

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

AUTHORITY MEETING 05 DECEMBER 2019

Present:

Councillor Ron Allcock
 Dr Stephen Axford
 Councillor Edward Bell
 Mrs Kirsten Carter
 Councillor David Chance
 Prof Mike Elliott
 Mr Andrew Faichney
 Councillor Stephen Harness
 Mr Bob Houghton
 Councillor Chris Matthews (Chair)
 Christian Proud
 Mr Nigel Proctor
 Councillor Tony Randerson
 Mr Gary Redshaw
 Councillor Paul Stewart
 Mr Andrew Wheeler
 Mr Jon Whitton

Representing:

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

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

The Committee met at the Double Tree by Hilton Monkbar Hotel, York. The meeting started at 10:00am.

20.	APOLOGIES FOR ABSENCE
	Apologies of absence were received from MMO member Montgomerie and Wood, EA representative Slater and Natural England Representative Brown. The Chair also welcomed new member Councillor Paul Stewart, Sunderland City Council, onto the Authority.
21.	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.
22.	MINUTES OF THE AUTHORITY MEETING HELD ON 14 JUNE 2019
	Resolved – That the minutes of the Authority meeting held on 14 June 2019 be approved as a correct record and signed by the Chair.
23.	LEVY 2020/21

	<p>The Treasurer presented a report to determine the levy on member local authorities for 2020/21 and to highlight issues relating to the setting of the levy for 2021/22 and 2022/23. At its meeting on 6 December 2016, the Authority endorsed the commencement of a staffing and organisational review, additional budget provision is required to set a funding envelope to allow for the successful completion of the staffing and organisational review, the Treasurer also reported that the staffing and organisational review is likely to require an overall increase of 15% over the next three years and therefore indicative increases in the levy of a minimum of 5% in 2021/22 and 2022/23 are proposed. Other financial pressures include the replacement of the patrol vessel, which remains a key risk for the Authority, included within the levy proposals was a contribution to the renewals reserve of £102,900, which would bring the total of the Renewals reserve to £1,180,989.</p> <p>Members commented that the 5% increase seemed high in percentage terms, but when the actual figures were considered, the amounts were quite low in financial terms. Members expressed that lessons should be learnt from the current organisational review and upon reflection, the freeze on the levy during past years has contributed to the current shortfall in the salaries budget.</p>
	<p>Resolved – (i) That the levy for 2020/21 be set at £1,285,536 (an increase of 5% (£61,216) above the 2019/20 rate) and the Clerk be authorised to issue demands on the relevant local authorities as presented at Appendix A.</p> <p>(ii) That the Authority acknowledges the issues affecting NEIFCA and their effect upon the levy for 2021/22 and 2022/23, which is anticipated to be a minimum of a 5% increase each year.</p> <p>(iii) That a detailed budget for 2020/21 be brought to the Authority for approval at the Executive meeting in March 2020, and a medium term financial plan for the next four years be brought to the Executive Committee in March 2020 and to the full Authority meeting in June 2020.</p> <p>(iv) That members’ delegate authority to the Executive Committee to determine and implement the outcome of the staffing and organisational review, within the levy envelope.</p>
24.	<p>MARINE & COASTAL ACCESS ACT 2009 (SECTION 155) – MAKING OF BYELAW XXX11 FISH, MOLLUSC AND CRUSTACEA MINIMUM SIZE BYELAW</p>
	<p>The Chief Officer presented a report to inform Members of the intention to make the following byelaw regulation in accordance with the duty imposed by section 153 and the provisions contained within sections 155, 156, 158 and 160 of the Marine and Coastal Access Act 2009: XXXII Fish, Mollusc and Crustacea Minimum Size Byelaw 2019. The new byelaw replaces and replicates the provisions contained within the Authority’s current emergency byelaw which was made on 13 August 2019.</p>
	<p>Resolved – (a) That the Authority approves the making of the byelaw. (b) That the Authority instructs the Clerk to give requisite notice by advertisement of the intention to apply to the Secretary of State for confirmation of the said byelaw.</p>
25.	<p>SCIENCE ADVISORY GROUP</p>

