th February 2023
Defra post-investigation catch up	21 st February 2023
Interviews temporary Environmental & Scientific Officer	24 th February 2023
Holderness Fishing Industry Group meeting	27 th February 2023
NEIFCA annual staffing appraisals	28 th February 2023
NEIFCA/MMO monthly TCG	1 st March 2023
NEIFCA annual staffing appraisals	3 rd March 2023
National Association of IFCAs Forum meeting	7 th March 2023
NEIFCA Science Advisory Group meeting	9 th March 2023
NEIFCA MMO operational meeting	10 th March 2023
IFCA Chief Officer Group meeting	16 th March 2023
NEIFCA Senior Management Team meeting	21 st March 2023
NEIFCA general staffing meeting	22 nd March 2023
NEIFCA Dogger Bank Windfarm meeting	23 rd March 2023
National Association of IFCA's Directors meeting	27 th March 2023

NEIFCA Executive Committee meeting	30 th March 2023
LA Collective Shellfish Mortality Group, Redcar	31 st March 2023
IFCA Chief Officer's Group meeting	12 th April 2023
Replacement vessel project tender evaluation	13 th April 2023
Replacement vessel project tender evaluation	20 th April 2023
NEIFCA EDI training	21 st April 2023
IFCA MMO Strategic Operations Group	25 th April 2023
NEIFCA/MMO monthly TCG	3 rd May 2023
Replacement vessel project work group	9 th May 2023
North East Regional Fisheries Group IVb	9 th May 2023
IFCA Chief Officer's Group meeting	17 th May 2023
IFCA/DEFRA MAFCO meeting	24 th May 2023
NEIFCA SAG meeting	31 st May 2023

2.0 **NEIFCA Operational Reports**

2.1 **Land-based Work streams**

2.1.1 *December 2022 to April 2023*

Land-based Enforcement Work

As weather conditions began to deteriorate across the winter months fishing vessels were working longer days and capitalising on the calm weather days before strong winds and heavy swells made it not possible for vessels to proceed to sea across the NEIFCA district.

The shore enforcement team maintained an intensive schedule of patrols and inspections on land in the NEIFCA district. During the reporting period the shore based enforcement team have noticed an ongoing problem developing within the NEIFCA relating to the illegal removal of eggs from lobsters to circumnavigate national legislation and gain financially from the fishery. The Shore based enforcement team have had to combat this with more in-depth inspections at the point of landing and thorough vessel inspections offshore. Lobster prices have held a strong price for the start of the reporting period with prices fetching between £20 and £25 a kilo with prices only falling to £14 to £16 a kilo by the beginning of May. The shore enforcement team have noticed a small number of vessels trying to capitalise on the high shellfish prices by attempting to land lobsters a couple of millimetres below the MCRS of 87mm.

The shore enforcement team have maintained a strong presence around Hartlepool, Redcar, Marske, Saltburn in support of the Authority's ongoing response to the mass shellfish mortalities which centred around those areas. This work has included gathering data and information when events have occurred and mobilising other agencies such as the MMO, CEFAS to assist in associated investigations.

A small contingent of vessels have targeted fish species, mainly cod, using long lines throughout the winter months but as the summer months approached some commercial fishermen have attempted to bottom trawl for other fish species such as monk fish, turbot and soles, this activity was mainly observed in the Whitby & Hartlepool areas of NEIFCA'S district

A small number of nomadic scallop vessels remained fishing outside the NEIFCA district fishing in the areas of Scarborough to Flamborough Head during the months from December to April with very good returns. The majority of these vessels have landed into the ports of Scarborough, Whitby, Hartlepool. Throughout the period Officers engaged with these vessels making operators aware of the associated legislation.

Throughout the reporting period Officers have actively patrolled the Holderness coast from Fraisthorpe down to Tunstall where 5 intertidal nets are permitted by NEIFCA.

While out on patrol officers have engaged with recreational anglers throughout the district and also attended the European Open Fishing match which took place at the beginning of March 2023 along the East Yorkshire Coast. Officers handed out useful educational leaflets notifying Anglers of any species or bag limits that maybe subject to legislation within NEIFCA District

Shore Officers have continued full engagement with the joint Intelligence gathering programme coordinated by the MMO, 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 within NEIFCA's district

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

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

Offences Reported - Verbal Warning / Offence Reported		
Month	Infringement	Location
January	The landing of 1 V-Notched Lobster & 1 lobster with a mutilated tail	Whitby
	2 Lobsters with Mutilated tails	Sunderland
February	Scallop Vessel Transiting NEIFCA District with no AIS	Scarborough
	The landing of 2 Egg Bearing Lobsters	South Gare
April	The Landing of 1 Egg Bearing Lobster	Bridlington
	The Landing of 1 Egg Bearing Lobster and 1 Lobster with a Mutilated Tail	Bridlington
	The Landing of 11 Soft Shelled Lobsters, 1 Lobster under the MCRS of 87mm 3 Lobsters with Mutilated Tails, 2 Female Egg Bearing Lobsters	Bridlington

Outreach and Joint Working

Enforcement Officers work alongside a number of organisations and agencies on a regular basis and it is important that links with these groups are maintained on a regular basis. During the reporting period NEIFCA Officers conducted joint patrols with the following organisations:

- The Marine Management Organisation,
- Maritime Coastguard Agency
- The Environment Agency
- Tees Harbour Police
- Northumbria Marine Police
- Gang Master & Labour Abuse Authority
- Centre for Environment, Fisheries, and Aquaculture Science CEFAS

2.2 Offshore Work streams – Monthly Activity Summary

December

The weather throughout the month was very poor with snow and ice more prevalent than previous recent winters.

Two offshore patrols were completed by North Eastern Guardian III (NEG III) and five patrols by Protector III, these were mainly focused on the scallop dredging enforcement. All three permitted scallopers participated in the fishery.

When not at sea the offshore team supported the shore team, with beach patrols, particularly surrounding the Tees Estuary which experienced the worst of the shellfish mortality and wash up events. Temperatures were such, that on the 16 December 2022 the swing bridge in Whitby was stuck, frozen in the open position.

In terms of onboard maintenance a CAT engineer attended NEG III to fit a new raw water pump on the starboard engine as part of the engine replacement programme.

When weather allowed potting vessels were operating from most ports within the district as prices on average were as high as £26 per kilo for lobsters.

January

During January the poor weather continued with ice and snow with the offshore team supporting the shore operations team when practicable.

Scallop survey equipment was prepared and placed on NEG III.

Limited amount of prawn trawling were observed from Hartlepool with reports from some Skippers indicating that it was the worst season in some years citing the Tees Bay dredging situation as the primary cause.

When weather permitted potting vessels continued to fish reporting lobster prices of up to £26 per kilo after the seasonal Christmas high.

February

During bad weather potting equipment was brought up from the Carnaby depot to the Whitby Business Park depot for mending in preparation for the commencement of the 2023 survey season. This included splicing eyes on each pot leg as part of an effort to improve the safe working of pots from NEG III.

During February NEG III completed scallop dredging survey work and also supported the collection of seawater samples from the North Yorkshire coast on behalf of the Environment Agency.

In terms of offshore enforcement work NEG III focused on monitoring the developing seasonal nomadic scallop dredge fishery from the limits of the Authority's district. Continuing joint patrols with shore team were also undertaken.

During February vessel operators continued to report low prawn catches from the Tees area.

Lobster prices south of Whitby still held at £26 per Kilo.

March

During early March NEIFCA officers met to discuss the reports coming from the Hartlepool based prawn fleet and in partnership with CEFAS officers went to sea onboard one of the vessels from the local prawn fleet. This trip was undertaken on the 21 March 2023 and a reasonable prawn catch was sampled from the participating vessel.

