

Clerk of the Authority  
Darren Stevens  
County Hall, Beverley  
East Riding of Yorkshire, HU17 9BA

Chief IFC Officer  
David McCandless, BSc. MSc.  
Town Hall, Quay Road, Bridlington  
East Riding of Yorkshire, YO16 4LP



All enquiries should be directed to:  
Sarah Murray  
PA & Operational Support Manager

Tel: 01482 393515  
Fax: 01482 393699  
E.Mail: sarah.x.murray@eastriding.gov.uk  
Our ref: NEIFCA  
Date: 29 May 2024

Dear Member

Meeting of North Eastern Inshore Fisheries & Conservation Authority – Thursday 6<sup>th</sup> June 2024

I hereby give you notice that the next Authority Meeting of North Eastern Inshore Fisheries and Conservation Authority will be held on **Thursday 6<sup>th</sup> June 2024 at 09:30am.**

The location of the meeting is Room 8, County Hall, Cross Street, Beverley, HU17 9BA. Car parking is available at School Ln, Beverley HU17 0AJ.

On arrival please report to the main reception and ask for David McCandless. Could members please send in any apologies by Monday 3<sup>rd</sup> June 2024, please telephone 01482 393515 or email [ne-ifca@eastriding.gov.uk](mailto:ne-ifca@eastriding.gov.uk). Thank you to members who have already given their apologies.

Please contact me if you have any queries.

Yours Faithfully

David McCandless  
Chief IFC Officer



**NORTH EASTERN INSHORE FISHERIES & CONSERVATION AUTHORITY**

**6 June 2024**

**Hybrid Meeting Virtual/Meeting, 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
4. Membership of the Authority
- 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: Professor Mike Elliott
- 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)  
  
Last year: Chair, Vice-Chair  
Councillors, Randerson, Creevy, Harness  
Mr G Redshaw, Mr G Collins. Mr A Wheeler
6. To confirm membership of Standards Committee  
Last year: Councillors Bowtell, Randerson and the Clerk

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

Last year: Chair, Vice Chair of the Authority

Miss Rebecca Lynam, Mr Graham Collins, Dr Clare Fitzsimmons, Mr Michael Montgomerie, Mr Andrew Faichney, Mr Andrew Wheeler and representatives from the Marine Management Organisation, Natural England and the Environment Agency be appointed for the ensuing year.

8. To appoint representatives:

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

(i) Flamborough Harbour Commissioners (2 representatives)  
Last year: Cllr Maria Bowtell, one vacancy

(ii) Staithes Harbour Board (4 representatives)  
Current Members: Councillor D Chance  
Councillor C Cawley  
Steven Mallinson Shore Operations Manager  
Mr Richard Pennall

(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 8 December 2023 (*pages 1-8*)  
10. To consider the Minutes of the Executive meeting held on 7 March 2024 (*pages 9-12*)

### **Items for decision**

11. Marine and Coastal Access Act 2009 (Section 155) – Making of XXXIII Beam Trawl Byelaw 2024 (*pages 13-40*)  
11a. XXXIII Beam Trawling Byelaw 2024  
11b. XXXIII Beam Trawling Byelaw 2024 RIA  
12. NEIFCA Financial Outturn 2023/2024 (*pages 41-48*)  
13. Provision of Services to NEIFCA (*pages 49-52*)

### **Items for discussion**

14. Science Advisory Group Update – 8 March & 21 May 2024 (*pages 53-58*)
15. Management of scallop dredging 2024/2025 (*pages 59-66*)  
**(Not for wider circulation)**
16. Management of permitted intertidal and sub-tidal fixed net fisheries 2024/2025 (*pages 67-74*)
17. Chief Officer's Operational report (*pages 75-86*)
18. Fisheries Statutes and Regulations – Prosecutions (*pages 87-88*)

### **Items for information**

19. NEIFCA byelaws update (*pages 89-90*)
20. Reports from partner Agencies and bodies (*91-92*)
  - 20(a) Marine Management Organisation
  - 20(b) Environment Agency
  - 20(c) Natural England
21. 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  
08 DECEMBER 2023****Present:**

Prof Mike Elliott  
 Councillor Ceri Cawley  
 Councillor Mark Wilkes  
 Councillor Maria Bowtell  
 Councillor Ernest Gibson  
 Councillor Rhys Furley  
 Councillor David Chance  
 Councillor Neil Swannick  
 Councillor Rachel Creevy  
 Councillor Stephen Harness  
 Councillor Paul Stewart  
 Dr Stephen Axford  
 Mr Michael Montgomerie  
 Mr Gary Redshaw  
 Mr Andrew Wheeler  
 Miss Rachel Hanbury  
 Miss Rebecca Lynam  
 Mr Graham Collins  
 Mrs Clare Fitzsimmons

**Representing:**

Chair  
 Redcar & Cleveland Council  
 Durham County Council  
 East Riding of Yorkshire Council  
 South Tyneside Borough Council  
 Hull City Council  
 North Yorkshire County Council  
 North Yorkshire County Council  
 Hartlepool Borough Council  
 North East Lincolnshire Council  
 Sunderland City Council  
 MMO appointee  
 MMO appointee  
 MMO appointee  
 MMO appointee  
 MMO appointee  
 MMO appointee  
 MMO appointee  
 MMO appointee

Mr Darren Stevens, Clerk, Mr David McCandless, Chief Officer, Mr Stephen Chandler, Treasurer, Dr Ralf Bublitz, Senior Environmental Officer also attended the meeting.

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

<b>68.</b>	<b>APOLOGIES FOR ABSENSE</b>
	Apologies of absence were received from MMO members Andrew Faichney, Will Jenkinson, Terry Pearson and Council Members McMaster & Poole. Members were also informed that the Clerk, Caroline Lacey had left her position in the East Riding of Yorkshire Council, Darren Stevens who was present at the meeting would take the role of acting Clerk of the Authority until further notice. The Chair requested that a letter be sent to Caroline Lacey on behalf of the Authority expressing a sincere appreciation for her time and the positive contributions she had made in her role as Clerk.
<b>69.</b>	<b>DECLARATION OF PERSONAL OR PREJUDICIAL INTERESTS</b>
	<b>Resolved</b> –The Clerk asked Members to declare any personal or prejudicial interests in items on the Agenda and the nature of such interests. Cllr Maria Bowtell declared an interest as an employee at a seafood production company.

<b>70.</b>	<b>TO CONSIDER THE MINUTES OF THE AUTHORITY MEETING HELD ON 08 JUNE 2023</b>
	<b>Resolved</b> – That the minutes of the Authority meeting held on 08 June 2023 be approved as a correct record and signed by the Chair.
<b>71.</b>	<b>TO CONSIDER THE MINUTES OF THE SPECIAL AUTHORITY MEETING HELD ON 30 JUNE 2023</b>
	<b>Resolved</b> – That the minutes of the Special Authority meeting held on 30 June 2023 be approved as a correct record and signed by the Chair.
<b>72.</b>	<b>TO TAKE THE MINUTES OF THE EXECUTIVE COMMITTEE MEETINGS HELD ON 1 NOVEMBER 2023</b>
	<b>Resolved</b> – That the minutes of the Executive meeting held on 01 November 2023 be approved as a correct record and signed by the Chair.
<b>73.</b>	<b>BUDGET MONITORING 2023/2024</b>
	The Treasurer presented a report to advise Members of the budget position at the end of month 06 (September) in 2023/24. At the end of September 2023, the Authority has net expenditure of £547,140 against an expected £621,256 underspending by £74,117. The forecast outturn underspend is £87,398, mainly due employee underspends from delaying recruiting to vacancies in the offshore team until the position on the patrol vessel replacement and sale of existing vessel is clearer.
	<b>Resolved</b> – a) That the budget monitoring position is noted. b) That the forecast underspend at outturn is transferred to Renewals Fund.
<b>74.</b>	<b>LEVY 2024/2025</b>
	The Treasurer presented a report to determine the levy on member local authorities for 2024/25 and to highlight the issues relating to the setting of the levy for 2025/26 and 2026/27. At its meeting on 1 December 2022, the Authority set a levy totalling £1,377,464 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. 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. The 2023/24 levy was also increased by 3% to cover the cost of increases in pay and inflationary pressures. Indicative increases of 2% for 2024/2025 and 2025/26 were proposed but not agreed. At a Special Authority Meeting on 30 June 2023, members approved the decision for the East Riding of Yorkshire Council Cabinet to award the contract for the build and commission of a new 24.5m Fisheries Patrol/Research vessel along with a proposed finance lease agreement with ERYC. Under the terms of the finance lease agreement NEIFCA will make a substantive payment towards the costs in year one utilising funds



	<p>set aside in the Renewals Fund, capital receipts from the sale of the North-East Guardian III and any further additional funding that is subject to a bid to DEFRA. It was agreed that the remaining cost will be funded by ERYC borrowing from the Public Works Loans Board and the costs will be met by the finance leasing arrangement between ERYC and NEIFCA, funded by an increase to the levy. The vessel build was now underway and it was anticipated that the new vessel would be commissioned in 2025. The indicative Worst-Case scenario for the build would require an annual finance lease repayment of £240,590 from 2025/26. The estimated increase on the levy in based on current assumptions and options for the timing of the increase were shown in Appendix A. The original proposal was for the full impact of the levy increase to take effect from 2025/26 increasing the levy by 18%. An alternative proposal phasing in the increase over 2024/25 and 2025/26 financial years was presented to Members. This would result in an 11.5% increase in 2024/25 and 11.5% increase in 2025/26. If the option to phase in the increase was taken the intention would be for the additional funds to be transferred to the Renewals Fund to increase the year one initial payment, potentially reducing the overall borrowing costs of the scheme and future levy increases.</p>
	<p><b>Resolved – a)</b> Members voted in favour of option 2 – Appendix A for the levy increase for 2024/25, the Clerk was authorised to issue demands on the relevant local authorities (at the level approved) as presented at Appendix A, option 2.  <b>b)</b> That the Authority acknowledges the issues affecting NEIFCA and their effect upon the levy for 2025/26 and 2026/27.  <b>c)</b> That a detailed budget for 2024/25 be brought to the Authority for approval at the Executive meeting in March 2024.</p>
75.	<b>NEIFCA BYELAWS UPDATE</b>
	<p>The Chief Officer presented a report to inform members on progress with the following byelaws which were made at a meeting of the Authority held on the 1 December 2022:</p> <p><b>XXVIII Shellfish Permit Byelaw 2022</b>  The key aims of the new byelaw are to establish a new flexible management framework which will more effectively cover the exploitation of listed shellfish species throughout the NEIFCA district, both offshore and onshore. The new proposed byelaw will also consolidate existing byelaw regulations and introduce an effort management system for commercial potting within the district. Since the making of the byelaw on 1 December 2022 it had been subject to further internal quality assurance checks and informal consultation with fishing groups prior to the commencement of the formal statutory consultation process. Internal comments were received back from NEIFCA legal advisors on 24 April 2023.</p> <p><b>XXIX Humber Estuary Fishing Byelaw 2022</b>  At the Authority meeting held on 1 December 2022 members supported the making of a new byelaw XXIX Humber Estuary Fishing Byelaw 2022. Whilst retaining all existing management measures in relation to fishing activities within the boundaries of the Humber Estuary the new byelaw included a revision to the boundaries of an existing protected area to support the expansion of eel grass habitat.</p> <p>Officers opened formal consultation on both byelaws on 15 August 2023 via</p>

publication on the NEIFCA website, emailed alerts to both commercial and recreational permit holders, engagement with the Angling Trust, circulation of notices at ports and landing points and publication in the Fishing News. Officers also facilitated a number of 'drop in' sessions at key ports including Hornsea, Bridlington, Scarborough, Whitby, Redcar and Hartlepool to facilitate further 'face to face' engagement with those affected by the byelaw proposal. The formal consultation closed on Friday 27<sup>th</sup> October 2023. Following the completion of formal consultation on 27<sup>th</sup> October 2023 officers commenced the process of collating all the responses received relating to the XXVIII Shellfish Permit Byelaw 2022, which included 53 written submissions and one 74 signature response from Hartlepool stakeholders objecting to the proposed reduction in the number of permitted hobby pots from 10 to 5. A detailed written analysis of the consultation responses was provided for members information.