	The Chief Officer presented a report to update members on considerations and recommendations emanating from the most recent meetings of the Science Advisory Group (SAG) held on 6 September 2019. The Chair of the Science Advisory Group, Dr Stephen Axford gave a verbal update at the meeting on the preliminary results of the 2018 lobster and edible crab monitoring programme and the status of fish stocks found within the District which the group considered at its March and September meetings.
	Resolved – That the notes be received.
26.	CHIEF OFFICERS OPERATIONAL REPORT
	The Chief Officer presented a report to provide members with a comprehensive and detailed operational summary covering the period June to November 2019. Members were informed that widespread breaches of legislation protecting egg bearing lobsters continued to present officers with significant issues. Since April 2019 18 offences have been reported throughout the district and 2 verbal warnings, 16 warning letters, 5 formal cautions and 3 fixed penalty notices had been issued for breaches of the legislation. In addition to these administrative sanctions six cases had been successfully prosecuted in Court although the fines imposed have been relatively low. Outside the lobster fishery, officers continued to focus on the monitoring of nomadic scallop dredging activity. Members were also informed that the 2019/2020 scallop fishery opened on the 1 November 2019 and a comprehensive programme had been implemented for the 3 permitted vessels.
	Resolved – That the notes be received.
27.	BUDGET MONITORING 2019/2020
	The Treasurer presented a report to advise Members of the budget position at the end of month 07 (October) in 2019/20. 2.2 Members were informed that at the end of October 2019, the Authority has net expenditure of £633,373 against an expected £645,665, underspending by £12,293. The projected outturn shows a balanced budget. The main area of underspend to date is Employee expenses. The report also highlighted that the External Projects Reserve now stands at £91,344, which would have enabled the Authority to progress with the regulatory impact of the AIS project, subject to DEFRA approving the byelaw. The government had announced that the project will no longer go ahead and it was proposed that the funds should be transferred into the Renewals Fund to go towards the replacement of the patrol vessel.
	Resolved – a) That the report be noted. b) The balance on the External Projects Reserve is transferred to the Renewals Fund.
28.	FISHERIES STATUTES AND REGULATIONS – PROSECUTIONS
	The Clerk submitted a report on the fisheries enforcement activities taken by the Authority since June 2019. Members requested that a report detailing the process for the issuing of Home Office Cautions and Financial Administrative penalties is included in the June Authority meeting for member's information.
	Resolved – a) That the notes be received.

	b) A report be presented to members, detailing the process for the issuing of Home Office Cautions and Financial Administrative penalties at the June Authority meeting for information.
29.	NEIFCA ANNUAL REPORT 2018/2019
	The Chief officer presented a report to provide members with a copy of the Annual Report covering the period, 2018/2019, summarising the Authority's outputs and activities during the year. The Chair requested that members are provided with an update at the March Executive meeting on the redesign of the Authority's website.
	Resolved – a) That the notes be received. b) Members are updated at the March Executive meeting on progress relating to a redesign of the Authority's website.
30.	NEIFCA BYELAWS UPDATE
	The Chief Officer presented a report to update members on all current fisheries byelaw work streams, which included an update on the following 5 byelaw provisions: <ul style="list-style-type: none"> • Byelaw XXVIII Crustacea Conservation Byelaw 2018 • Byelaw XXIX Humber Estuary Fishing Byelaw 2016 • Byelaw XVIII Method and Area of Fishing (Fixed Netting) Byelaw 2016 • Byelaw XXX Automatic Identification System Byelaw 2016 • Byelaw XXXI Catch Returns Byelaw 2016 <p>Members were informed that Byelaw XXVIII Crustacea Conservation Byelaw 2018 was confirmed by Defra on 8 August 2019, Byelaw XXIX Humber Estuary Fishing Byelaw 2016 was confirmed on 15 August 2019 and Byelaw XVIII Method and Area of Fishing (Fixed Netting) Byelaw 2016 was confirmed on 29 October 2019. Members were also informed that on 29 October 2019 the Minster wrote to advise that, following consideration, he had taken the decision to reject Byelaw XXX Automatic Identification System Byelaw 2016, on the grounds of duplication with the national inshore vessel monitoring system. The Chief Officer was seeking clarification on some apparent inaccuracies detailed within the letter. Byelaw XXXI Catch Returns Byelaw 2016 is still waiting to be confirmed.</p>
	Resolved – That the notes be received.
31.	REPORTS FROM PARTNER AGENCIES AND BODIES
	The Marine Management Organisation and Environment Agency briefing papers had been circulated prior to the meeting, papers from Natural England were unavailable at the time of printing. Christian Proud, MMO representative provided a verbal update at the meeting. Members questioned the renewal process for MMO appointed members as their term of service was due to expire in the new year. The Clerk agreed to write a letter to the MMO requesting an update and for the renewal process to be outlined.

32.	ANY OTHER BUSINESS
	Nothing to report.
	The meeting closed at 11:45am.