Survey gear supporting the second year of the European Lobster Settlement Industry (ELSI) project cages was prepared for the commencement of the 2023 survey programme. A large fleet of approximately 30 prawn trawlers were observed working between Sunderland and the Tyne.

A nomadic scallop dredger was challenged East of Robin Hoods bay, in regard to no visible AIS whilst working close to the 6nm. This was quickly resolved

Fourteen nomadic scallop dredgers were regularly observed transiting and landing catches into the Neifca district.

During March average lobster prices south of Whitby remained at £24 per Kilo.

April

At the beginning of April NEG III conducted scallop surveys within the two designated areas but work in the Southern box was significantly hampered by the numbers of pots set within the area.

Average lobster prices still remained good, averaging, £23 per Kilo at Whitby

ENFORCEMENT & COMPLIANCE SUMMARY

North Eastern Guardian III

Number of Patrols:	29
Nautical miles covered:	1834.9
Fishing Vessel Inspections:	195

Protector III

Number of Patrols:	17
Nautical miles covered:	925.84
Fishing Vessel Inspections:	71

Bravo I

Number of Patrols	5
Nautical miles covered:	184.5
Fishing Vessel Inspections:	23

2.3 Environmental/Science Work streams

2.3.1 Consents and Licensing

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

Applications relating to marine developments can be numerous and each one is considered both independently and cumulatively with any other neighbouring activities. Authority Officers also often play an active role in working groups established for the monitoring and surveillance of developments. The following applications were reviewed between December 2022 and April 2023

Reference	Date responded
South Bank Dredging Variation 2	20/12/2022
Kelping the Sea	03/01/2023
South Tees Seagrass Project	03/01/2023
SOFIA windfarm	08/03/2023
Immingham Boreholes	10/05/2023

2.3.2 ELSI project update

Between December 2022 and April 2023, all biological samples from larval settlement collectors were processed in the Yorkshire Marine Research Centre's laboratory with taxonomic identification conducted to species level where possible. Lobster larvae and post-larvae collected from plankton trawl samples were analysed in the lab, with the developmental stage recorded per individual and abundance of each stage calculated per tow.

One Early Benthic Phase (EBP) lobster has been recorded to date, this was found in a settlement collector retrieved from the Flamborough head site and is the first EBP European lobster to have been recorded using this methodology.

Finding one EBP lobsters was a milestone for this project, demonstrating that the project is on the right track and this lobster is the first to be found in UK waters using this method. As there is no knowledge about the abundance, distribution, and preferred habitat type of EBP lobsters, all data collected as part of this project will aid in the general understanding of lobsters during their early life stages. Additionally, the biodiversity sampling and habitat assessments (video tows) of sites where settlement collectors have been deployed will help inform and ground truth existing habitat maps and will begin to catalogue species diversity along the Holderness and North Yorkshire coastlines.

NEIFCA and Holderness Fishing Industry Group (HFIG) held regular meetings to discuss the progress and next steps for the ELSI project. NEIFCA and HFIG have worked collaboratively on the collecting data at sea, processing samples in the lab and hauling the settlement cages. Dissemination of project progress has been achieved through stakeholder meetings and information updates via the NEIFCA website

(www.ne-ifca.gov.uk), Facebook pages (<https://www.facebook.com/profile.php?id=100064629344704>), HFIG's twitter (<https://mobile.twitter.com/holdernessfig>) and Facebook account (<https://www.facebook.com/HoldernessFishingIndustryGroup/>) .

Due to loss of and damage to several settlement collector boxes from the first year of sampling, more materials have been sourced to construct several new settlement collectors. The survey design of larval settlement collectors has been modified with the addition of five airbricks (per collector) and a layer of 10mm mesh on the top to increase refuge and reduce the risk of predation on early benthic phase (EBP) lobsters that may inhabit the settlement collectors.

The methodology of the growth study conducted last year has been redesigned for this year, changing from repeated measures of individual lobsters to a randomised approach. This will allow for variation in the post-larval supply due to differences in larval supply from multiple females, of differing sizes and different hatch dates. The study will aim to produce an average growth rate that may be used to estimate the age of any EBP lobsters found in settlement collectors upon retrieval of the collectors at the end of the sampling season.

During May 2023 all 40 larval settlement collectors were successfully deployed again across the 10 selected sites together with the temperature and salinity loggers.

2.3.3 Survey Programme Update

Observer trips aboard the permitted scallop dredge vessels concluded at the end of the season in April. Biometric data for just under five thousand scallops was collected across 9 observer trips, similar to last surveyed season in 2021/22. Within the report to the Science Advisory Group, Officers highlighted a decreasing trend in landings and Landings Per Unit Effort (LPUE). This however is mainly due to a drop of more than 50% in days fished for one of the permit holders. Scallop size remains stable and well above the minimum size. Therefore, scallop stocks are considered stable and Officers recommended three permits be issued for the 2023/24 season.

3.0 National Meetings Update

3.1 *National IFCA Chief Officers Group*

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

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

Copies of the notes of the most recent meetings held on 11 January 2023, 8 February 2023, 16 March 2023 and 12 April 2023.

Contact Officer: David McCandless
Chief Officer
Ext 3690



IFCA COG Meeting
Wednesday 11th January 2023 @ 09:30 hours
'Microsoft Teams. Teleconference

Attending: Chair Samantha Davis, Julian Gregory (JG), Rob Clark (RC), David McCandless (DM), Mark Southerton (MS), Mat Mander (MM), Pia Bateman (PB), Tom Hopper (TH), Joe Moulton (JM), Tim Dapling (TD).

Tim Smith (TS) AIFCA attended from 11:00.

- 1. Apologies:** Will Wright (WW), Martin Birchenough (MB), Paul Tyack MMO (PT).

SD welcomed everyone to the meeting and noted apologies. SD advised the group that Peter Clark, newly appointed Director of Operations at the MMO had accepted an invitation to join the February COG meeting for 20 mins.

- 2. Minutes of Previous Meeting – 14 December 2022**

Minutes agreed. SD thanked DM for providing the meeting record.

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

NUTFA FOI

IFCA reps advised that individual responses had been sent in response to the recent FOI request.

SOG

DM advised that the IFCA/MMO joint SOG had met on 4 January 2023 and a more detailed update would be provided later on the agenda.

CDEL

RC had circulated an email prior to the Christmas break seeking direction on the re-profiling of the IFCA CDEL programme with the matter listed on the agenda for discussion.

IFCA FMP Workstream planning

TS attending the meeting to provide an update on the FMP process and associated engagement.

4. 2023 Provisional COG Meeting dates for noting

The group noted the proposed dates. SD advised that any 'face to face' meetings would have to be carefully planned into the 2023 schedule.

5. National Workstreams Update

National IFCA Training Programme

RC advised that following recent decisions taken by COG and IFCA in relation to the national IFCA training programme the NTLO had been formally issued with notice that his employment would terminate on 9 April 2023. RC also advised that all arrangements for the delivery of the IFCA competent officer course were now in place and thanked everyone for their collective support.

SR21

RC advised that he hadn't yet received the commissioning letter template from Defra but would share that upon receipt for comment. Defra also expected to commence releasing the associated monies to IFCA's within the next week.

HPMA

RC advised that there was nothing current to update on. MS advised the group that over 900 representations had been received in relation to the proposed HPMA at Lindisfarne.

6. IFCA CDEL Capital Asset Funding

RC opened discussions on the review and potential re-profiling of the IFCA CEDEL capital bid programme which focused on planned new vessel builds. RC shared a revised schedule following response to his email sent out on 21 December 2022. Position updates were provided by PB, JG, DM, JM (HPMA programme), MS (HPMA programme), TH, MM and SD. The group considered the overall process, how it should be prioritised, how it might be improved and the need to submit an additional business case to Defra. RC considered all the additional information provided and updated the proposed programme to inform further discussions with Defra. DM advised that he would circulate the draft Defra business template across the group for information (**Action DM**).