The Chief Officer provided a comprehensive breakdown and analysis of the comments and feedback received during the formal consultation in relation to the Shellfish Permit Byelaw. Predictably stakeholders were very split on where the maximum pot allowance should be set and a notable minority were concerned that the businesses that they had worked extremely hard to build up could fail as a direct result of the proposal, even given the increase from 800 to 1000 pots but a balance had to be struck between securing stock sustainability and keeping associated economic risk to businesses low. The other main item arising from the formal consultation process was the opposition from the hobby sector to the proposed reduction in the maximum number of permitted pots from 10 to 5. As anticipated, this was most evident at Hartlepool where a similar level of opposition was recorded back in 2015. Some hobby fishermen advocated maintaining the maximum number of permitted pots at 10 until the level of latent effort could be fully assessed following the introduction of the annual charge, then, if there remained a need to reduce the number of pots that could be implemented at a later date. It was important, however, that the overarching principles of the hobby scheme were not overlooked. It provided access for members of the public, on a 'not for profit' basis, to set a small number of pots, as a leisure activity, to catch a small amount of shellfish each day for personal consumption.

The Chief Officer informed members that having considered the outcome from the consultation process he did not intend to change the proposed 1000 pot limit but recognising the potential for impact on some businesses further transitional support would be provided through the implementation process. Such businesses could apply, with an evidenced case, for an additional pot allowance which would reduce each year until the maximum cap of 1000 pots was reached. Whilst Cllr Bowtell, East Riding of Yorkshire Council welcomed the additional consideration of economic impact on businesses she also raised concerns that the onus should not be on the industry to provide evidence to be considered for any transitional scheme. Cllr Bowtell felt there needed to be greater evidence and data presented on behalf of the Authority to demonstrate the effect effort limitation would have on stock levels to substantiate its potential impacts.

Members raised concerns surrounding the insufficient marking of gear, which the Chief Officer reassured members that the level of compliance across the district in terms of gear marking was a constant challenge and provisions had been included within the byelaw to address such. Members also stated that the ecological data needed to be assessed alongside the economic data when assessing the responses and potential impacts of any changes. The Chief Officer reassured members that the primary role of the byelaw was to maintain stock sustainability. Cllr Creevy, Hartlepool Borough

	<p>Council raised concerns that some of the points raised in the drop-in event had not been accurately portrayed in the analysis of the consultation, and there was no reference to the 74 signature response from Hartlepool stakeholders objecting to the proposed reduction in the number of permitted hobby pots from 10 to 5. At the Hartlepool ‘drop-in’ event, stakeholders had also put forward a suggestion that there should be a sunset provision for existing hobby fishermen to continue to work 10 pots whilst new entrants be restricted to 5. Cllr Swannick, North Yorkshire Council requested that further information be provided on the environmental impact the Tees and North Yorkshire shellfish mortality had alongside the potential impact the new byelaw regulation would have on stock levels. Cllr Cawley, Redcar and Cleveland Council highlighted concerns that the limited shellfish permit holders were being adversely affected by both the shellfish mortality and the reduction in the number of permitted pots they would be able to work under the new byelaw provisions. Cllr Cawley also raised concerns in the accuracy of the catch and effort data held by the MMO and stated the importance of NEIFCA capturing accurate catch and effort data from the industry first hand. Cllr Cawley advocated the development of a supporting app by NEIFCA.</p> <p>Following further in-depth discussions at the meeting, the Chief Officer advised members that, outside the transitional scheme, no significant changes were proposed to the byelaw. The Chief Officer also reassured members that the output, analysis and decision making resulting from the consultation would be formally published on the Authority’s website within the next few weeks.</p> <p>The Chief Officer also provided a further update on the making of the emergency byelaw which prohibited the use of beam trawls. This measure had been implemented on 18 July 2023 following consideration at the Authority meeting held on 30 June 2023. The temporary byelaw provided for the management of beam trawling specifically targeting king scallop under a scientific dispensation.</p> <p>Since the emergency byelaw was implemented six scientific dispensations had been issued to eligible vessel operators to support further investigation into the fishery. Those dispensations expired on 31 October 2023 and five had since been re-issued until the end of January 2024 when a further review will be undertaken by officers. To date, three vessels had engaged in the programme which would help to inform the development of a replacement byelaw regulation.</p> <p>Officers were now working on a more permanent byelaw regulation which would take effect once the emergency byelaw expired at the end of the maximum statutory 18 month period.</p>
	<p><b>Resolved</b> – That the report be noted.</p>
<p><b>76.</b></p>	<p><b>CHIEF OFFICERS OPERATIONAL REPORT</b></p>
	<p>The Chief Officer presented a report to provide members with a comprehensive and detailed operational summary covering the period May 2023 to November 2023. The report included an update on the Tees and North Yorkshire Shellfish Mortalities. Council members Creevy, Hartlepool and Cawley, Redcar and Cleveland Council asked for greater clarification on the protocol for reporting further wash-up incidents and requested that such be circulated amongst the industry. Members also sought</p>

	<p>clarification from the Chief Officer on North Eastern IFCA's remit and statutory role and responsibilities in terms of responding to the shellfish mortalities. The Chief Officer clarified that NEIFCA statutory role was confined solely to the sustainable management of fishing activity on sea fisheries resources and its wider conservation remit was restricted to marine protected area management which included Marine Conservation Zones. Statutory responsibility for discharging and marine pollution rested with the Environment Agency and the licensing and consent of marine projects such as port development with the Marine Management Organisation (MMO). In terms of the Teeside mortalities NEIFCA could only play a supporting role to those organisations as and when requested or appropriate.</p> <p>The Chief Officer also informed members that Defra had allocated funding to IFCA's in partnership with Cefas to examine the IFCA response to the Teesside events alongside other similar events that had occurred within other IFCA districts. This work was scheduled to commence in April 2024 and would support the development of a national process for responding to similar events in the future.</p> <p>The Chief Officer also updated members on the replacement patrol vessel project. Since members approved plans to replace its main patrol vessel, North Eastern Guardian III at a special authority meeting held on the 30 June 2023, NEIFCA officers had been working with ERYC leads to finalise contractual terms which were formally concluded on 6 October 2023 and a contract had now been officially sealed. Officers were now close to finalising the design and build components of the new vessel with the manufacturer, Parkol Marine Ltd of Whitby.</p>
	<b>Resolved</b> - That the report be noted.
<b>77.</b>	<b>SCIENCE ADVISORY GROUP UPDATE</b>
	The Senior Environmental Officer presented a report to update members on the most recent proceedings of the Science Advisory Group (SAG) following the meeting held on the 08 September 2023.
	<b>Resolved</b> - That the report be noted.
<b>78.</b>	<b>FISHERIES STATUTES AND REGULATIONS</b>
	The Clerk submitted a report to members on the fisheries enforcement activities taken by the Authority for the period 1 June 2023 to 30 November 2023.
	<b>Resolved</b> - That the notes be received.
<b>79.</b>	<b>REPORTS FROM PARTNER AGENCIES AND BODIES</b>
	Briefing papers from the Environment Agency, Marine Management Organisation and Natural England were unavailable at the time of printing.

<b>80.</b>	<b>ANY OTHER BUSINESS</b>
	Cllr Neil Swannick informed members that North Yorkshire Council had written to the secretary of state requesting a public enquiry into the Tees and North Yorkshire shellfish mortalities. The letter had been submitted approximately 6 months ago, to date, no response had been received.
	The meeting closed at 12:50



## NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

### MEETING OF THE EXECUTIVE COMMITTEE

07 MARCH 2024

**Present**

Prof Mike Elliott  
Mr Graham Collins  
Councillor Stephen Harness

**Representing**

Chairman  
MMO appointee  
North East Lincolnshire Council

Clerk Darren Stevens, East Riding of Yorkshire Council, Treasurer Stephen Chandler, East Riding of Yorkshire Council and David McCandless, NEIFCA Chief Officer, also attended the meeting.

The meeting took place in County Hall, Beverley, the meeting commenced at 9.30am.

77.	<b>APOLOGIES</b>
	Apologies for absence received from Cllr Chance, Gary Redshaw and Andrew Wheeler
78.	<b>DECLARATION OF PERSONAL OR PREJUDICIAL INTERESTS</b>
	<b>Resolved</b> – The Chair 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.
79.	<b>TO TAKE NOTES OF THE MEETING HELD ON 30 MARCH 2023 AS A CORRECT RECORD</b>
	<b>Resolved</b> – That the minutes of the meeting held on 1 November 2023 be approved as a correct record and signed by the Chairman.
80.	<b>NEIFCA ANNUAL PLAN 2024/2025</b>
	The Chief Officer, David McCandless presented a report for members to review the Annual Plan for the year 2024/2025. The Chief Officer discussed with members the ambitious local plans for the year ahead. The main plans include the replacement of the main patrol vessel and the development of the new byelaws. Comments on the framework of the plan were requested from members by the end of March.
	<b>Resolved</b> - (a) The annual plan for 2024/2025 was reviewed.
81.	<b>BUDGET REPORT 2023/2024</b>
	The Treasurer presented a report to advise Members of the budget position at the end of month 10 (January) 2023/2024.

	<p>At the end of January 2024, the Authority has net expenditure of £905,787 against an expected £1,083,565 underspending by £177,778. The forecast outturn underspend is £198,658, mainly due to underspends on employees relating to vacancies and additional Defra 'grant in aid'.</p> <p>The recommendations reported by the treasurer are that £100,000 of the forecast underspend at outturn is transferred to the Renewals Fund and ringfenced to support the proposed build and commission of a new 6m open Rigid Inflatable Boat (RIB) alongside any further 'grant in aid' received for the current 2023/24 financial year. £48,864 of the underspend is used to increase the Patrol Vessel Maintenance reserve to £50,000, with an additional £38,689 being transferred to the reserve to be used to fund ongoing critical operational works on the Protector III and that the balance of any remaining underspend at outturn be transferred to the Renewals Fund.</p>
	<b>Resolved – (a)</b> The revenue budget monitoring position is noted.
<b>82.</b>	<b>REVENUE BUDGET 2024/2025</b>
	<p>The Treasurer presented a report to provide Members with a detailed operational budget for 2024/2025. The 11.5% levy increase approved at the Authority Meeting on 8 December 2023 has been incorporated into the budget, along with increases to reflect the impact of a 2024/25 pay award on employee budgets. The Authority approved to phase in the increase to the levy required to fund the cost of an annual finance lease with East Riding of Yorkshire Council from 2025/26 to fund the build and commission of a new Fisheries Patrol/Research vessel. It is proposed that the resulting £89,540 additional funding in 2024/25 is transferred to the Renewals Fund to be used to support the vessel replacement project. In addition, a review of individual budget lines has been undertaken to ensure they are set at an appropriate level within the existing budget.</p>
	<b>Resolved – (a)</b> The draft budget for 2024/25 is approved <b>(b)</b> That the level of general reserves is maintained at £228,450 (15%) of the annual levy.
<b>83.</b>	<b>RISK MANAGEMENT STRATEGY &amp; STRATEGIC &amp; OPERATIONAL RISK REGISTER REVIEW</b>
	<p>The Chief Officer 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 relate to resourcing and service delivery associated with the sale of North Eastern Guardian III (NEG III) and the management of associated staffing vacancies and resources although these are considered medium to low risk. Uncertainties still surround the level of income that might be generated through the sale of NEG III which will influence the setting of the revenue budget for the 2025/2026 financial year although some provision for that has already been included within the 2024/2025 revenue budget.</p>
	<b>Resolved -</b> That the revised Strategic and Operational Risk Register be reviewed in six months' time
<b>84.</b>	<b>HEALTH &amp; SAFETY POLICY &amp; SAFE WORKING PRACTICES 2024/2025</b>
	<p>The Chief Officer presented a report to inform members of the completion of the Annual review of the Authority's Health &amp; Safety provisions.</p> <p>Since the last review, 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. The only change in the draft provisions presented to members for 2024 relates to the downgrading of the potential risk of a stabbing incident occurring at Sunderland from possible to remote. This risk level has now fallen into line with the wider NEIFCA district which requires the voluntary wearing of 'stab vests' where officers consider that there is a specific threat or need to do so based on the particular circumstances that they are facing.</p>



