

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

AUTHORITY MEETING

14 JUNE 2018

Present:

Councillor Rebecca Atkinson
Councillor Ron Allcock
Councillor Edward Bell
Emma Brown
Councillor Kevin Cranney
Mrs Kirsten Carter
Councillor David Chance
Professor Mike Elliott
Mr Andrew Faichney
Councillor Stephen Harness
Mr Bob Houghton
Councillor Chris Matthews (Chair)
Mr Philip Macmullen
Mr Michael Montgomerie
Councillor Robert Norton
Christian Proud
Councillor Tony Randerson
Mr Gary Redshaw
Mr Andrew Wheeler
Mr Jon Whitton
Mr Shaun Wood

Representing:

Sunderland City Council
North Lincolnshire Council
Durham County Council
Natural England
Hartlepool Borough Council
MMO appointee
North Yorkshire County Council
MMO appointee
MMO appointee
North East Lincolnshire Council
MMO appointee
East Riding of Yorkshire Council
MMO appointee
MMO appointee
Redcar & Cleveland Borough Council
MMO Representative
North Yorkshire County Council
MMO appointee
MMO appointee
MMO appointee
MMO appointee

Mrs Caroline Lacey, Clerk, Mr David McCandless, Chief IFC Officer, Mr Neal Beckett, Treasurer, Mr Ian Davies, Deputy Chief Officer, Mr Tim Smith, Senior Environmental & Scientific Officer, Mr Steven Mallinson, Senior Inshore Fisheries & Conservation Officer, Miss Georgina Innes-Myers, NEIFCA, Bex Lynam, YWT and Callum Williams, MMO also attended the meeting.

The Committee met at the Royal York Hotel, York. The meeting started at 10:30.

39.

MINUTES SILENCE

Members observed a minutes silence at 12 noon to mark the one year anniversary of the Grenfell Tower Fire and in remembrance of those who lost their lives.

40.

APOLOGIES

Apologies of absence were received from MMO member Acker and Axford, Councillor Members Allen, Gibson, Owen and Smith, EA nominee Slater.

41.

DECLARATION OF 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.

42.

MEMBERSHIP OF THE AUTHORITY

The Clerk reported that the following new Members had been appointed to the Authority:

Councillor Rebecca Atkinson – Sunderland City Council
Professor Mike Elliott – MMO Appointee
Mr Philip Macmullen – MMO Appointee
Mr Michael Montgomerie – MMO Appointee

43. TO ELECT A CHAIRMAN

The Clerk reported that the Authority had received one nomination in writing from Councillor Chris Matthews, East Riding of Yorkshire Council member and asked the Authority if there were any other nominations. There were no further nominations. Councillor Chris Matthews was proposed and seconded and was elected Chairman by a unanimous vote by the Authority.

Resolved - That Councillor Chris Matthews be elected as Chairman for the ensuing year.

TO ELECT A VICE CHAIRMAN

The Clerk reported that the authority had received one nomination in writing from Dr Stephen Axford, MMO Appointee, and asked the Authority if there were any other nominations. There were no further nominations. Dr Stephen Axford was elected Vice Chairman by a unanimous vote by the Authority.

Resolved - That Dr Steven Axford be elected Vice-Chairman for the ensuring year.

44. TO APPOINT AN EXECUTIVE COMMITTEE

Resolved –

That the Chairman, Vice-Chairman
Councillors Bell, Randerson and Allcock
Mrs Kirsten Carter, Mr Gary Redshaw and Professor Mike Elliott be appointed for the ensuing year.

45. TO CONFIRM MEMBERSHIP OF STANDARDS COMMITTEE

Resolved - That Councillors Bell, Randerson and Clerk be appointed for the ensuing year.

46. TO CONFIRM MEMBERSHIP OF THE SCIENCE ADVISORY GROUP

Resolved – That Chair, Vice-Chairman
Mrs Kirsten Carter, Mr John Whitton, Mr Robert Houghton, Professor Mike Elliott, Mr Philip Macmullen, Mr Michael Montgomerie and representatives from the Marine Management Organisation, Natural England and the Environment Agency be appointed for the ensuing year.