7. IFCA FMP Strategy/Engagement

TS provided an update on the progression of the FMP process thus far. Tranche 1 draft plans including scallop, crab, lobster and whelk were expected by the end of January 2023. Tranche 2 plans were approximately three months behind schedule. TS advised that IFCA's would have the opportunity to consider and comment on content prior to formal consultation.

8. IFCA/MMO Strategic Operations Group (SOG) update

JG and DM provided an update from the most recent SOG meeting held on 4 January 2023, the first since May 2022. The meeting was attended by JG, DM, Sean Douglas and Paul Tyack. The group reviewed the role and structure of SOG agreeing that it should carry a delegated mandate from COG to implement joint operational decision making. Going forward the membership would be expanded to include the NIMEG Chair, currently Jon Butler and the MMO Head of Enforcement Operations, Andrew Newlands. It was agreed that Chair and secretariat should rotate with the MMO. DM agreed to act as Secretary and Sean Douglas Chair for 2023. Meetings to be held on a quarterly basis in April, July, October and January. COG endorsed the decisions and agreed that SOG would provide a much more effective conduit for IFCA operational engagement with the MMO.

9. AOB

The following items were discussed and considered by the group:

NIMEG and TAG interaction with COG

SD advocated inviting the NIMEG and TAG chairs to the March 2023 meeting to provide updates on ongoing work streams (**Action DM**). JM suggested that when he had chaired NIMEG he found written updates into COG had worked well.

MAFCO

SD advised that Defra had requested short updates from IFCA reps on MPA management and delivery at the next MAFCO meeting scheduled for February 2023. This formed part of the general ALB reporting of outputs into Defra, a new drive from the incumbent Secretary of State. SD to circulate further information on the request (**Action SD**).

10. ACTION List Summary

1. DM to circulate Defra CDEL business case template
2. DM to invite NIMEG and TAG chairs to March 2023 COG meeting
3. SD to circulate further information on Defra MAFCO MPA request

Meeting closed: 12:30

Date of next meeting 8 February 2023 MS Teams



IFCA COG Meeting
Wednesday 8th February 2023 @ 09:30 hours
'Microsoft Teams. Teleconference

Attending: Chair Samantha Davis, Julian Gregory (JG), Rob Clark (RC), David McCandless (DM), Mat Mander (MM), Pia Bateman (PB), Tom Hopper (TH), Joe Moulton (JM), Tim Dapling (TD), Will Wright (WW).

Peter Clark (PC) Director of operations MMO 09:30 to 09:45
Ben Whelan & Bolaji Bakrin Defra 10:00 to 10:40
Tim Smith (TS) AIFCA attended from 11:30.

2. Apologies: Martin Birchenough (MB), Mark Southerton (MS).

SD welcomed everyone to the meeting and noted apologies. SD reviewed the agenda and advised of the intention to bring item 5, Marine Spatial Prioritisation (MSP), forward to accommodate external speakers.

3. Peter Clark – MMO Director of Operations

Following a short round of brief introductions Peter Clark introduced himself and provided an overview of his background and experience which majored in Civil Service operational delivery. Immediate priorities included delivery of the MMO MPA programme, FMP workstreams, operational enforcement and compliance prioritisation and tasking. PC recognised the extent of good collaborative working and processes between the MMO and IFCAs and highlighted future challenges surrounding resources and efficiencies. JG highlighted the SOG and TD the value of utilising IFCA offshore assets.

4. Marine Spatial Prioritisation Programme

Ben Whelan (BW) and Bolaji Bakrin (BB) provided an update and overview of the developing, Defra led, Marine Spatial Prioritisation Programme. The programme was developed to examine the extent of marine spatial 'squeeze' to build an understanding of future demands on the marine environment and optimize the use of the seas, where possible, to enhance co-location of activities alongside balancing stakeholder needs alongside protecting the environment. The programme carries three key objectives, testing data and assumptions, bringing competing sectors together and testing scenarios. The group discussed the value of utilising experiences from the existing marine planning process, the role of the Crown Estate, managing multi use sites, aquaculture and mariculture, experiences drawn from stakeholder engagement and the potential impact of stakeholder fatigue. Key detail relating to the programme remains subject to

Ministerial approvals which were expected sometime during March 2023. SD recommended that BW and BB return to provide a further update to the March COG meeting (**Action DM**).

5. Minutes of Previous Meeting – 11 January 2023

Minutes agreed. SD thanked DM for providing the meeting record and noted NIMEG and TAG Chairs to be invited to the COG meeting in March (**Action DM**).

5. National Workstreams Update

RC provided a comprehensive update on national workstreams including the following:

RDEL & CDEL

In terms of RDEL no further update. RC advised that the ongoing delay in IFCA revenue funding moving was most likely down to the backlog of SoS approvals. The re-profiling of the CDEL funding had now been accepted by Defra and given the ongoing delays, Defra had indicated that CDEL monies could carry forward into the new financial year. A new version of the Defra CDEL business case template had been developed which would better suit IFCA requirements. RC emphasised the need to cover the delivery of national objectives within each business case. The updated 25 year Environment Plan provided useful reference. IFCA and Defra priorities continued to align on delivery. RC advised that a final draft iteration of the Defra business case template should be available by the end of the week commencing 13 February 2023 and would be circulated. PB agreed to share the latest iteration of the template (**Action PB**).

HPMA

RC advised that the MMO had taken over the Chair of the HPMA group with the majority of proposed sites now sitting offshore. The final decision on the first tranche of HPMA sites now sat with the SoS for decision. RC recommended that a NWIFCA rep join the HPMA group (**Action JM**). RC advised that a new phase of associated MMO management byelaws would be passing through process.

6. FMP Progress Update

TS provided a detailed update on the progress of the national FMP workstreams. The front runner scallop FMP had now been passed to Defra. Other tranche 1 FMP's were expected to be released on the 10 February 2023 followed by a short 7 day pre-publication window for QA checking. TS advised that he would need short notice comments from IFCA reps. The group endorsed a single IFCA response from AIFCA coordinated by TS (**Action TS**). The group considered engagement in the next phases with general support for a workshop session perhaps around June 2023 in line with the consultation processes, TS to consider options (**Action TS**).

RC informed the group that he had been approached by Defra to give consideration to IFCA's potentially leading on the development of a cockle FMP.

The work to be funded by Defra. RC advised that there were three options, decline, develop a collaborative project or AIFCA to lead. JM advised that his Authority had recently directed officers to commence the development of a cockle management plan for the NWIFCA district. DM suggested that the funding could be utilised to procure external consultancy support to be led and guided by key IFCA's. JG suggested that a supporting joint project board could be established. There was a strong consensus from CO's that IFCA's should accept the approach from Defra. RC agreed to arrange a meeting week commencing 13 February 2023 with key IFCA reps including NWIFCA, EIFCA and Kent & Essex IFCA to consider next steps **(Action RC)**.

MPA Workstreams

TS provided an update on MPA workstreams following previous considerations at the York workshop held on 16 November 2022 which linked into potential objectives associated with the Defra IFCA RDEL funding. TS shared the national MPA spreadsheet which would be developed to evidence how IFCA's are delivering a well-managed MPA network. TS intended to utilise the information to identify and highlight any 'strategic blockers' which were having an impact on policy delivery such as conservation advice or outstanding condition assessments. SD advised that the planned MAFCO session on the 11 February would assist in the process supported by the provision of a national overview from TS **(Action TS & all)**.

7. AOB

The following items were discussed and considered by the group:

National IFCA Legal Group

RC advised that Andrew Oliver had arranged a meeting to further the establishment of an unconsolidated law group to support IFCA decision making. This had developed from the oversight work previously undertaken by Mike Williams.