	<b>Resolved</b> – Members noted the report.
<b>85.</b>	<b>NEIFCA BYELAW UPDATE</b>
	<p>The Chief Officer presented a 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</p> <p>In line with the statutory process the draft byelaw regulation and supporting documentation were sent to the Marine Management Organisation for a Quality Assurance assessment on 11 January 2024 with a recommendation that it be further considered for formal confirmation by Defra. This process is still on going.</p> <p>The Chief Officer also discussed the next steps to the Emergency Beam Trawling Byelaw, with work ongoing to make this official within the 18 month statutory period.</p>
	<b>Resolved</b> - Members noted the report.
<b>86.</b>	<b>CHIEF OFFICERS OPERATIONAL UPDATE</b>
	<p>The Chief Officer, David McCandless provided members with an operational report covering the period December 2023 to February 2024. A large focus on a local level being the new vessel development and the sale of NEG III. National workstreams are dominated by the introduction of fisheries management plans and the role NEIFCA play in this.</p>
	<b>Resolved</b> - Members noted the report.
<b>87.</b>	<b>PROVISION OF SERVICES TO NEIFCA</b>
	<p>The Chief Officer presented a report to seek the Committee’s urgent approval for a short, three-month extension to the provision of services to NEIFCA including Clerkship and Secretariat, Treasurer and financial services, Human Resources and Legal services through East Riding of Yorkshire Council with effect from 1 April 2024 until 30 June 2024. Members approved the extension, and the Clerk recommended the Treasurer should lead on the review of the new SLA agreements.</p>
	<b>Resolved</b> – (a) Approval for the extension to the provision of services is granted (b) That the provision of services be reviewed again by the Authority at its June 2024 meeting.
<b>88.</b>	<b>ANY OTHER BUSINESS</b>
	No items raised.
	The meeting closed at 11.40

DRAFT

**NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY**

**Report to:** Authority Meeting  
6 June 2024

---

**Marine and Coastal Access Act 2009 (Section 155)**  
**XXXIII Beam Trawling Byelaw 2024**

---

Report by the Clerk and Chief Officer of the Authority.

**A. Purpose of 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:

**XXXIII Beam Trawling Byelaw 2024**

**B. Recommendation**

1. That the Authority approves the making of the byelaw.
2. 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.

**1. Background**

- 1.1 At the special Authority meeting held on 30 June 2023 members received a detailed verbal report from the Chief Officer relating to a new beam trawl fishery targeting king scallops. At the time of the report only dredging for King scallop could be effectively managed under the Authority's fisheries byelaw framework. Given the unforeseen emergence of the fishery, alongside the potential for impacting stocks, members supported the immediate introduction of an emergency byelaw regulation with the incorporation of a dispensatory process to support further investigation into the fishery in collaboration with the affected industry (minute 67 refers). The emergency byelaw regulation came into force on 18 July 2023 for an initial period of one year and officers commenced the process of supporting further investigations into the fishery alongside the development of a new byelaw regulation to strengthen the management of the activity in the longer term.
- 1.2 Since the emergency byelaw came into force officers have been gathering data from three vessels who have regularly worked beam trawls under the dispensation scheme and although there is more investigatory work to do, there is a pressing need to move forward with a new regulation to replace the emergency byelaw which is due to expire on 18 July 2024. It will also be necessary to seek formal agreement from Defra for a further six-month extension to the emergency byelaw to provide enough time for the completion of the associated statutory processes.

- 1.3 Although further data and information on the fishery is still required a new byelaw regulation is presented to members to be formally made. This byelaw will provide a new permitting scheme for beam trawling within the NEIFCA district. It sets new criteria for beam trawling including a maximum engine power criteria of 150 KW (general demersal otter trawling is currently set at 400 KW) alongside the need to evidence an active track record of holding a trawl permit issued by the Authority. The number of beam trawling permits offered can be set alongside specific management conditions which can be varied subject to conforming to the processes set out within the byelaw regulation. The proposed starting conditions are laid out within the draft regulation under Appendix I and mirror the present conditions set under the scientific dispensation process. These permitting conditions can then be varied as and when required as further information on the fishery is gathered.

## 2 **Key aims and objectives**

- 2.1 The key aims of the new byelaw are to replace the current emergency regulation with flexible management framework that will support the effective management of the king scallop stock from targeted beam trawling activity alongside any associated impacts on the wider environment in the medium to longer term.

## 3 **Key provisions**

- 3.1 Key provisions contained within the draft byelaw regulation include the following measures:

- The number of permits offered can be varied.
- Applications open to those vessel operators whose vessel does not exceed 150KW engine power and can demonstrate a track record of using beam trawls within the NEIFCA district.
- First priority will be given to those operators who have previously held a scientific dispensation.
- A permit fee of £200 will be charged.
- Permit transfers will be permitted onto vessels of equal or lesser engine power and size.
- Mandatory AIS and iVMS required
- Permits can be suspended in accordance with specified criteria and process

- 3.2 Proposed 'starting' permit conditions include the following measures:

- A maximum of two beams per vessel with an aggregate beam length of 7m
- No modifications or adaptations permitted without consent from NEIFCA
- Prohibition of beam trawling for king scallops inside 4nm (permitted if targeting flatfish only).
- Mandatory AIS and iVMS required for all commercial operators.
- Prohibition on the use of beam trawls within any other restricted area.
- Prohibition on use of beam trawls between 7pm and 6 am
- Beam trawls targeting king scallops restricted to five days in any week (permitted if targeting flatfish only).
- Mandatory requirement to submit catch and effort data and permit NEIFCA observer staff onboard.

- 3.3 A copy of the draft byelaw and supporting RIA is attached for members information.

#### 4 **Next Steps & Provisional Timetable**

Providing members support the making of the byelaw a realistic timetable for confirmation and implementation is projected as follows:

1. Formal making – 6 June 2024
2. Confirmation sought from Defra to extend the current emergency regulation until 18 January 2025
3. Final internal quality assurance checks complete – 30 June 2024
4. 28 day statutory consultation process complete – 21 August 2024
5. Application for confirmation lodged & commencement of MMO QA - 31 August 2024
6. Final Defra Confirmation - 30 November 2024
7. Implementation post December 2024

Contact Officer

David McCandless, Chief Officer

Tel: 07771936501





**North Eastern Inshore Fisheries and Conservation Authority**  
**MARINE AND COASTAL ACCESS ACT 2009 (c. 23)**

**XXXIII BEAM TRAWLING BYELAW 2024**

The Authority for the North Eastern Inshore Fisheries and Conservation District, in exercise of the power under section 155 (1) of the Marine and Coastal Access Act 2009 makes the following byelaw for that District.

**Commencement**

This byelaw comes into force on the date in which it is confirmation by the Secretary of State.

**Interpretation**

1. In this byelaw and associated flexible permit conditions-

- a) "the Authority" has the meaning given by Article 2 and 4 of the North Eastern Inshore Fisheries and Conservation Order 2010 (S.I. 2010, No. 2193);
- b) "beam trawl permit" means a permit to use a beam trawl issued in accordance with paragraphs 3 to 8 of this byelaw.
- c) "the district" has the meaning given by Article 2 and 3 of the North Eastern Inshore Fisheries and Conservation Order 2010 (S.I. 2010 No. 2193);
- d) "beam trawl" means any towed trawl or device in which the mouth of the trawl is held open by a beam or similar device, irrespectively of whether they are supported or not when dragged along the seabed;
- e) "fishing operation" means all activities in connection with searching for sea fisheries resources, the shooting, towing, hauling of active gears and taking sea fisheries resources aboard a relevant fishing vessel;
- f) "Flexible permit conditions" means the conditions listed in Annex 1 made, (and or varied), under one or more of the categories listed within paragraph 20, in accordance with the procedures laid out within paragraphs 20 to 32;

- g) “fully functioning Automatic Identification System” means an operational transceiver of Class A or Class B design that transmits accurate information including the ships identity, type, position, course, speed and can exchange information with shore-based facilities;
- h) “registered fishing vessel” means a vessel registered in accordance with Part II of the Merchant Shipping Act 1995 (c. 21) and the Merchant Shipping (Registration of Ships) Regulations 1993, and in respect of which there is a valid fishing licence issued under the Fisheries Act 2020;
- i) “scallops” means means an animal of the species *Pecten maximus* or *Aequipecten opercularis*;
- j) “trawl permit” means a permit to trawl within the district issued by the Authority in accordance with paragraph 2 of Byelaw III ‘Trawling:Prohibitions:Exceptions”
- k) “the vessel’s engine power” means the engine power as recorded on the vessel’s Certificate of Registry, issued by the Registrar of Shipping and Seamen;
- l) “relevant 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.

## **Prohibitions**

2. The following prohibitions and exceptions apply to all fishing vessels engaged in fishing operations within the district:-
  - (a) A person must not use a beam trawl for the exploitation of sea fisheries resources within the district other than in accordance with a beam trawl permit;
  - (b) A person must not use a vessel within the district which is carrying a beam trawl unless:
    - i. the beam trawl is stored on board the vessel in such a way that it cannot be readily used or
    - ii. the beam trawl is being used for fishing in accordance with a beam trawl permit.



- (c) Subject to complying with the provisions contained within Byelaw XXIX 'Humber Fishing Byelaw 2016', paragraphs 2(a) and 2(b) do not apply within that part of the district known as the Humber Estuary as defined within Annex 2 Schedule 1.

## **Permits**

3. The Authority may authorise the use of a beam trawl within the district from a named relevant fishing vessel by issuing a beam trawl permit to the owner of that vessel.
4. The Authority may limit the number of beam trawl permits issued in any one calendar year.
5. The owner of a vessel meeting the following criteria may make an application to the Authority for a beam trawling permit in respect of that vessel:
  - (a) The vessel's engine power does not exceed 150KW;
  - (b) The vessel has held a trawl permit issued by the Authority to trawl within the district for three years prior to the date of making of this byelaw on 6 June 2024.
6. Beam trawl permits will be issued in accordance with the following process:
  - (a) if the number of applicants does not exceed the maximum number of available beam trawl permits, at any one time, then each eligible applicant will be issued with a beam trawl permit, subject to the provisions of this byelaw;
  - (b) once the maximum number of available beam trawl permits has been met then unsuccessful applicants will be placed on a waiting list for the next available beam trawl;
  - (c) the Authority retains the right to refuse to issue a beam trawl permit until such time as the applicant makes available any outstanding information required for the issue of that beam trawl permit or outstanding information from a previous year including any mandatory information required by an Authority byelaw regulation.
7. An application for a beam trawl 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. In the first year, priority will be given to all existing trawl permit holders who held a dispensation to beam trawl within the district prior to the date of the making of this byelaw on 6 June 2024.
8. The permit holder shall pay a fee of £200 to the Authority on application or renewal of a beam trawling permit.

8. A beam trawl 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 beam trawl permit;
  - (d) must be surrendered to the Authority if no longer required;
  - (e) are not transferable between the permit holder and another person.