47. TO APPOINT REPRESENTATIVES TO SERVE AND REPORT QUARTERLY

Resolved - (a) That the following be appointed for the ensuing year to serve and

report quarterly on :-

Flamborough Harbour Commissioners (2 representatives):

Councillor Chris Matthews
Mr Bob Houghton

Staithe Harbour Board (2 representatives)

Councillor David Chance
Mr Steven Mallinson

(b) That the following be appointed for the ensuing year to attend meetings of:

The Association of Inshore Fisheries & Conservation Authorities Forum (3 representatives),:

Chairman/(the Vice-Chairman to substitute when the Chairman is unable to attend)
Clerk or Deputy Clerk
Chief IFC Officer

(c) That it be noted that the Chief IFC Officer was a Director of The Association of Inshore Fisheries & Conservation Authorities .

48. MINUTES OF THE QUARTERLY MEETING HELD ON 07 DECEMBER 2017

The Chief Officer informed members that following the decision made at the full Authority meeting on the 7 December 2017, the internal auditing team had reviewed the asset disposal limit and recommended that the level is set at £10,000. The disposal of any assets above that limit and or purchase by either an officer or a member of the Authority would require Committee approval.

Resolved – (a) That the minutes of the Quarterly meeting held on 07 December 2017 be approved as a correct record and signed by the Chair.

(b) The threshold for disposal of un-required inventory items be set at £10,000.

49. MINUTES OF THE EXECUTIVE MEETING HELD ON 08 MARCH 2018

Resolved – That the minutes of the Executive meeting held on 08 March 2018 be approved as a correct record and signed by the Chair.

50. NEIFCA ANNUAL ACCOUNTS 2017/2018

The Treasurer of the Authority presented a report of the Annual Accounts for NEIFCA for the year ended 2017-18. The report provided the income and expenditure account, detailed balance sheet and position on reserve accounts.

Resolved -

- a) That the Statement of Accounts were approved as presented
- b) That Members Approved the Outturn position

51. MANAGEMENT OF SCALLOP DREDGING 2018/201 PERMITTING SCHEME

The Chief Officer presented a report to support consideration of recommendations for the 2018/2019 fishery. A detailed background was included in the report for members information. The Chief Officer informed members that following the decision made by the Authority to support a continuation of the trail, allowing 3 permitted vessels to operate during the 2017/18 season, no major issues were reported and no infringements had been detected. During the 2017/2018 fishery over 198 tonnes of scallops were landed for an estimated first sale value of £553K across 166 days of active fishing within the specified area. The sampling and monitoring regime carried out by the Authority's Officers had been significantly enhanced with an emphasis on active onboard monitoring and catches of discards. The Chief Officer informed members that the outputs from the sampling and monitoring work undertaken during 2017/2018 season had been presented at a special meeting of the Science Advisory Group held on the 23 May 2018, Dr Bryce Beukers Stewart from York University also attended the meeting and offered valuable input. Members of the Science Advisory Group had considered the officer recommendations in detail, along with the supporting evidence and advice of Dr Bryce-Beukers Stewart, whilst members agreed that data relating to the stock provided some confidence that the fishery could re-open during 2018/19, they also requested some additional recommendations which included a maximum of 3 permits to be offered, additional environmental monitoring and officers to develop a longer term strategy for the fishery. The Chief Officer requested that members considered the recommendations made by the Science Advisory Group and support the re-opening of the fishery on 1 November 2018 accordingly.

Resolved –

- (a) That members note the report.
- (b) That members support the recommendation that a maximum of three scallop dredging permits be made available for the 2018/2019 season.
- (c) Officers extend the environmental monitoring component of the supporting research to include seabed habitat comparisons both inside and outside the fished areas.
- (d) Officers undertake additional potting surveys across the fished areas to monitor any changes in the presence of crab and lobster species.
- (e) Officers develop a long-term strategy for the fishery and an update be provided at the December Authority meeting.