IFCA MCRCs Byelaws

JM sought guidance on delays that NWIFCA were experiencing in securing formal confirmation of their MCRCs byelaw. TD advised that legal guidance had recently changed on the wording and content of MCRCs byelaws.

8. ACTION List Summary

4. DM to invite Defra Marine Spatial Prioritisation reps to March 2023 COG meeting
5. DM to invite NIMEG and TAG chairs to March 2023 COG meeting
6. PB to share recent version of the Defra IFCA CDEL business case template with DM
7. JM to ensure NWIFCA representation on the HPMA working group
8. TS to coordinate a general IFCA response to first stage FMP process and consider planning a workshop to support next stage engagement.

9. RC to organise a cockle FMP call with key IFCA leads week commencing 13 February 2023.
10. IFCA reps to update on MPA management at the MAFCO meeting on 15 February 2023.
11. TS to provide a national MPA update at the MAFCO meeting on 15 February 2023

Meeting closed: 13:00

Date of next meeting 8 March 2023 MS Teams



**IFCA COG Meeting
Thursday 16th March 2023 @ 09:30 hours
'Microsoft Teams. Teleconference**

Attending: Chair Samantha Davis, Julian Gregory (JG), Rob Clark (RC), David McCandless (DM), Mat Mander (MM), Pia Bateman (PB), Tom Hopper (TH), Joe Moulton (JM), Tim Dapling (TD), Will Wright (WW), Mark Southerton (MS), Tim Smith (TS).

Jon Butler (JB) – Chair NIMEG from 10:30
Colin Trundle (CT) – Chair TAG from 10:30

- 3. Apologies:** Martin Birchenough (MB), Rob Clark (RB)

SD welcomed everyone to the meeting and noted apologies.

- 6. Minutes of Previous Meeting – 8 February 2023**

Minutes agreed. SD thanked DM for providing the meeting record.

- 7. Matters Arising & Actions from the last meeting**

HPMA

MS provided a brief update on the proposed HMPA site at Lindisfarne which had now been dropped from the list of potential sites identified. JM advised that there wasn't anything current to update on the proposed site at Allonby Bay on the

Solway Coast. JM also advised that there hadn't been a meeting of the HPMA working group since the February COG and thus far, no further comms with NWIFCA.

Marine Spatial Prioritisation

SD advised moved to the April COG to receive a further update.

Cockle FMP development

SD advised that RC was coordinating discussions on the cockle FMP work with the relevant IFCA's.

8. National Workstreams Update

IFCA CDEL & RDEL Funding

IFCA reps updated on receipt of formal CDEL and RDEL funding allocations. JG and PB had received their respective CDEL allocations and all other IFCA's had received their RDEL allocations which included £50K to support MPA delivery, with some IFCA's receiving additional funding to support HPMA delivery and £50K to support marine consents and sustainability work alongside other operational delivery. DM requested further clarification on the allocations which was provided. The complexities of receiving the monies at the end of the financial year were discussed. The additional funding was roundly welcomed as a positive step and recognition from Defra of the IFCA contribution towards national policy delivery. MM advised that the SoS had ruled out any future planned consultation on the current IFCA LA funding framework but had indicated that CDEL monies would be confirmed for the next financial year. TD advised that Sussex IFCA had received the Marine Natural Capital funding from Defra.

Cockle FMP development

WW provided an update on the cockle FMP development work which would be IFCA led supported by a portion of Tim Smith's time as national IFCA policy lead officer alongside some additional external consultancy support. MM welcomed the approach. In terms of timelines a draft FMP was anticipated sometime during spring 2024.

AIFCA CDEL Funding

AIFCA was expecting to receive its £150K funding allocation sometime during early April 2023. It was agreed that a Directors meeting would be called on 27 March to consider plans for utilising the allocation (**Action RC**).

MAFCO

SD updated the group on proposed changes to the format of the MAFCO meetings which were going to be limited to 30 mins. The group discussed how to get the best out of the meetings going forward.

9. NIMEG Update

JB introduced himself and updated the group on current NIMEG work streams. NIMEG were presently meeting four times a year with two 'face to face' meetings planned. Terms of Reference had recently been reviewed with the final version going to the IFCA SOG. Participation was to be extended to Marine Scotland and Jersey. MCSS codes under review with unwanted codes to be deleted by end April 2023, FAP guidance to be reviewed, offer for IFCO's to join MMO offshore support vessels, plan to develop joint offshore working protocols with MMO, IFCA centric and joint training needs under consideration. Enforceability of IVMS provisions by IFCA's an urgent consideration.

10. TAG Update

CT updated the group on current TAG work streams. The group's Terms of Reference had recently been updated for agreement to enable the Vice Chair to act as Chair and grow the membership. Less 'face to face' meetings with one per annum being considered within a conference setting. TAG were currently considering training provision for environmental and scientific officers and data sharing arrangements with the MMO. CT provided an update on testing for the presence of eggs on lobsters. Whilst yolk tests had proved effective yolk was highly soluble in water and easily washed off. CIFCA had reverted back to the old testing methods with the inclusion of a temporal limit on use to reduce the risk of a 'false positive'.

11. AIFCA Policy Work Update

TS updated the group on national IFCA policy work streams including FMP development. The front runner FMPs were now going back to the development groups for final adjustment prior to the commencement of formal consultation. The king scallop FMP had gone back to the drafting group for final review and would then pass through the wider working group. The planned programme for the IFCA led cockle FMP had been developed in 'short order' but would support the delivery of the work going forward. Crab and lobster, whelk and sea bass FMP's were following a parallel process all be it slightly further back than king scallop. Following passage through the 'gateway' process each FMP will then be subject to Defra review followed by public consultation commencing sometime June/July 2023. TS to 'check in' with the king scallop process to see if anything further was required from IFCA's at this time (**Action TS**). Following that IFCA's would develop a national and regional response to the formal consultative phase.

12. AOB

Election of Chair, Vice Chair and Secretary

SD advised the group that elections were due at the April meeting for Chair, Vice Chair and Secretary.

Tuna CHART

SD provided an update on the Tuna catch and release tagging scheme which had been running for two years. Future objectives include trialing a commercial fishery using selective gears targeting blue fin tuna, limiting opportunities for bycatch and building on the success of the CHART programme. Concerns remain over impact on the species and associated enforcement and compliance.

IFCA Recreational Angling Engagement

TD, currently leading on national IFCA engagement with the recreational sector, advised that someone would need to pick that work up as he stepped down from his CO role at Sussex. DM suggested that MM might be a suitable replacement.

13. ACTION List Summary

- 12. DM to invite Defra Marine Spatial Prioritisation reps to April 2023 COG meeting
- 13. RC to arrange an AIFCA Directors meeting for 27th April 2023 to consider RDEL funding
- 14. TS to 'check in' on the king scallop FMP process to ensure that nothing further is required from IFCAs currently.

Meeting closed: 12:00

Date of next meeting 12 April 2023 MS Teams



IFCA COG Meeting Wednesday 12th April 2023 @ 09:00 hours 'Microsoft Teams. Teleconference

Attending: Chair Samantha Davis, Rob Clark (RC), David McCandless (DM), Mat Mander (MM), Mark Taylor (MT), Jon Butler (JB).

4. Apologies: Julian Gregory (JG), Tim Dapling (TD), Tom Hooper (TH), Pia Bateman (PB), Will Wright (WW), Martin Birchenough (MB).

SD welcomed Mark Taylor, new CEO of North Western IFCA, to COG and following a round of introductions opened the meeting.