### **Permit Transfer**

9. The transfer of a beam trawl permit will be permitted in the following circumstances:
  - (a) the donor vessel is lost or replaced;
  - (b) the recipient vessel is of an equal or smaller overall length and engine power than the donor vessel.
10. An application to transfer a beam trawl permit from a donor vessel to a recipient vessel must be made within one month of the sale or loss of the donor vessel.
11. For the purpose of paragraph 9, it is the seller's responsibility to inform the purchaser of the vessel of their intention to transfer the Permit.
12. A beam trawling permit expires on 1 January of the year following the date of issue unless the Authority notifies the beam trawl permit holder otherwise.
13. The permit holder shall pay a fee to the Authority on application or renewal of a beam trawl permit.

### **Permit Conditions**

14. A named vessel in a beam trawl permit must be a relevant fishing vessel for the beam trawl permit to remain valid.
15. Permit card must be displayed in a clear and prominent position on the vessel, available upon request by an officer of the Authority.
16. Permit holders shall provide any relevant fisheries information required by the Authority for the discharge of the Authority's function.
17. All registered fishing vessels issued with a beam trawl permit must maintain a fully functioning remotely-accessed electronic reporting device which transmits the vessel's position course and speed.

18. All relevant fishing vessels issued with a beam trawl permit must maintain a fully functioning Automatic Identification System.

### **Flexible Permit Conditions**

19. The Authority may introduce flexible beam trawl permit conditions which fall within one or more of the categories listed in paragraph 20.
20. The categories referred to in paragraph 20 are:
  - (a) Catch restrictions;
  - (b) Gear restrictions;
  - (c) Vessel restrictions;
  - (d) Spatial restrictions;
  - (e) Temporal restrictions;
  - (f) Fishery information.
21. The Authority may introduce, remove or vary any flexible beam trawl permit conditions following a review conducted in accordance with the review procedure set out in paragraphs 30 to 32.
22. The flexible beam trawl permit conditions specified within Appendix 1 apply until they are reviewed pursuant to paragraphs 30 to 32 and are those set by the Authority taking into account the Impact Assessment that accompanies this byelaw and all other material considerations.
23. Failure to comply with a flexible beam trawl permit condition constitutes a contravention of this byelaw.

### **Offences**

24. A person who contravenes this byelaw is guilty of an offence under Section 163 of the Marine and Coastal Access Act 2009

### **Permit suspensions**

25. A beam trawl 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 26.
26. 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.
27. Prior notice of beam trawl permit suspension or withdrawal will be provided in writing to the permit holder at least fourteen calendar days prior to any suspension or withdrawal taking effect.
28. Any representations must be lodged in writing to the Authority within ten calendar days of the date of the original notice sent to the permit holder.
29. Notification of the final decision will be made in writing to the permit holder within ten calendar days of the final decision being made.

### **Review Procedure**

30. The Authority must review the flexible beam trawl permit conditions at least once every five years, beginning with the date on which this byelaw comes into force.
31. A review of the flexible beam trawl permit conditions shall be undertaken as follows:
- (a) The Authority shall consult in writing with beam trawl 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 beam trawl permit conditions based upon the consultation set out in paragraph 31 (a) and the information gathered from the beam trawl permit holders and the processes listed in paragraph 30 to 32;

- (c) Following any such decision by the Authority to change the flexible beam trawl permit conditions, beam trawl permit holders will be notified in writing and beam trawl permits will be amended as necessary at no cost to the permit holder.
32. The information referred to in paragraph 31 (b) includes any one or more of the following:
- (a) Data collected from beam trawl 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**

33. The emergency byelaw with the title 'Emergency Beam Trawl Byelaw 2023' made by North Eastern Inshore Fisheries and Conservation Authority on 17 July 2023 in exercise of its power under section 157 of the Marine and Coastal Access Act 2009 in force immediately before the making of this byelaw is revoked.

## **Appendix 1: Flexible Permit Conditions**

As provided by paragraph 21 of the North Eastern IFCA Beam Trawling Permit Byelaw 2024, the following permit conditions apply:

### **1. Interpretation**

Subject to prior notice and consent before leaving port, the provisions listed at paragraphs 4(a) and 5(b) do not apply when a beam trawl permit holder or named representative are exclusively targeting finfish species. When engaged in such activity, all scallops caught during such operations must be returned immediately back to the sea.

### **2. Gear restrictions**

As provided by paragraph 21 (b) of the North Eastern IFCA Beam Trawling Permit Byelaw, the following beam trawl permit conditions apply:

- (a) A beam trawl permit holder must not use any beam trawl at any time, for any purpose, within any specified areas within the flexible beam trawl permit conditions or any other area prohibited to trawling within the district.
- (b) A maximum of two beam trawls are permitted per vessel
- (c) Aggregate beam length must not exceed 7 metres.
- (d) No modifications or adaptations are permitted to the fishing gear deployed under this written derogation without prior consent from NEIFCA.

### **3. Vessel restrictions**

As provided by paragraph 21 (c) of the North Eastern IFCA Beam Trawling Permit Byelaw, the following beam trawl permit conditions apply:

- (a) All registered fishing vessels must not carry or use a beam trawl within the district unless they maintain a fully functioning remotely-accessed electronic reporting device which transmits the vessel's position course and speed.
- (b) All relevant fishing vessels must not carry or use a beam trawl within the district unless they are operating a fully functioning Automatic Identification System (AIS).

#### **4. Spatial restrictions**

As provided by paragraph 21 (d) of the North Eastern IFCA Beam Trawling Permit Byelaw, the following beam trawl permit conditions apply:

- (a) A permit holder must not use any beam trawl within 4 nautical miles of the coast when targeting King Scallops.
- (b) A beam trawl permit holder must not use any beam in any other prohibited area designated under any other Authority byelaw regulation

#### **5. Temporal restrictions**

As provided by paragraph 21 (e) of the North Eastern IFCA Beam Trawling Permit Byelaw, the following beam trawl permit conditions apply:

- (a) A permit holder must not use any beam trawl on any day before 06:00 hours or after 19:00 hours.
- (b) A permit holder must not use any beam trawl for more than 5 days in any week (Monday to Sunday).

#### **6. Fishery information**

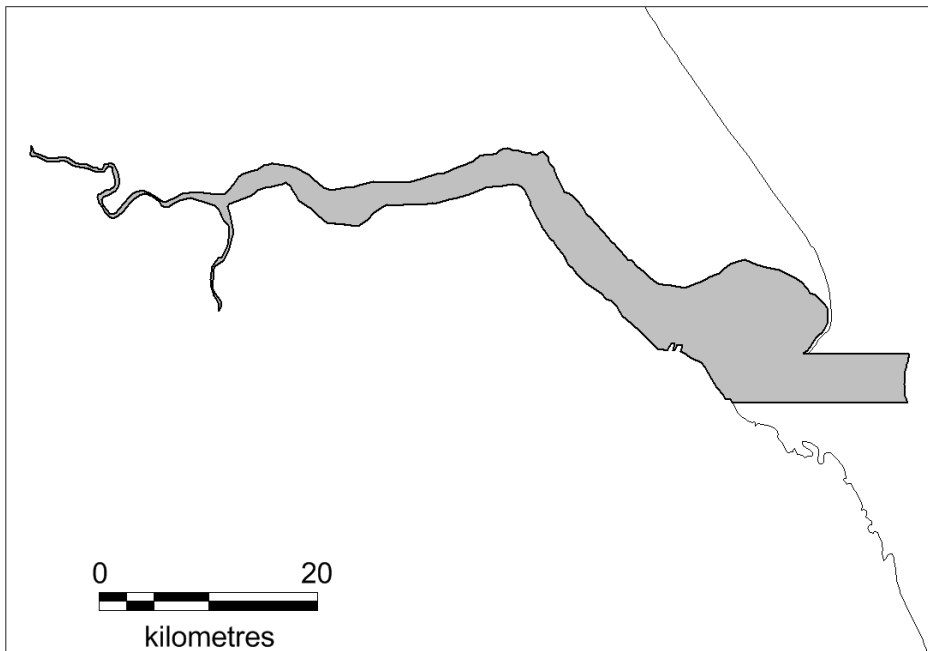
As provided by paragraph 21 (f) of the North Eastern IFCA Beam Trawling Permit Byelaw, the following beam trawl permit conditions apply:

- (a) The holder of a scallop dredging permit must, by no later than the fifth day of each month, submit to the Authority information on catch of scallops in kilograms or tonnes (live weight) and active fishing time in hours for the previous month and any other information that the Authority deems necessary.
- (b) A permit holder or named representative must permit access by NEIFCA staff to their named vessels at any time including hosting observer trips as and when requested.

## Annex 2 Schedule Definition of areas

1. The 'Humber Estuary' means those tidal waters and parts of the sea bounded by the following lines:
  - (a) to the north by a line drawn true east from Spurn Head Lighthouse (position  $53^{\circ} 34.490'$  North,  $000^{\circ} 06.650'$  East) to the three nautical mile limit line;
  - (b) to the east by the three nautical mile limit line;
  - (c) to the south by the boundary of the District.

Humber Estuary Area as defined within this byelaw





<b>Title:</b> XXXIII BEAM TRAWLING BYELAW 2024 <b>IA No:</b>  <b>Lead department or agency:</b> North Eastern Inshore Fisheries and Conservation Authority (NEIFCA) <b>Other departments or agencies:</b> Marine Management Organisation (MMO), Natural England, Department for Environment, Food and Rural Affairs (DEFRA)	<b>Impact Assessment (IA)</b>		
	<b>Date:</b> 15/05/2024		
	<b>Stage:</b> Development/Options		
	<b>Source of intervention:</b> Domestic		
	<b>Type of measure:</b> Secondary Legislation		
<b>Contact for enquiries:</b> David McCandless Chief Officer, North Eastern IFCA 01482 393 515 david.mccandless@eastriding.gov.uk			

<b>Summary: Intervention and Options</b>	<b>RPC Opinion:</b> Not Applicable
--	------------------------------------

Cost of Preferred (or more likely) Option (in 2019 prices)			
Total Net Present Social Value	Business Net Present Value	Net cost to business per year	Business Impact Target Status
£148552.2	£10329	£1200	Non qualifying provision

**What is the problem under consideration? Why is government action or intervention necessary?**

In 2023, the NEIFCA recorded an increase in the number of trawlers targeting King Scallops using beam trawls in an area outside of the permitted area of the seasonal scallop fishery with landings of over 60 tonnes of King Scallops. To protect the current stocks from overexploitation, the NEIFCA implemented on the 17<sup>th</sup> of July 2023 an emergency byelaw prohibiting beam trawling across the district with a dispensatory process allowing a limited number of fishing vessels to continue under specific conditions. The emergency byelaw will expire on the 17<sup>th</sup> of July 2024 and the NEIFCA Trawling Byelaw does not have any provisions to manage the beam trawling activity targeting King Scallops and the number of vessels accessing this fishery.

**What are the policy objectives of the action or intervention and the intended effects?**

To implement effort limitation to avoid over-exploitation of King Scallop and associated bycatch in the NEIFCA district

To provide a flexible framework to ensure evidence-based management measure may be implemented in a time effective manner.

To promote sustainable fisheries while conserving the marine environment.

To reduce negative externalities and ensure continued provision of common goods.