**52. MARINE & COASTAL ACCESS ACT 2009 – MAKING OF BYELAW XXVIII
CRUSTACEA CONSERVATION BYELAW 2018**

The Clerk and 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. The Chief Officer informed members that the new byelaw would replace the Authority's current Crustacea Conservation Byelaw, retaining and rationalising existing management regulations covering the exploitation of lobster, edible crab, velvet crab and nephrops within the Authority's district, as well as incorporating existing provisions for V Notch lobsters, protection for egg bearing lobsters and a new protection for 'soft' lobsters. A copy of the draft byelaw regulation including a supporting regulatory impact assessment was included for members information.

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.

53.

EXCLUSION TO THE PUBLIC

That the public be excluded from the meeting for consideration of the following item (Minutes 54) on the grounds that it involves the likely disclosure of exempt information defined in Paragraphs 8 and 9 of part 1 of Schedule 12A of the Local Government Act 1972.

Resolved – that the public be excluded from the meeting for consideration of the following item (minutes 54).

54.

NATIONAL INSHORE VESSEL MONITORING (IVMS) PROJECT

The Chief Officer presented a report to update members on the National Inshore Vessel Monitoring (iVMS) project and consider the implications of such on the Authority's parallel Automatic Identification System (AIS) work and supporting byelaw regulation. The Chief Officer highlighted that at a meeting of the full Committee held on 20 July 2017 members agreed to support a funding bid through the national EMFF programme to purchase and commission a district wide AIS vessel monitoring system to support pending confirmation of its AIS byelaw regulation. In consideration, members received a detailed background and were also updated on the progression of a parallel national work stream, across England, involving iVMS in collaboration with the Marine Management Organisation (MMO). NEIFCA has always viewed the use of an AIS platform as a much more suitable, cost effective and preferable system, locally, for monitoring inshore and coastal vessel movement but this view has never been replicated nationally although some of the potential benefits of AIS have been recognised. Subsequently, on 17 April 2018 officers received formal confirmation from the MMO that their bid for EMFF support to purchase a district wide AIS vessel monitoring system had been rejected on the grounds that it did not sit with national policy.

Since the meeting in July 2017 the status and importance of the national vessel monitoring project had increased significantly and the successful implementation of the project was now deemed critical by Defra to accessing future trading arrangements with the EU post exit. Defra now considered that if commercial fishing vessels did not have an IVMS system onboard, following the UK's exit from the EU, they would not be able to trade their catches with the EU. In having the system onboard, vessels would be able to meet future traceability requirements of the EU in confirming that their catches had not come from any illegal, un-reported or un-regulated (IUU) source. In our region over 90% of fishermen trade their catches directly with the EU at present. In addition to the EU requirement to trade, the requirement to have an IVMS system onboard all commercial fishing vessels would subsequently be mandated in secondary national legislation and vessels would not be able to fish in English waters without one.

Members were made fully aware that since 2014, prior to the development of the national IVMS system, officers had been actively working on utilising the existing vessel Automatic Identification System (AIS) platform as a cost effective way of monitoring vessel activity. This work culminated in the formal making of a supporting byelaw regulation on 27 April 2016 and the submission of an application for EMFF funding

support during October 2017. Whilst the grant application had been rejected the supporting byelaw remained in process and on track for formal Ministerial confirmation. Officers considered that from an operational perspective there remained a very strong need to achieve Ministerial confirmation of AIS byelaw to cover expected signal loss in MPA areas, enable ship to ship monitoring of fishing activity, enable monitoring of other commercial fishing activities not covered by the national project, cover any future issues surrounding vessel transmission rates and managing 'geo fences' associated with the national project, enable monitoring of other small vessel sectors potentially not covered by the national project, further reduce gear conflict issues and strengthen maritime safety.

Resolved –

- (a) Members note the report.
- (b) Members support the implementation of the national iVMS project within the Authority's district authorise the Clerk, Treasurer and Chief Officer to undertake and oversee the procurement, supporting grant in aid and cost recovery processes through the European Maritime and Fisheries Fund (EMFF).

55. NEIFCA DRAFT ANNUAL REPORT 2017/2018

The Chief Officer apologised to members as the draft Annual Report covering the period 2017/2018 was not available, the Chief Officer assured members that a copy would be circulated for comment as soon as it had been received back from the graphic designer.