14. Election of Chair, Vice-Chair and Secretary

DM advised the group that two nominations had been received. SD for Chair and DM for Vice-Chair. DM also advised that JG had indicated that he was comfortable to continue in the role of Vice-Chair but equally happy to support someone else taking on the role if they wished to do so. SD advised that she was happy to continue in the role of Chair but fully intended to step down in April 2024. DM advised the group that if elected as Vice Chair he would put his name forward for election as Chair in April 2024 when SD relinquished the role, this would, however, require someone else to take on the role of Secretary. The group could not reach a final decision on the elected roles so in the interim SD to continue as Chair, JG as Vice-Chair and DM as Secretary. The group further discussed reviewing ToR to provide for a mandatory rotation of roles to strengthen continuity with the matter referred to the May meeting for further consideration.

15. Minutes of Previous Meeting – 16 March 2023

Minutes agreed. SD thanked DM for providing the meeting record.

16. Matters Arising & Actions from the last meeting

Marine spatial prioritisation update

SD advised that Defra had contacted to move the update to the May COG meeting.

King Scallop FMP Process

RC advised that the 'front runner' king scallop FMP had moved back into Defra through the gateway process and would shortly be released for further peer review and would then be published for wider public consultation. MM highlighted the recent consultation on area VII closures which Devon and Severn and Cornwall IFCA's had responded to.

AIFCA RDEL Funding

Directors meeting held on 27 March 2023.

17. National Workstreams Update

IFCA CDEL & RDEL Funding

IFCA RDEL grants had now been received by individual IFCA's from Defra with a further commitment for 2023/2024 and profiled for 2024/2025. No update on supporting 'Chairs Letters'. RC advised that Defra decision records were currently subject to delay. RC reminded CO's of the SR21 bid outputs from the York meeting which provided guidance on the expected outputs and objectives. RC to re-circulate that information (**Action RC**).

CDEL similar situation, planned allocations profiled to individual IFCA's. RC advised, though, that supporting business cases had to be submitted and accepted by Defra prior to the commencement of any associated projects.

HPMAs

Now considered a pilot process with the designation of one inshore and one offshore site expected Autumn 2024. SD advised that the ecological evaluation of potential sites remained valid but associated social information had now become an important part of the process. RC provided an update on the AIFCA position which was that IFCA's should be formally consulted at the very start of the process prior to the commencement of formal public consultation. The group discussed how that might work with the consensus that it would primarily be officer led.

Catchwise

RC advised the group that CEFAS had secured a significant level of funding to support a follow up project to Sea Angling 2012. This work called 'Catchwise' would be delivered in partnership with the Angling Trust (AT). AT were currently in the process of recruiting volunteers to support the project. The volunteers would engage and conduct surveys which would then be collated by CEFAS. CEFAS were seeking IFCA support for the project, RC to email further details **(Action RC)**. An IFCA rep would also sit on the project steering group, MM agreed to take on the role of the COG angling representative **(Action MM)**.

FMP Update

RC advised that he had met with the Defra FMP lead, Robbie Fisher. Delyth Dyne had been appointed as the strategic implementation lead. RC provided a brief update on bass, crab and lobster and whelk FMPs. The groups discussed associated regional issues such as complications surrounding the Scottish Border, the crab minimum size and the prohibition on egg bearing lobsters which was proving problematic in some IFCA regions. RC advised the group that formal public consultation on FMPs would commence sometime during June and July to meet the statutory deadline of November 2023 for publication. IFCA designated SPOCs to pick up key issues and keep IFCA COs updated on progress across the front runner FMPs. AIFCA would pick up key national issues in response with individual IFCA's responding on key local and regional issues. There was a broad consensus that a regional fisheries management approach would have to be adopted through SIs.

18. IFCA National Training Programme

RC provided a background and update on the current position surrounding the national IFCA training programme. RC clarified that whilst AIFCA had taken on the management and administration of the National Lead Training Officer (NLTO) post it had not taken on the organisation of the training programme the responsibility of which now rested with COG although AIFCA would provide what support it could to COG to move things forward. RC did advise, however,

that circa £90+K had been ringfenced within the AIFCA budget to support training provision. JB provided an update from NIMEG on the national training programme which emphasised the importance of both securing and maintaining both the Competent and Advanced IFCA courses. SD supported the need to convene an additional COG meeting to specifically discuss the IFCA training programme and agree next steps (**Action SD/DM**). National training provision including the accredited course would be picked up by the Strategic Operations Group (SOG) which is scheduled to meet on 25 April 2023.

19. AOB

Changes to COG 2023 Meeting Programme

DM advised that proposed changes to the 2023 meeting programme appeared to be causing more problems for COs than resolving, particularly in terms of clashing with Authority meetings. DM asked that COs provide him with their Authority meeting programme to find optimum dates (**Action All**).

AIFCA & SAGB Conference London

RC advised that some funding was available to support travel and associated costs for Chairs and or Vice Chairs to attend the AIFCA forum meeting and the SAGB conference during June 2023. RC advised that he would email out further details (**Action RC**).

Retained EU Law

SD provided a background and update on the Defra led review of EU retained legislation. Two lists had been developed, a retained to review and a remove list. These proposed changes would then be implemented via SI's.

Shark fin Private Members Bill

SD advised that a Private Members Bill was progressing through Parliament which would prohibit the practice of shark finning in UK waters. SD also advised that a further SI was progressing to support commercial Tuna fishing in UK waters.

20. ACTION List Summary

15. RC to circulate IFCA SR21 bid priorities and objectives.
16. RC to circulate 'catchwise' information
17. MM to take on role of IFCA sea angling SPOC.
18. SD/DM to set up a COG national training programme meeting
19. All to provide Authority meeting dates to DM
20. RC to circulate further information on funding support for SAGB conference

Meeting closed: 12:00

Date of next meeting 10 May 2023 MS Teams

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
8 June 2023

Fisheries Statutes and Regulations Prosecutions

Report of the Clerk of the Authority.

A. Purpose of Report

To provide information on prosecutions taken by the Authority during the period 1 December 2022 to 31 May 2023

B. Recommendation

That Members note the report.

1. Background

- 1.1 Information on prosecutions and sanctions taken on behalf of the Authority are submitted to each meeting of member's information.
- 1.2 Attached is a schedule of prosecutions and sanctions covering the period since 1 December 2022.
- 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 seven oral warnings were given to individuals relating to a wide range of other offences.

Contact Officer

David McCandless

Chief Officer

Tel: 07771936501

Name(s)	Offence	Sanction	Court	Date	Fined	Costs Awarded	Costs Requested
Mr Xh Wu	Taking 37 edible crabs below the minimum landing size of 140mm	FAP	N/A	10 November 2022	£500	N/A	N/A
Mr P Overton (owner)	Landing 18 undersize lobsters, 1 mutilated lobster and 1 'V' notched lobster	PROS	Scarborough	7 March 2023	£200	£637	£637
Mr M Clark (skipper)	Landing 18 undersize lobsters, 1 mutilated lobster and 1 'V' notched lobster	PROS	Scarborough	7 March 2023	£100	£637	£637
Mr R Evans (owner)	Landing 10 egg bearing lobsters	PROS	Grimsby	19 April 2023	£1660	£440	£440
Mr C Lowther (skipper)	Landing 10 egg bearing lobsters	PROS	Grimsby	19 April 2023	£800	£440	£440

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
8 June 2023

NEIFCA Byelaw Update

Report by the Chief Officer

A. Purpose of Report

To inform Members on progress with the following byelaws which were made at a meeting of the Authority held on 1 December 2022:

XXVIII Shellfish Permit Byelaw 2022

XXIX Humber Estuary Fishing Byelaw 2022

B. Recommendation

1. That members receive the update and note the report.

1. **Background**

- 1.1 ***XXVIII Shellfish Permit Byelaw 2022***

- 1.1.1 At the Authority meeting held on 1 December 2022 members supported the making of a new byelaw XXVIII Shellfish Permit Byelaw 2022 (Minute Item 32 refers).