**What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base)**

**Option 0.** Do nothing – allow current Emergency Byelaw to expire and fishing activity to continue without any restrictions or management measures in place

**Option 1.** Implement a new flexible Beam Trawling Byelaw

**Option 2.** Use of non-regulatory/voluntary measures – engage with industry and introduce a code of conduct to reduce potential impacts

**Option 3.** Replace existing Trawling Byelaw regulation with a flexible Trawling Byelaw model covering all methods

All options are compared to Option 0, the preferred option is Option 1

<b>Will the policy be reviewed? It will be reviewed. If applicable, set review date:</b> 07/2029					
Is this measure likely to impact on international trade and investment?			No		
Are any of these organisations in scope?		MicroYes	Small Yes	Medium Yes	LargeYes
What is the CO <sub>2</sub> equivalent change in greenhouse gas emissions? (Million tonnes CO <sub>2</sub> equivalent)			Traded: N/A	Non-traded: N/A	

*I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.*

Signed by the responsible SELECT SIGNATORY:  Date: 15/05/2024

# Summary: Analysis & Evidence

# Policy Option 1

## Description:

### FULL ECONOMIC ASSESSMENT

Price Base Year 2019	PV Base Year 2020	Time Period Years 10	Net Benefit (Present Value (PV)) (£)		
			Low: 800	High: 200	Best Estimate: £148552.2

COSTS (£)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	£200	Optional	200
High	£800	Optional	800
Best Estimate	£500	£17,200	£148552.2

#### Description and scale of key monetised costs by 'main affected groups'

Administrative cost to NEIFCA of £16,000 for scientific monitoring work, data analysis and report writing required to support the management measures introduced. No additional operational costs are estimated as it will require no change to monitoring and enforcement. One off cost for setting up the permitting process on the existing NEIFCA system are estimated between £200 and £800 with a best estimate of £500. No additional administrative costs are anticipated due to the small number of permits and the short processing time with the new permit system.

#### Other key non-monetised costs by 'main affected groups'

Displacement of commercial fishing effort to outside of the NEIFCA district is anticipated due to the introduction of effort limitation. However, currently there are only 4-5 vessels using a beam trawl to target Scallops and given this has been a newly emerging fishery the level of displacement is expected to be low once effort limitation is in place. Many of the current active fishing vessel will be able to return to previous fishing activities targeting demersal fish.

BENEFITS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	Optional	Optional	Optional
High	Optional	Optional	Optional
Best Estimate	N/A	N/A	N/A

#### Description and scale of key monetised benefits by 'main affected groups'

No monetised figures are available for the benefits of the recommended introduction of effort limitation and introduction of a flexible byelaw model. However, significant and potential benefits are described below.

#### Other key non-monetised benefits by 'main affected groups'

Ensuring sustainability of stocks by regulating fishing effort through the introduction of effort limitation. Implementation of a flexible byelaw model will benefit the King Scallop fishery by allowing for changes to be made to the byelaw conditions based on new evidence. This will improve NEIFCA's ability to implement effective measures in a proactive and timely manner.

<b>Key assumptions/sensitivities/risks</b>	<b>Discount rate (%)</b>	3.5%
--	--------------------------	------

Beam trawling is currently focused on only one area and without any temporal, spatial and catch restrictions, this fishing activity will continue throughout the spawning season additional fishing vessels are likely to join this fishery. This will certainly result in exploitation levels and impacts on habitat and King Scallop stocks reaching unsustainable levels and potentially stock collapse.

### BUSINESS ASSESSMENT (Option 1)

<b>Direct impact on business (Equivalent Annual) £:</b>			<b>Score for Business Impact Target (qualifying provisions only) £:</b>
Costs: £1,200	Benefits: £0	Net: £1,200	£6,000

# Evidence Base

## 1. Problem under consideration and rationale for intervention

- 1.1. The current NEIFCA Emergency Beam Trawling Byelaw will expire on the 17<sup>th</sup> July 2024 and all trawling activity will continue to be regulated through the existing NEIFCA Trawling Byelaw allowing any UK registered vessel to obtain a trawl permit within the NEIFCA district. The only limitations set by the existing Trawling Byelaw are MCZs and MPAs where any trawling is prohibited or limited through a sunset list.
- 1.2. At present the only regulated exploitation of King Scallop is limited to a permitted dredge fishery (consisting of 3 vessels) which is managed using spatial and temporal restrictions to protect stock during spawning season(s) and prevent overexploitation. Scallop dredging was previously banned prior to 2016 due to stocks collapsing following overfishing. Since it was reopened, management has been tightly regulated and data reviewed annually to determine whether the fishery should remain open for the following season.
- 1.3. At present there is insufficient data to determine MSY for King Scallops in the Yorkshire/Durham area and the impacts of the new emerging fishing activity for King Scallops outside the designated scallop fishing areas using a beam trawl is currently unknown. Little is known about the catch composition, catch efficiency, gear footprint (e.g. penetration depth etc) or depletion rate.
- 1.4. Provision has been made with an Emergency Byelaw for a period of 12 months to enable limited fishing using beam trawls to continue under scientific dispensations and any such activity is closely monitored with the purpose of research and gathering of necessary data.
- 1.5. In line with the Fisheries Act 2020 and recently published FMP objectives for King Scallops, this new beam trawling byelaw will continue the currently implemented precautionary short-term measures to provide protection of stocks whilst improving the evidence base to inform medium- to long-term management measures.

## 2. Rationale and evidence to justify the level of analysis used in the IA (proportionality approach)

- 2.1. Inshore Fisheries and Conservation Authorities have duties to ensure that fish stocks are exploited in a sustainable manner, and that any impacts from that exploitation on designated features in the marine environment are reduced or suitably mitigated, by implementing appropriate management measures (e.g. this byelaw). Implementing this flexible Beam Trawling Byelaw will be on an adaptive precautionary principle to minimise potential negative impacts on the King Scallop stocks and to ensure that fishing activities can continue and conducted in a sustainable manner whilst protecting the marine environment as best as possible.
- 2.2. Fishing activities can potentially cause negative outcomes as a result of 'market failures'. These failures can be described as:
  - 2.2.1. Ecosystem Services – Nature provides components, products and functions to be potential societal goods and benefits (Elliot, 2023). These provisions can be e.g. vertebrates, invertebrates, macrophytes; genetic resources; water and minerals; places and seascape. Regulating processes an ecosystem can provide are e.g. climate regulation; natural hazard protection; waster breakdown and detoxification.
  - 2.2.2. Societal goods and benefits – For the well-being and fulfilment of basic human needs an ecosystem provides e.g. food, fertilizer, energy (fuel), medicines and

biotechnology, climate, sea defences and erosion protection, waste processing, tourism and recreation, mental and physical wellbeing, education and research.

2.2.3. Negative externalities – Negative externalities occur when the cost of damage to the marine environment is not fully borne by the users causing the damage. In many cases no monetary value is attached to the goods and services provided by the marine environment and this can lead to more damage occurring than would occur if the users had to pay the price of damage. Even for those marine harvestable goods that are traded (such as wild fish), market prices often do not reflect the full economic cost of the exploitation or of any damage caused to the environment by that exploitation.

2.2.4. Common goods - A number of goods and services provided by the marine environment such as populations of wild fish are 'common goods' (no-one can be excluded from benefiting from those goods however consumption of the goods *does* diminish that available to others). The characteristics of common goods (being available but belonging to no-one, and of a diminishing quantity), mean that individuals do not necessarily have an individual economic incentive to ensure the long-term existence of these goods which can lead, in fisheries terms, to potential overfishing. Furthermore, it is in the interest of each individual to catch as much as possible as quickly as possible so that competitors do not take all the benefits. This can lead to an inefficient amount of effort and unsustainable exploitation.

2.3. IFCA byelaws aim to redress these sources of market failure in the marine environment through the following ways:

2.3.1. Management measures to conserve designated features of European marine site will ensure negative externalities are reduced or suitably mitigated.

2.3.2. Management measures will support continued existence of public goods in the marine environment, for example conserving the range of biodiversity in the sea of the IFCA District.

2.3.3. Management measures will also support continued existence of common goods in the marine environment, for example ensuring the long-term sustainability of fish stocks in the IFCA District.

### **King Scallop spawning**

2.4. Spawning events of King Scallop populations rely on a both internal (i.e. genetics) and external (abiotic) factors. Although natural disturbance from wind and tide has also been documented to initiate spawning, the key environmental variable that influences spawning is temperature (Barber & Blake, 2006). A rapid change in temperature has been noted to be a more significant stimuli than a specific temperature or the direction in change of temperature (Barber & Blake, 2006). However, the synchronicity of spawning events across a population of scallops can also be stimulated by the presence of gametes from the opposite sex.

2.5. Across Europe, various populations of King Scallop have been reported to spawn at low continuously from April to September (Barber & Blake, 2006), with ripe, full gonads recorded throughout the year. However, clear peaks can also occur as reported by Salomonsen *et al.*, (2015) in a study conducted within Welsh waters (Figure 1) which showed major spawning events during May and July but evidenced that continuous spawning occurred until the end of September when all scallops sampled were in a resting state (ripe or developed with none spent). It is important to highlight that within this report the authors also noted the potential that an additional major spawning event

may have occurred between July and August though due to issues with sampling there was a gap in data collection at that time (Salomonsen *et al.*, 2015).

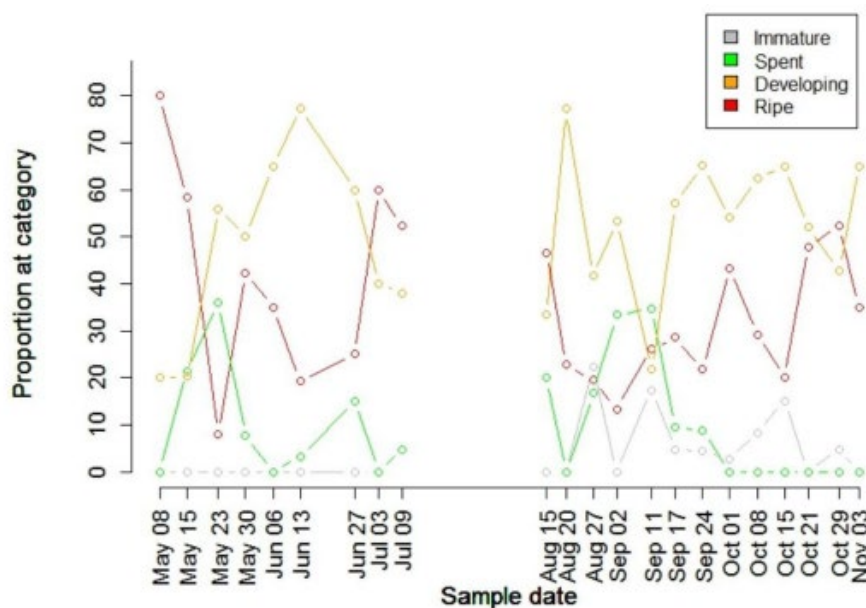


Figure 1. Proportion of King scallops found at each of 4 stages of maturity between May and November in Area A, from a study conducted in Welsh waters by Salomonsen *et al.*, (2015).

- 2.6. At present there are few data on the spawning of King Scallop populations off the North East coast of England, where nomadic scallopers target grounds outside 6 nm. However, NEIFCA have begun conducting regular sampling of King Scallop in order to collate a dataset that will allow for temporal and spatial comparison of meat yield and gonad index within and around permitted areas open to scallop dredging in the district.
- 2.7. The recent increase in beam trawling for king Scallop within the same grounds and surrounding area of the permitted dredge fishery poses a threat to the longevity of this King Scallop population, especially as these stocks have been exploited within areas closed to scallop dredging as well as during the crucial spawning period. At present only two designated boxes (North and South Box) are available to the three permitted vessels which operate with Newhaven dredges under the Scallop Dredging Byelaw XXIII situated between 4-6nm. Scallop stocks are known to extend closer inshore (to ~3nm), as well as north and south of the North scallop box, it is these grounds which are closed to the dredge fishery that are targeted by recent beam trawling activity.
- 2.8. Scallop stocks within the NEIFCA district contribute to a larger stock unit assessed annually by Cefas (Figure 2). This stock unit is heavily exploited by nomadic scallop dredging vessels outside the 6nm limit, with no total allowable catch limit set for King Scallop within English water. Anecdotal reports from industry members are that stocks have been heavily depleted in recent years. Therefore, protected scallop grounds within the NEIFCA district support not only the exploited stocks within the permitted boxes but likely provide larval supply and recruitment to scallop grounds beyond 6nm (Beukers-Stewart *et al.*, 2005). This is evidenced in a study conducted by Beukers-Stewart *et al.*, (2005) which compared King Scallop densities between an area closed to fishing for 14 years and a fished area. Results from this study showed that the increased density within the closed area population improved the overall reproductive potential shown by the reproductive biomass of scallops within the closed area being 12.5 times higher than that of the fished area (Beukers-Stewart *et al.*, 2005). This is due to King Scallop

reproducing via external fertilisation and as mentioned previously, with peaks in spawning occurring synchronously where high densities occur.