Resolved – That the report be noted.

56. GENERAL DATA PROTECTION REGULATIONS 25 MAY 2018

The Clerk and Chief Officer presented a report to advise members of new data protection regulations that came into force on 25 May 2018 and to provide a suite of new and updated policies to support compliance with the new provisions. The Chief Officer highlighted that the Data Protection team within the East Riding of Yorkshire Council had provided valuable support and guidance on the changes regarding Data Protection and the policies required to ensure adequate compliance with the new regulations.

Resolved – That the report be noted.

57. SCIENCE ADVISORY GROUP UPDATE

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 8 March and 23 May 2018. A copy of the draft minutes of the meeting held on the 8 March 2018 were included for members information. At the last meeting of the Science Advisory Group on the 23 May, the Chief Officer highlighted that Mr James Duke from the Environment Agency had attended and provided a comprehensive update on the issues surrounding the McCain's outfall, a further update would be provided at the September meeting. Councillor Randerson requested that he be notified of the date and time of the next Science Advisory Group meeting so that he could attend.

Resolved – That the notes be received.

58.

CHIEF OFFICERS OPERATIONAL REPORT

The Chief Officer presented a report to provide members with a comprehensive and detailed operational summary covering the period December to May 2018.

During the reporting period the region experienced one of the most severe and sustained spells of weather in over a decade. At the beginning of March Easterly gales combined with plummeting temperatures and Spring tides to force large quantities of marine life onto exposed beaches. The effects of this weather event were particularly acute along the Holderness Coast of East Yorkshire and officers estimated that over 814,000 lobsters and 108,000 crabs were washed up onto the foreshore. Officers supported an effort led by the local fishing industry to recover as many live lobsters as possible from the beach and return them back to sea. The Chief Officer took the opportunity to praise the efforts of the Authority's Officers and the industry who worked alongside each other throughout the event.

The Chief Officer also highlighted that since the prohibition relating to the capture and landing of egg bearing lobsters was introduced, the Authority's officers had encountered evidence of significant non-compliance at a number of ports within the Authority's district and had actively commenced trials of a testing process which it was hoped would significantly strengthen enforcement capability.

Resolved – That the notes be received

59.

FISHERIES STATUTES AND REGULATIONS - PROSECUTIONS

The Clerk submitted a report on the fisheries enforcement activities taken by the Authority since December 2017.

Resolved – That the notes be received

60.

FRAISTHORPE, HOLDERNESS COAST 'WASH UP' EVENT 2018 SUMMARY REPORT

The Chief Officer presented a report to advise and update members of a significant 'wash up' event which occurred near Fraisthorpe on the Holderness Coast of East Yorkshire Coast during the first week of March 2018. Persistent spells of Easterly gales, at the beginning of March, combined with some of the lowest temperatures in a decade and Spring tides, to wash quantities of shellfish and other marine organisms onto beaches along the East coast of England from the Humber to the Scottish borders. The worst affected area was Fraisthorpe on the Holderness coast of East Yorkshire which attracted regional and national media interest. Upon receipt of the first reports of the incident on Saturday 3 March NEIFCA officers immediately mobilised to support an effort led by local fishermen and assisted by other partner organisations to recover quantities of live lobster from the beaches and return them back to the sea. On behalf of the Authority, the Chairman thanked the Authority's officers for their hard work and efforts in supporting the recovery operation. A copy of the survey report was attached for members information.

Resolved – That the notes be received

61. REPORT FROM PARTNER ORGANISATIONS – MARINE MANAGEMENT ORGANISATION, ENVIRONMENT AGENCY & NATURAL ENGLAND

The Marine Management Organisation and Natural England's partner briefing papers had been circulated prior to the meeting, papers from the Environment Agency were unavailable at the time of printing. Natural England appointee Emma Brown informed members that the consultation on the third tranche of Marine Conservation Zones commenced on the 8 June 2018 and was scheduled to close on 20 July 2018.

Resolved – That the notes be received

62. ANY OTHER BUSINESS

Nothing to report.

The meeting closed at 12:45