The key aims of the new byelaw are to consolidate existing byelaw regulations and to introduce an effort management system for commercial potting within the district. The provisions contained within the byelaw will be applied via conditions attached to the permit which can be varied following an appropriate review process, without the need to formally remake the whole byelaw. Two permitting schemes will be established, Category 1 for licensed commercial vessels and Category 2 for recreational operators. It is proposed that during year one a maximum of 234 Category 1 permits will be offered and permit holders restricted to working a maximum of 1000 pots. A permit charge would also be levied for Category 1 permits linked to the number of pots worked. The number of Category 2 permits offered will remain unrestricted but a new £10 charge would be levied, and the number of pots permitted reduced from 10 to 5 per permit holder with daily bag limits remaining unchanged.

- 1.1.2 Following the making of the byelaw on 1 December 2022 it has been subject to further internal quality assurance check and informal consultation with fishing groups prior to submission to the MMO IFCA byelaw team and commencement of the formal statutory consultation process. Internal comments were received back from NEIFCA legal advisors on 24 April 2023. During the internal quality assurance review some minor adjustments have been made to the draft byelaw. The list of specified species has been extended to include scallops and whelks alongside a provision which would support limitation by pot type. Additional wording has also been added to clarify the process of first application and pot

allocation for Category 1 applicants. It is considered that these changes are not substantive. These changes further clarify that following confirmation of the byelaw Category 1 permit applications will be prioritised to existing permit holders as at the date of making of the byelaw on 1 December 2022 and were subject to review at a special meeting of the Executive Committee held on 23 January 2023.

- 1.1.3 A copy of the updated draft byelaw with the changes highlighted is attached as Appendix 1 for information.

1.2 ***XXIX Humber Estuary Fishing Byelaw 2022***

- 1.2.1 At the Authority meeting held on 1 December 2022 members supported the making of a new byelaw XXIX Humber Estuary Fishing Byelaw 2022 (Minute Item 31 refers).
- 1.2.2 Whilst retaining all existing management measures in relation to fishing activities within the boundaries of the Humber Estuary the new byelaw includes a revision to the boundaries of an existing protected area to support the expansion of eel grass habitat. Although the draft byelaw is also currently subject to internal quality assurance no changes or alterations have been made.

2 Next Steps & Revised Timetable

The proposed updated timetable for both byelaws is as follows:

1. Formal making - 1 December 2022 - complete
2. Final internal quality assurance checks complete – April/May 2023
3. Final draft documents subject to MMO quality assurance complete – June/July 2023
4. 28 day statutory consultation process complete – August/September 2023
5. Application for confirmation lodged - September 2023
6. Final Confirmation – October/November 2023
7. Implementation post – January 2024

Contact Officer

David McCandless, Chief Officer

Ext. 3690

**NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY
MARINE AND COASTAL ACCESS ACT 2009 (c.23)
XXVIII SHELLFISH PERMIT BYELAW 2022**

The Authority for the North Eastern Inshore Fisheries and Conservation District in exercise of its powers under sections 155 and 156 of the Marine and Coastal Access Act 2009, makes the following byelaw for Shellfish Permits.

Interpretation

1. In this byelaw:

- (a) 'the Authority' means North Eastern Inshore Fisheries and Conservation Authority as defined in articles 2 and 4 of the North Eastern Inshore Fisheries and Conservation Order 2010 (S.I 2010, No 2193);
- (b) 'the District' means the North Eastern Inshore Fisheries and Conservation District as defined in articles 2 and 3 of the North Eastern Inshore Fisheries and Conservation Order 2010;
- (c) 'dredging' means fishing by means of any appliance with a rigid framed mouth which is towed through the water and is manufactured, adapted, used or intended for use for the purpose of fishing for scallops;
- (d) 'fishing' for the purposes of this byelaw includes searching for and taking specified shellfish species, shooting, setting, towing, hauling of a fishing gear, and taking specified shellfish species aboard;
- (e) 'fixed net' means any net being fixed to the bottom of the sea in a permanent position by any method such as weights, anchors or stakes and it must be set so as not to be able to drift or move with any current.;
- (f) 'permit' means:
 - a. a Category One Permit issued under paragraph 8 of this byelaw; or
 - b. a Category Two Permit issued under paragraph 9 of this byelaw.
- (g) 'pot' means a pot, creel or trap set or used to catch specified shellfish species;
- (h) 'pot type' means a pot or trap specifically designed, rigged and set for the purpose of catching a particular species or group of species including, European lobster (*Homarus gammarus*), edible crab (*Cancer pagurus*), velvet crab (*Necora puber*), Norway lobster (*Nephrops norvegicus*), King scallop (*Pecten maximus*) and Whelk (*Buccinum undatum*).
- (i) 'relevant fishing vessel' means any vessel registered in accordance with Part II of the Merchant Shipping Act 1995 (c.21) or in the Channel Islands or the Isle of Man that holds a current fishing licence with the relevant national entitlement issued by the appropriate United Kingdom fisheries department;

- (j) 'trawling' means fishing by means of a trawl or similar device that is designed to be towed or pushed to take sea fisheries resources;
- (i) 'vessel' means a ship, boat, raft or watercraft of any description and includes non-displacement craft, personal watercraft, seaplanes and any other thing constructed or adapted for floating on or being submersed in water (whether permanently or temporarily) and a hovercraft or any other amphibious vehicle, used or capable of being used as a means of transportation on water.
- (k) 'specified shellfish species' means the following species: European lobster (*Homarus gammarus*), edible crab (*Cancer pagurus*), velvet crab (*Necora puber*), Norway lobster (*Nephrops norvegicus*), King scallop (*Pecten maximus*) and Whelk (*Buccinum undatum*).

Prohibitions

- 2. A person must not fish for, take or retain any of the specified shellfish species from a fishery within the district otherwise in accordance with a permit.
- 3. Paragraph 2 does not apply to specified shellfish species captured by relevant fishing vessels when fishing by way of trawling or dredging.

Deeming

- 4. During each singular fishing trip, vessels fishing exclusively outside the District and transiting through the District will not be subject to the provisions of this byelaw.
- 5. It is to be presumed that a vessel has taken or removed any of the specified shellfish species to which this byelaw relates from within the District if, at any time, during any singular fishing trip –
 - (a) it is proved that –
 - i. the vessel was found within the District, and
 - ii. when so found, the vessel was in possession of any of the things mentioned in paragraph 6; and
 - (b) it is reasonable to infer from those facts (either by themselves or taken together with other circumstances) that the vessel was, or had been, taking or removing specified shellfish species in contravention of this byelaw
- 6. The things are –
 - (a) such equipment, vehicle, apparatus or other gear or paraphernalia (including clothing) as may be used for the purpose of taking or removing specified shellfish species in contravention of this byelaw; and
 - (b) specified shellfish species, the taking and removing of which is prohibited by this byelaw.
- 7. The presumption in paragraph 5 does not apply where sufficient evidence is adduced to raise an issue as to whether the specified shellfish species on board the vessel were taken and or removed from within the District. Such acceptable evidence may include electronic charting information or vessel positional data.