2.9. The physical impact of bottom towed gears on benthic environments is well documented in that these gear types reduce habitat complexity by impacting epifaunal and infaunal benthic species (De Groot *et al.*, 1994; Rijnsdorp *et al.*, 2018; Sciberras *et al.*, 2018), with the level of impact depending on the intensity, gear penetration and sensitivity of habitats/species present. A study conducted by Bradshaw *et al.*, (2003) investigated whether hydroid colonies effected benthic community composition in the Irish Sea. One of the key findings in their research was that hydroid colonies provide suitable settlement substrate for scallop juveniles (*Pecten maximus* and *Aequipecten opercularis*), and that the 11-year closure of an area to dredging enhances scallop stock as well as increasing biodiversity and habitat complexity (Bradshaw *et a.*, 2003). Reduced bottom fishing disturbance would not only allow for benthic environments to recover but also increases the necessary structural complexity of habitats to increase the survival and growth rates of juvenile King Scallops (Bradshaw *et al.*,2003; Beukers-Stewart *et al.*, 2005).

2.10. The scallop populations outside of the permitted dredge areas are well established as they been effectively protected against targeted fishing since 2014, allowing stocks outside of the permitted areas to recover and continuously supply recruitment to the fished and non-fished areas. These protected scallop population are now under threat of being overexploited and potentially impacting the recruitment of future stocks inside and outside the permitted areas leading to an unsustainable fishery and potential collapse of the stock. Currently there is a lack of data for spawning in NEIFCA's district and the impacts of the recently emerging beam trawling on the Scallop grounds. There is an urgent need to manage the Scallop grounds efficiently through a new byelaw to ensure the sustainability of this fishery.

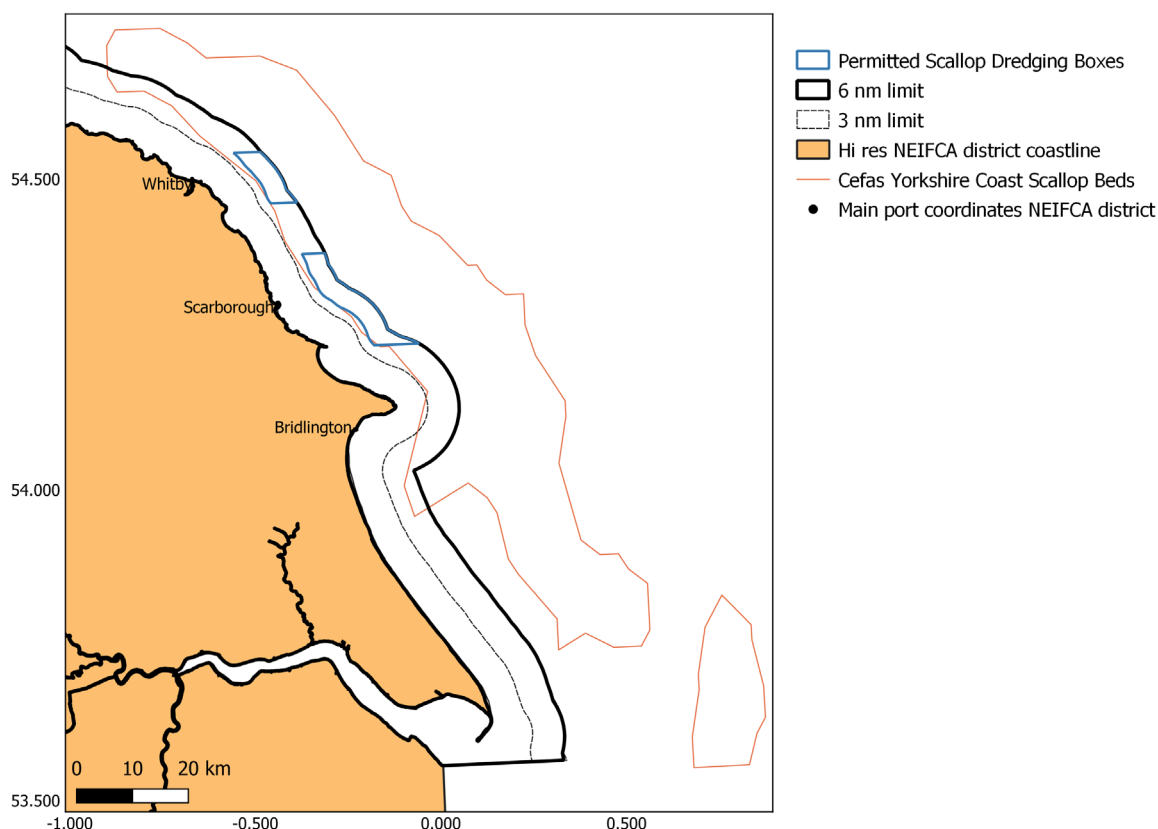


Figure 2: NEIFCA district including the permitted Scallop dredging areas and CEFAS Scallop beds

## Current Exploitation of King Scallop by Beam trawlers

2.11. Under EU regulations<sup>1</sup> a 'beam trawl' is defined as "gear with a trawl net open horizontally by a beam, wing or similar device". In comparison, under the same regulation in item 'dredges' are defined as "gear which are either actively towed by the main boat engine (boat dredge) to catch bivalves, gastropods or sponges which consist of a net bag or metal basket mounted on a rigid frame or rod of variable size and shape whose lower part may carry a scraper blade that can be either rounded, sharp or toothed, and may or may not be equipped with skids and diving boards. Some dredges are equipped with hydraulic equipment (hydraulic dredges)".

2.12. At present a total of five vessels are permitted under the scientific dispensation scheme to target King Scallop within the NEIFCA district using beam trawls. The level of disturbance on the marine environment is not the only concern and the most important impact to consider is the level of exploitation of King Scallop from grounds which have been protected against scallop dredging for nearly ten years. After reviewing MMO landings data and NEIFCA's catch returns, between January and December 2023 a total of around 68 tonnes of Scallops were landed from the inshore grounds (Figure 4). One of the vessels landed a total of 57 tonnes in 2023. This is approx. 30% of the total Scallop catch by 3 vessels dredging inside the permitted area between November 2022 to April 2023. Whether the gear efficiency of a beam is similar to a New Haven dredge is not clear at the moment but the current landings data clearly demonstrate the substantial amounts of Scallops being caught and landed. Beam Trawling has proven its effectiveness for catching King Scallop in this instance but it may not solely be due to the design and could be influenced by the high density of King Scallop in the areas fished due to long-term closure to dredging. Therefore, the amount of time of using this gear type to fish for King Scallops may be questioned as it is unknown how effective this method may be at lower densities (i.e. comparable to that of the areas currently fished by dredgers). Additionally, seasonal behaviour of King Scallop may influence the efficiency of beam trawling for scallops during winter months when they are less active and buried deeper in the sediment, than during spring/summer when they can be found closer to the surface for spawning.

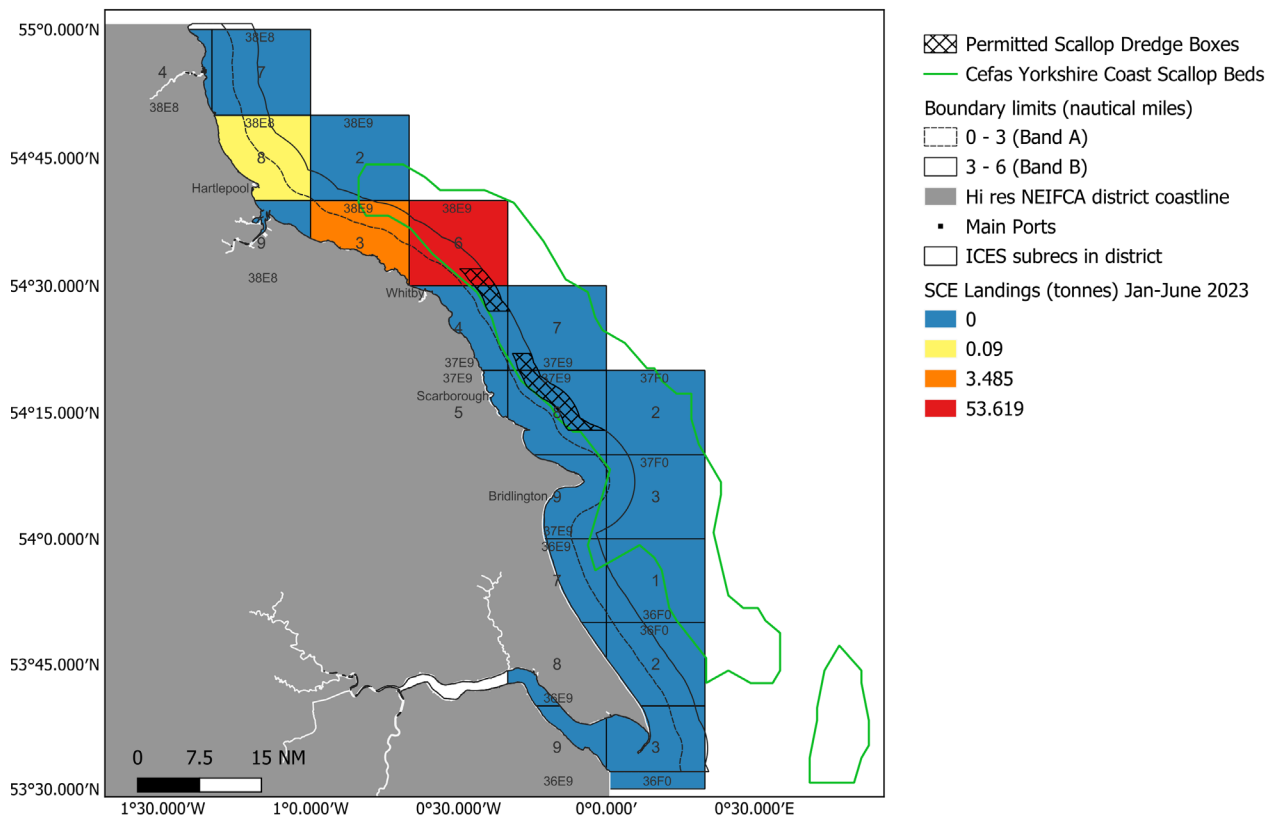


Figure 3: Levels of fishing activity for King Scallops from 3 fishing vessels along the North East coast. Data derived from the MMO under 10m catch app.

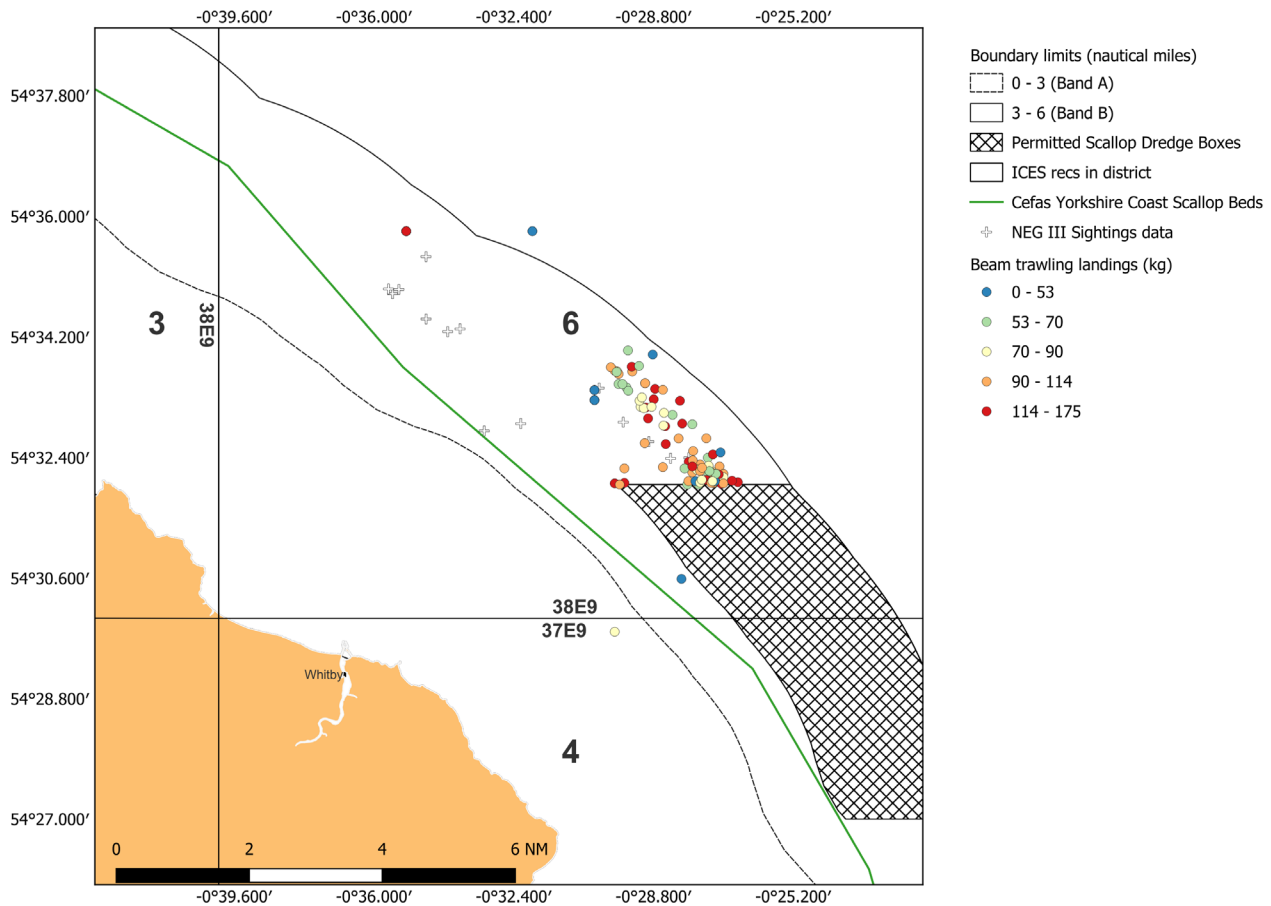


Figure 4: AIS, NEIFCA sightings and catch return data for 3 beam trawl vessels identifying fishing activity within the NEIFCA district.

### 3. Description of options considered

The following options have been considered:

**Option 0. Do nothing** – This option would involve allowing the current Emergency Byelaw to subside and the existing NEIFCA management regime to continue under the current Trawling Byelaw. While this would allow continued fishing at the same levels there is a risk of an increase in effort within the district without any management provisions and could potentially lead to stock collapse.

**Option 1. Implement a new flexible Beam Trawling Byelaw** – This option would introduce effort limitation as a management measure to regulate beam trawl fishing effort and ensure sustainability of the King Scallop stock.

**Option 2. Use of non-regulatory/voluntary measures** – A voluntary agreement would need a 100% compliance to be effective and ensure a sustainable fishery. We believe that this cannot be achieved across the NEIFCA district, due to the size of it and the potential increase of fishing vessels using a beam trawl for scallops. The tendency within the fishing sector is to exploit it to the maximum if there is an opportunity and financial reward, therefore fishermen would fish regardless of any voluntary agreements. With byelaws a high level of observance of regulation occurs, particularly as there are no ambiguities.

**Option 3. Replace existing Trawling Byelaw regulations with a flexible Trawling Byelaw model** – This option would introduce effort limitation as a management measure to regulate fishing effort and ensure sustainability of the King Scallop stock as in option 1, however due to



the extent and complexity of this task it would not be possible to complete this in time when the Emergency Byelaw expires.

As options 0, 2 and 3 are considered not to be suitable in this instance, option 1 is therefore considered in the costs and benefits analysis.

#### **4. Policy objective**

- 4.1. The policy objective pertinent to this IA is to ensure that stocks are exploited in a sustainable manner, that the regulations are easier to navigate for resource users and to increase the levels of compliance.
- 4.2. The outcomes for this Byelaw are for NEIFCA to complete and implement a management plan for the sustainable exploitation of the Scallop stock using this fishing method. The aim is to limit levels of this fishery in the NEIFCA District in the interest of conservation of the marine environment and allow a flexible more proactive fisheries management.

#### **5. Summary and preferred option with description of implementation plan**

- 5.1. Option 1 was determined to be the preferred option to manage beam trawling targeting King Scallops across the district. This secondary legislation is expected to be implemented in early 2025 and resources are in place at the Authority to actively enforce its provisions and collect the necessary data.
- 5.2. Managing this fishery through a new flexible byelaw model will allow the Authority to keep the exploitation of King Scallops outside the permitted areas at a sustainable level and continue the necessary data collection whilst working in close collaboration with the fishing industry.
- 5.3. Although no additional implementation costs are expected, the wider application of the regulations could increase the number of formal enforcement actions taken (but this cannot be estimated accurately at this stage).
- 5.4. Any subsequent changes in compliance and enforcement actions, progress of the data collection and development of the management plan will be monitored by the Authority through the Post Implementation Review Plan and adjusted if necessary.

#### **6. Monetised and non-monetised costs and benefits of each option (including administrative burden)**

##### ***Administrative and scientific monitoring costs***

- 6.1. The administrative costs setting up a new permitting process on the existing NEIFCA system are estimated at a total of £500.
- 6.2. The costs associated with scientific monitoring work required to inform the management plan and permit conditions of the new byelaw is estimated to be a total of £ 16,000 per annum. This is comprised of the operational costs for the *North Eastern Guardian III* estimated at a total of £15,000 (£3,000 day rate) vessel operating 5 Scallop dredge and video sledge survey days. Additional costs for data analysis and producing reports are estimated at a total of £1,000.

**Fisheries costs**

- 6.3. The costs incurred by the commercial fishing industry are primarily due to the introduction of a permit charge of £200 per permit.
- 6.4. Out of current 109 commercial vessels with a trawling permit in the district, only 5 vessels have expressed interest targeting King Scallops using a beam trawl and are currently fishing under the scientific dispensation scheme.
- 6.5. The maximum number of permits for beam trawling is currently set at 6 and it is the intention of the Authority to maintain the number of permits at this level. Therefore, the total costs to the fisheries is estimated at a total of £1200.

**Non-monetised costs**

- 6.6. The introduction of a flexible beam trawling byelaw within the NEIFCA district could result in the displacement and increase in effort outside the 6NM. This could potentially cause increased gear conflict with potting and scallop dredging vessels and an increase of pressure on the stock outside the NEIFCA district. However, it is unlikely vessels will be using beam trawls to target Scallops as dredging would be more efficient and is permitted outside the 6NM.

**7. Risks and assumptions**

The proposed intervention is based on a precautionary principle using the following evidence:

- 7.1. **MMO under 10m catch up data for landings** – between January and June 2023, 3 local vessels landed a total of 57t of King Scallops using a beam trawl
- 7.2. **NEIFCA catch returns** – with the introduction of the Emergency Byelaw in July 2023, one of the scientific dispensation conditions is a new catch return process. The collated data contain more accurate locations of beam trawling activity, effort and landings data. Between July and December 2023, all permitted trawlers have landed a total of 11.5t of King Scallops and the fishing activity was concentrated in one area outside the permitted Scallop dredging area as previously observed through AIS & NEIFCA sightings data.
- 7.3. **NEIFCA sightings & AIS data** – although this data source is limited there is a clear indication of increased activity outside the permitted Scallop dredge areas (Figure 5).
- 7.4. **Literature** - peer reviewed articles and personal conversation with experts at the University of York and CEFAS suggest the potential impacts of this fishing activity not only on the stock itself but also on the recruitment.

Assumptions	Risks	Mitigations
Current levels of fishing in the previously non-fished grounds outside the permitted Scallop dredging areas especially during the spawning season will impact the spawning capacity of the stock and its recruitment	Medium	Temporal, spatial and catch restrictions will enable a sustainable management to protect the stock.
If additional fishing vessels from within and outside the NEIFCA district join this fishery, exploitation levels and impacts on habitats will reach unsustainable levels leading to a stock collapse	High	New flexible byelaw with limited number of permits. Annual assessment of stocks and exploitation levels will determine the number of permits issues for the following season.

Modification on the beam trawl causing more damage to the habitat than regular beam trawls	Medium	New flexible byelaw with initial prohibition of any type of modifications to a beam trawl until sufficient evidence is available.
Small and micro business are not viable due to intervention	Low	Fishing vessel with permits will be allowed to continue fishing and selling their catch, however this will be limited. Most vessels only started in 2023 to beam trawl for Scallops inside 6nm therefore the affected fishing vessels will still be able to return to their previous fishing activities (i.e. beam trawling outside 6nm and targeting demersal fish and potting etc).

## Evidence gaps

7.5. The following data gaps need to be addressed:

- Spawning cycles of King Scallops in the NEIFCA district
- Differences in size frequency, meat yield and gonad development between fished and low-/non-fished stocks
- Spatial distribution and level of fishing activities for the beam trawlers
- Bycatch of standard and modified beam trawling gear
- Effort levels of beam trawlers
- Comparison of habitat status between permitted Scallop dredging area, beam trawling and non-fished areas.
- Comparison of impact levels on the habitat of standard beam trawling and dredging gear.
- Abundance and density of scallop stocks inside and outside the permitted Scallop dredge areas

## Addressing the evidence gaps

Under the preferred Option (1)

7.6. One key evidence gap that may be addressed is spawning patterns for local populations of King Scallops. This could be answered using the permit conditions in the new bylaw for industry vessels to retain and provide regular subsamples of King Scallops for meat yield and staging of gonads. These data can then be collated and analysed to detect peak spawning events and estimate when spawning season starts and ends.

7.7. The second key evidence gap that may be addressed would be investigating and building an understanding of the efficiency, depletion rate and footprint of a beam trawl for King Scallop. This could be answered using a Before-After-Control-Impact (BACI) Paired-Series approach of deploying modified gear and comparing the impact to benthic habitats before and after. It would also prove of interest to compare the impact of the

modified beam trawl to that of a traditional Newhaven scallop dredge to determine whether this method provides a less destructive and efficient alternative to dredging for King Scallop.

## 8. Impact on small and micro businesses

Currently there are 5 fishing vessels permitted through the scientific dispensation scheme in the Emergency Bylaw to target scallops using a beam trawl. One of these fishing vessels has been fishing since 2022 whilst the other 4 vessels only started in April and June 2023. The fishing vessel that has been fishing since 2022 landed 38t of Scallops in 2022 with a market value of around £74k and 57t of Scallops in 2023 with a market value of around £97k. The other 3 vessels landed together a total of 30.45t in 2023 with a market value of around £52k using a standard beam trawl. This type of fishing activity inside the 6NM only emerged recently and fishing vessels are not established yet. The intention of this bylaw is not to close the fishery but to manage sustainably a small number of permitted fishing vessels targeting King Scallops. This would still allow the current active fishing vessels to access the fishery and if the Authority implements effort limitation for catching and landing King Scallops, these vessels will be still able to return to their previous fishing activities targeting demersal fish inside and outside the 6NM and dredging for King Scallop outside the 6NM.

*Table 1: Landings, days fished and market value of King Scallops for fishing vessels using beam trawling inside the NEIFCA district in 2022 and 2023. Data derived from the MMO iFish2 data.*

	2023			2022		
Vessel	days fished	landed weight t	value £	days fished	landed weigh t	Value £
1	52	51.89	97789.36	48	38.288	73983.10516
2	22	9.7	17520.32			
3	16	20.45	33840.06			
4	1	0.287	594.68			

## 9. Wider impacts (consider the impacts of your proposals)

Wider impacts are not expected as this fishery has only emerged recently.