Permits

8. The Authority may authorise fishing for specified shellfish species using fixed nets or pots within the District from a named relevant fishing vessel by issuing a Category One Permit to the owner of that vessel.
9. The Authority may authorise fishing for specified shellfish species within the District by issuing a Category Two Permit to a named person.
10. The Authority may limit the number of permits issued in any one calendar year.
11. Permits will be issued in accordance with the following process:
 - (a) if the number of applicants does not exceed the maximum number of available permits, at any one time, then each eligible applicant will be issued with a permit, subject to the provisions of this byelaw;
 - (b) once the maximum number of available permits has been met then unsuccessful applicants will be placed on a waiting list for the next available permit;
 - (c) the Authority retains the right to refuse to issue a permit until such time as the applicant makes available any outstanding information required for the issue of that permit or outstanding information from a previous year including any mandatory information required by an Authority byelaw regulation.
12. The Authority may limit the number of pots able to be used in association with a permit. Such limitations may also be applied by individual pot type.
13. Category One Permit pot allocations will be issued in accordance with the following process:
 - (a) Following the date of confirmation of this byelaw, all existing Category One Permit holders will be invited to make an application for their maximum pot allocation(s) which will be assessed and notified in writing;
 - (b) For new Category One Permits, pot allocations will be notified in writing when the permit is issued, in line with the vessel type/category;
 - (c) At any time, Category One Permit holders may apply to increase their pot allocation up to the maximum permitted;
 - (d) Applications must be submitted to the Authority in writing with supporting evidence;
 - (e) Applications will be considered by the Authority who will notify the applicant of the outcome within 7 working days;;
 - (f) All applicants have the right to appeal any decision to the Authority. Any appeals must be submitted in writing with supporting evidence.
 - (g) The appeal process will only consider the content of the written evidence provided by the appellant and that the correct procedure has been applied;
 - (h) Appeals will be considered by the Authority who will notify the applicant of the outcome within 7 working days of the respective hearing.
 - (i) The Authority's decision is final.

14. Only one Category Two Permit may be issued to a named person.
15. An application for a permit must be made using the printed forms available from the Authority's office and website, or through the online application process on the Authority's website. Priority will be given to all existing shellfish permit holders who held a valid permit issued by the Authority on the date of the making of this byelaw on 1 December 2022.
16. A permit and permit card:
- (a) are issued to the owner of a relevant fishing vessel or a named person;
 - (b) in the case of shared ownership of a relevant fishing vessel shall be jointly issued to all owners of that vessel;
 - (c) are valid for the dates specified in the permit;
 - (d) must be surrendered to the Authority if no longer required;
 - (e) are not transferable between the permit holder and another person, other than in accordance with paragraph 17.
17. The transfer of a Category One Permit will only be permitted in the following circumstances:
- (a) the donor vessel is lost or replaced
 - (b) the ownership of the donor vessel has passed on within the same family or existing shareholder;
 - (c) there is no change in the major shareholding of the donor vessel
18. When a Category One Permit is transferred, the associated pot allocation shall also be transferred.
19. An application to transfer a Category One Permit from a donor vessel to a recipient vessel must be made within one month of the sale of the donor vessel.
20. In respect of paragraph 19, it is the selling owners responsibility to inform the buyer of their intention to transfer the Category One Permit.
21. A Category One Permit shall be valid till the 31 December in the year of issue unless notified in writing by the Authority.
22. A Category Two Permit shall be valid till the 30 April for the preceding year unless notified in writing by the Authority.
23. A fee will be charged for each permit which will be payable on application or renewal only. The fee for a Category One permit is linked to the respective pot allocation as follows:-
- £50 (0 - 250 pots)
 - £150 (251 – 500 pots)
 - £250 (501 – 750)
 - £350 (751 – 1000).

The fee for a Category Two permit is £10.

24. A fee may be charged for the issue of tags to a permit holder as required by paragraph 30.
25. A fee may be charged for the issue of replacement tags to a permit holder as required by paragraph 30.

Permit Conditions

26. A named vessel in a Category One Permit must be a relevant fishing vessel for the permit to remain valid.
27. A Category One Permit card must be displayed in a clear and prominent position on the vessel, available for inspection at all times.
28. Permit holders shall provide any relevant fisheries information required by the Authority for the discharge of its function.
29. All vessels issued with a Category One Permit may be required to have fitted at the owners expense a remotely accessed electronic reporting device and transmit the required information at the specified reporting intervals as set out in the flexible permit conditions.
30. The Authority may require tags issued by the Authority to be fitted to fishing gear as set out in the flexible permit conditions.
31. Failure to comply with any permit conditions constitutes a contravention of this byelaw.

Flexible Permit Conditions

32. The Authority may introduce flexible permit conditions which fall within one or more of the categories listed in paragraph 33.
33. The categories referred to in paragraph 32 are:
 - (a) Catch restrictions;
 - (b) Gear restrictions;
 - (c) Vessel restrictions;
 - (d) Spatial restrictions;
 - (e) Temporal restrictions;
 - (f) Fishery information.

34. The Authority may introduce, remove or vary any flexible permit conditions following a review conducted in accordance with the review procedure set out in paragraphs 42 to 44.
35. The flexible permit conditions that apply until they are reviewed pursuant to paragraphs 42 to 44 are those set by the Authority taking into account the Impact Assessment that accompanies this byelaw and all other material considerations.
36. Failure to comply with a flexible permit condition constitutes a contravention of this byelaw.

Permit suspensions

37. A permit may be suspended or permanently withdrawn by the Authority for the purposes of environmental protection, fisheries conservation or non-compliance with the provisions of the byelaw or byelaw conditions subject to the considerations in paragraph 38.
38. In deciding whether to suspend or withdraw a permit the Authority may consider:
 - (a) all available scientific and survey data;
 - (b) internal scientific advice from within its membership;
 - (c) advice provided by the Centre for Environment, Fisheries and Aquaculture Science;
 - (d) advice provided by the Department for the Environment, Food and Rural Affairs;
 - (e) advice provided by the Marine Management Organisation;
 - (f) advice provided by Natural England;
 - (g) advice provided by the Environment Agency;
 - (h) advice provided by other external authorities, organisations, persons or bodies as the Authority thinks fit;
 - (i) representations from fishing permit holders;
 - (j) information from any other relevant source.
39. Prior notice of permit suspension will be provided in writing to the permit holder at least ten working days prior to any suspension or withdrawal taking effect.
40. Any representations must be lodged in writing to the Authority within five working days of the date of the original notice provided to the permit holder.
41. Notification of the final decision will be made in writing to the permit holder within five working days of the final decision.

Review Procedure

42. The Authority shall review the flexible permit conditions not less than once every five years.
43. A review of the flexible permit conditions shall be undertaken as follows:
 - (a) The Authority shall consult in writing with permit holders and such other stakeholders, organisations and persons as appear to the Authority to be

representative of the interests likely to be substantially affected by the proposed future management options;

(b) The Authority will make a decision whether to introduce, remove or vary any flexible permit conditions based upon the consultation set out in paragraph 43 (a) and the information gathered from permit holders and the processes listed in paragraph 44.

(c) Following any such decision by the Authority to change the flexible permit conditions, permit holders will be notified in writing and permits will be amended as necessary at no cost to the permit holder.

44. The information referred to in paragraph 43 (b) includes any one or more of the following:

(a) Data collected from permit holders;

(b) Scientific and survey data gathered by the Authority or provided to the Authority by such other bodies, organisations or persons as the Authority shall think fit;

(c) Scientific advice provided by CEFAS or such other bodies, organisations or persons as the Authority shall think fit;

(d) Advice given by Natural England or such other bodies, organisations or persons as the Authority shall think fit;

(e) An Impact Assessment of any proposed changes;

(f) Information from any other relevant source.

Revocations

45. The byelaw with the title 'XXII – Permit to fish for lobster, crab, velvet crab and whelk' made by the Committee for the North Eastern Sea Fisheries District on 31 October 2006 in exercise of its power under section 5 of the Sea Fisheries Regulations Act 1966 (c.38) and confirmed by the Secretary of State on 17 May 2006, in force immediately before the making of this byelaw is revoked.

46. The byelaw with the title 'XXVIII Crustacea Conservation Byelaw 2018' made by the North Eastern Inshore Fisheries and Conservation Authority on 14 June 2018 in exercise of its power under section 155 and 156 of the Marine and Coastal Access Act 2009 and confirmed by the Secretary of State on 8 August 2018, in force immediately before the making of this byelaw is revoked.

I hereby certify that the above Byelaw was made by the Authority at its meeting on.....2022.

Caroline Lacey

Clerk

North Eastern Inshore Fisheries and Conservation Authority

Town Hall
Quay Road
Bridlington
East Yorkshire

The Secretary of State for Environment, Food and Rural Affairs in exercise of the powers conferred by section 155 (4) of the Marine and Coastal Access Act 2009, confirms this byelaw made by the North Eastern Inshore Fisheries and Conservation Authority on.....2022.

A Senior Civil Servant for, and on behalf of, the Secretary of State for Environment, Food and Rural Affairs

Date:

Explanatory note

(This note is not part of the byelaw)

This byelaw establishes two types of fishing permit scheme covering the commercial and leisure exploitation of key shellfish stocks within the District.

For commercial fishers, the byelaw caps the maximum number of shellfish permits in any one year and sets a maximum number of pots able to be worked by a vessel.

For leisure fishers, the byelaw sets a daily bag limit of 2 lobsters and 10 crabs and specifies a maximum gear limit of five pots or 100 metres of fixed net per operator per day.

The byelaw prohibits the in-combination use of fixed nets and pots by leisure fishermen during any singular fishing trip. Such fishermen may only work a maximum of 100 metres of fixed net per day, regardless of the target species. The intention of the byelaw regulation is to improve the management of fishing effort on shellfish stocks.

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Authority Meeting
08 June 2023

Partner Reports

Report of the Chief IFC Officer.

A. **Purpose of Report**

To provide members information on partner organisations activities.

B. **Recommendation**

That Members note the report.

C. **Background**

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

Contact Officer

David McCandless
Chief Inshore Fisheries and Conservation Officer
Ext. 3690



Marine Management Organisation

MMO North East

May 2023





MMO North East

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

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

Compliance assurance:

MMO officers have maintained a steady presence through at sea inspections and shore based assurance work during the first quarter of 2023. Two vessels, Trafalgar Sentinel and Viking Sentinel, remain under contract with MMO and provide the platform for MMO officers and facilitate at sea inspections.

MMO officers within the North East have an excellent working relationship with NEIFCA Officers and have conducted regular joint patrols, tackling shared priorities and risks.

Catch recording:

Catch Recording change improves user experience and data accuracy

MMO Digital and Analysis have been working closely with colleagues across MMO, the Isle of Man, Welsh Government and service users to deliver a change to the International Council for the Exploration of the Sea (ICES) statistical sub area screen within Catch Recording.

This is a key change to help service users report more accurately on the area fished by replacing the free text field with a list of suggested statistical sub areas. As well as the potential to improve the quality of data collected, the new screen streamlines the journey making it faster and simpler for all service users, especially for those who currently struggle to complete the screen due to learning difficulties or disabilities.

Focus Group

MMO service management team are looking to put together a focus group to feedback thoughts, opinions and ideas around the Record Your Catch Service. We will share insights into what we are up to in Catch Recording and show you what we are working on in advance to any deployment - this will give people an opportunity to have input into the work we are doing.

Sometimes we may ask participants to test some items out. These will be in the form of digital calls and take place once every three months (all calls will be recorded).

To get involved email- catchrecording@marinemanagement.org.uk

Inshore Vessel Monitoring (IVMS):



[MMO announces the results of I-VMS device testing - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

Fishers will continue to be supported by MMO following the outcome of the independent testing on Inshore Vessel Monitoring Systems (I-VMS) devices and are assured that upcoming legislation is on pause and will only come into effect once roll-out has been fully completed.

I-VMS devices are required to monitor inshore fishing activity to improve marine management and sustainability, ensure proper fishing practices and prevent illegal fishing to help protect and enhance the livelihoods of fishers.

Legislation in the form of a Statutory Instrument is due to come into force making it a legal requirement for all under-12 metre vessels - domestic and foreign - to have an I-VMS device installed and transmitting data to MMO, when they are at sea in English waters. Following the end of independent testing, there is no expectation that government will progress introduction of the legislation until issues with the roll-out of I-VMS devices have been resolved.

Four devices were Type Approved in 2021 after suppliers provided evidence of their specification. However last year, following feedback, MMO acted and commissioned independent assurance testing on all four devices to provide assurance. Fishers were advised to wait until the results of this additional testing before choosing and purchasing their I-VMS device.

This independent testing is now complete, and two of the devices have failed the assurance process. Type Approval status will therefore be revoked from Maritime Systems Ltd MS44 device and from the Satlink Nano as they have been shown to not meet the original Type Approved specifications set out by MMO. This will be effective from 12:00pm Friday 19 May 2023, subject to final confirmation from MMO. The remaining two devices, Fulcrum Nemo and Succorfish SC2, will remain Type Approved following minor fixes and further review.

MMO has therefore taken the decision to temporarily pause the I-VMS roll-out while it works with suppliers and fishers in resolving the issues raised. All fishers are being contacted directly to make them aware of how this affects them, and what steps are being taken to support them if any changes are now needed.

A dedicated helpline has been set up to help with enquiries. Call 01900 508618 Monday to Thursday 9am to 5pm and Friday 9am to 4.30pm.

Grant Funding

Fisheries and Seafood Scheme (FaSS)

The Fisheries and Seafood Scheme provides financial assistance for projects that support the development of the catching, processing and aquaculture sectors, and for projects that enhance the marine environment. The scheme is available to applicants whose organisation and/or vessels are registered in England.

The scheme will provide funding for a range of projects that deliver the following high-level outcomes:



Marine
Management
Organisation

- Creating a more sustainable and resilient sector;
- Boosting the demand for English seafood and accessing new markets;
- Improving participation through co-design and co-management;
- Achieving good environmental status through the conservation and restoration of the marine environment;
- Supporting net zero through reducing emissions within the industry

<https://www.gov.uk/guidance/fisheries-and-seafood-scheme>

For more information get in touch with MMO Grants team on 0208 026 5539 or FaSS.queries@marinemangement.org.uk

UK Seafood Fund

The UK Seafood Fund is a £100 million fund set up to support the long term future and sustainability of the UK fisheries and seafood sector. The fund is managed by the Department for Environment, Food and Rural Affairs (Defra).

The fund's objectives are to:

- reform and modernise infrastructure to level up and bring economic growth to coastal communities
- ensure the best science, research and technology is used in fisheries management
- encourage new entrants to the industry and upskill the existing workforce
- enable an environmentally sustainable fishing industry that gives most value for money and reflects the long term needs of the sector
- boost UK seafood exports to new and existing markets

The UK Seafood Fund consists of a number of schemes that come under 4 areas of funding:

- science and innovation
- infrastructure
- skills and training
- exports support

<https://www.gov.uk/guidance/uk-seafood-fund>

Regional Fisheries Groups- North East 4b:

Regional Fisheries Groups (RFGs) are a mechanism for predominantly the inshore fishing fleet to share their views with Defra, MMO, Cefas, IFCA and other relevant parties to contribute to discussions on collaborative working. They have in part evolved from Quota Advisory Groups (QAGs) and still incorporate a quota discussion on catch limits. Below you can find notes from recent meetings and dates of forthcoming meetings relevant to each region.

Date of last meeting: Tuesday, 09 May 2023



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[Regional Fisheries Groups - North East 4b - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Please contact regionalfisheriesgroups@marinemanagement.org.uk to request more information or details of the next meeting.

NEIFCA June Authority Meeting

Natural England Partner Report – Submitted by Claire Argent

Natural England continue to work closely with NEIFCA scientific team to ensure that all MPA assessments are up to date and include NE's previous advice. We have recently held discussions with the team regarding updates specifically to the Holderness Inshore MCZ and Runswick Bay MCZ assessments.

There are no wider NE updates as due to resource limitations we are currently largely only able to resource sustainable development casework, including offshore wind developments and other marine / coastal Nationally Significant Infrastructure Projects (NSIPs).