## 10. A summary of the potential trade implications of measure

N/A

## 11. Monitoring and Evaluation

The existing NEIFCA's stock monitoring program for Scallops will be enhanced through additional surveys in collaboration with the fishing industry under a permitting scheme. Stock assessment will be extended to a wider area of Scallop grounds in the district, assessing size frequency, abundance, density and estimating biomass of the stock. Throughout the spawning season (May to September), weekly meat yield and gonad stage surveys will assess seasonality and timing of spawning events and additional habitat surveys will assess and compare impacts of Scallop dredging and beam trawling. Permits will be limited to a small number of vessels with strict spatial and temporal restrictions. Any vessel with a permit will be required to transmit AIS at all times when operating inside the NEIFCA district, submit catch returns, provide subsamples for meat yield and gonad staging and facilitate access for NEIFCA officers for observation at sea when requested. Compliance will be ensured through regular enforcement activities and data collection will be continuously analysed informing the management for the new flexible bylaw.

## References

- Beukers-Stewart, B. D., Vause, B. J., Mosley, M. W., Rossetti, H. L., & Brand, A. R. (2005). Benefits of closed area protection for a population of scallops. *Marine Ecology Progress Series*, 298, 189-204.
- Bradshaw, C., Collins, P., & Brand, A. R. (2003). To what extent does upright sessile epifauna affect benthic biodiversity and community composition?. *Marine Biology*, 4(143), 783-791.
- Bruce J. Barber, Norman J. Blake, Chapter 6 Reproductive Physiology, Editor(s): Sandra E. Shumway, G. Jay Parsons, *Developments in Aquaculture and Fisheries Science*, Elsevier, Volume 35, 2006, Pages 357-416,
- De Groot, S. J., & Lindeboom, H. J. (1994). Environmental impact of bottom gears on benthic fauna in relation to natural resources management and protection of the North Sea. *NIOZ-rapport*, (11).
- Elliott, M. (2023). Marine Ecosystem Services and Integrated Management: “*There’s a crack, a crack in everything, that’s how the light gets in*”! *Marine Pollution Bulletin*, 193: <https://doi.org/10.1016/j.marpolbul.2023.115177>
- Rijnsdorp, A.D., Bolam, S.G., Garcia, C., Hiddink, J.G., Hintzen, N.T., van Denderen, P.D. and van Kooten, T. (2018), Estimating sensitivity of seabed habitats to disturbance by bottom trawling based on the longevity of benthic fauna. *Ecol Appl*, 28: 1302-1312. <https://doi.org/10.1002/eap.1731>
- Salomonsen, H. M., Lambert, G. I., Murray, L.G. & Kaiser, M.J. (2015). The spawning of King Scallop, *Pecten maximus*, in Welsh waters – A preliminary study. Fisheries & Conservation report No. 57, Bangor University. pp.21
- Sciberras, M., Hiddink, J. G., Jennings, S., Szostek, C. L., Hughes, K. M., Kneafsey, B., Clarke, L.J., Ellis, N., Rijnsdorp, A.D., McConnaughey, R.A. and Hilborn, R., (2018). Response of benthic fauna to experimental bottom fishing: A global meta-analysis. *Fish and Fisheries*, 19(4), 698-715.
1. Regulation (EU) 2019/1241 of the European Parliament and the council of 20 June 2019, item 16



## NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

**Report to:** Authority Meeting  
6 June 2024

---

### FINANCIAL OUTTURN 2023/24

---

#### Report of the Treasurer

##### A. Purpose of Report

To report the outturn position for the Authority for the year ended 31 March 2024.

##### B. Recommendation

- i. That Members note the 2023/24 net outturn underspend of £283,945.
- ii. That £41,102 is transferred from the External Projects Fund and £17,395 from the Renewals Fund to fund 2023/24 expenditure in line with the approved supplementary budgets.
- iii. That the £150,000 underspend relating to Defra 'grant in aid' is transferred to the Renewals Fund as outlined in paragraph 4.4.
- iv. That £87,553 of the 2023/24 outturn underspend is transferred to the Patrol Vessel Maintenance reserve as outlined in paragraph 6.3.
- v. That the remaining £46,392 underspend is transferred to the Renewals Fund.

#### 1. Introduction

- 1.1 This report provides the final income and expenditure account and balance sheet for the year ended 31 March 2024.
- 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. Outturn Statement

4.1 The Outturn 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 7 March 2024, it was reported that the projected outturn was a £198,658 underspend due to underspends on employees and additional Defra grants.

4.3 The net expenditure for 2023/24 of £1,039,117 is shown in Appendix A. The revenue outturn underspend is £295,443 offset by a £11,498 reduction in funding transferred from reserves due to minor underspends on the supplementary budgets for the Fisheries Management Plan and Patrol Vessel Replacement Projects and is summarised in the table below. The outturn position is made up of a number of compensating variances. There has not been any capital expenditure in this financial year.

<b>NEIFCA Revenue Outturn 23/24</b>	<b>Over/Underspend</b>	<b>£</b>
Defra Grants	Underspend	-150,000
Employees (vacancies & overtime)	Underspend	-71,969
Interest Income	Underspend	-44,892
Vessel Fuel	Underspend	-30,162
Other minor variances	Overspend	1,580
<b>Total</b>	<b>Underspend</b>	<b>-295,443</b>
<b>Funded by:</b>		
Transfer to External Projects Reserve - Fisheries Management Plan underspend		8,898
Transfer to Renewals Fund - Patrol Vessel Replacement Project underspend		2,605
Levy roundings		-5
		<b>11,498</b>
<b>Net Underspend</b>		<b>-283,945</b>



- 4.4 The outturn includes £150,000 additional 'grant in aid' income from the Department for Environment, Food & Rural Affairs (Defra). During the 2022/2023 financial year NEIFCA received notification that £100,000 of additional 'grant in aid' would be provided by Defra with £50,000 allocated to support Marine Protected Area and delivery towards 'good environmental status' and £50,000 to assist in supporting the delivery of the national Fisheries Management Plan (FMP) programme. The funding was not received by NEIFCA until the 2023/24 financial year and has been included in the 2023/24 outturn. A further Fisheries Management Plan grant allocation for 2023/24 £50,000 has been received this financial year and is included in the outturn underspend.
- 4.5 In advance of the receipt of the additional 'grant in aid' from Defra NEIFCA officers utilised other planned savings generated within the revenue budget to fulfil the delivery expectations set out by Defra across the 2022/2023 and 2023/2024 financial years with the intention of utilising the funding to support the build and commission of a new 6m open rigid inflatable boat (RIB). This new RIB will operate in tandem with the new main vessel, when delivered, during Spring 2025. This new 6m asset will enable the safe boarding and inspection of fishing vessels at sea from the new main vessel. Officers had excluded the addition of the small boarding vessel from the original tender process for the main vessel to keep costs as low as possible for the funding Local Authorities in the knowledge that the additional external funds could be utilised at a later date.
- 4.6 The employees budget is £71,969 underspent as previously reported due to planned delays in recruiting to vacancies in the offshore team until the position on the sale of the existing patrol vessel and commission of the new vessel is clearer. The remaining underspend is due to interest receipts being £44,892 higher than anticipated due to the increase in interest rates and the level of reserves being set aside for the patrol vessel replacement, and underspends on vessel fuel of £30,162 due to fluctuating fuel prices and reduced consumption. It should be noted that this will not be a reoccurring underspend as the majority of the reserves will be utilised to fund the new patrol vessel. The expenditure also includes 50% of cost of the ongoing critical works to the Protector III Cabin RIB of £38,689.
- 4.7 The outturn includes a £8,898 underspend on the 2023/24 £50,000 Fisheries Management Plan supplementary budget and a £2,605 underspend on the £20,000 Patrol Vessel Replacement Plan supplementary budget approved at the Authority meeting on 11 December 2022 resulting in reduced funding required to be transferred from the External projects reserve and Renewals Fund. It is proposed that the outturn is underspend is transferred to reserves as approved by the Executive at the meeting on 7<sup>th</sup> March 2024 and outlined in paragraphs 6.2 and 6.3 below.

## **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 £344,528 as at 31 March 2024.
- 5.2 Usable Reserves of £2,084,802 have increased by £338,348 partly as a result of a planned transfers to the Vehicle Replacement and Renewals Fund reserves of £10,000 and £102,900 respectively. The remaining increase in the reserve balance is due to the proposed set aside of the 2023/24 outturn underspend mainly due to receipt of additional

Defra 'grant in aid' funding and employee underspends. The detailed reserve movements are outlined in paragraphs 6.2 and 6.3.

## **6. Reserves and Proposed Usage**

- 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 2024 is £228,450. The reserve represents 15% of the annual levy for 2024/25, 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. The reserve was utilised in 2022/23 to part fund the cost of the mechanical engine failure of the patrol vessel, reducing the balance on the reserve to £1,136. It was agreed at the Executive meeting on 7 March 2024 that the balance of the reserve will be increased by £48,864 from anticipated underspends at 2023/24 outturn to mitigate the risk of future urgent repairs. It is also agreed to transfer £38,689 of the 2023/24 outturn underspend into the reserve to fund the remaining critical operational compliance works on the Protector III Cabin RIB that are already underway. The funding will be utilised in 2024/25 financial year and the Patrol Vessel Maintenance reserve balance at 31 March 2025 is anticipated to be £50,000.
- 6.3 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 in 2023/24 on the Patrol Vessel Replacement Project has resulted in a £17,395 transfer from reserves. At the Executive Meeting on 7 March 2024 it was agreed that £100,000 of the forecast underspend alongside any additional 'grant in aid' would be transferred to the Renewals Fund at the year end and ringfenced to support the proposed build and commission of a new 6m open Rigid Inflatable Boat (RIB). A further £50,000 Fisheries Management Plan 'grant in aid' was received 2023/24 bringing the total transfer to the Renewals Fund to £150,000 at the financial year end.
- 6.4 The Special Authority Meeting on 30 June 2023 approved the decision for East Riding of Yorkshire Council Cabinet to award the contract for the build and commission of a new 24.5m Fisheries Patrol/Research vessel along with a proposed finance lease agreement with ERYC. Under the terms of the finance lease agreement NEIFCA will make a substantive payment towards the costs in year one utilising funds set aside in the Renewals Fund, capital receipts from the sale of the North-East Guardian III and any further additional funding that is subject to a bid to DEFRA. It was agreed that the remaining cost will be funded by ERYC borrowing from the Public Works Loans Board and the costs will be met by the finance leasing arrangement between ERYC and NEIFCA, funded by an increase to the levy which is being phased in over 2024/25 and 2025/26 financial years. The vessel build is now underway and it is anticipated that the new vessel will be commissioned in 2025

- 6.5 In addition to the £102,900 annual set aside on 7 March 2024 the Executive approved the transfer the 2024/25 additional levy increase of £89,540 to the Renewals Fund to be used towards the initial payment for the new patrol vessel. A supplementary budget of £17,000 was also agreed in 2024/25 to cover continuing revenue costs of the project. The balance on the Renewals Fund reserve at 31 March 2025 is forecast to be £1,901,422. It is likely that the one-off initial finance lease payment to East Riding of Yorkshire Council for the new vessel will fall into 2025/26 financial year.
- 6.6 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.

**Contact Officer**

Liz Smith

Liz.smith@eastriding.gov.uk

Principal Accountant, East Riding of Yorkshire Council

**Stephen Chandler**

**Treasurer**

## NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

## OUTTURN STATEMENT

2022/23		2023/24				
Net Expenditure		Expenditure	Income	Net Expenditure	Original Budget	Variance
£		£	£	£	£	£
402,975	Central / Headquarters	450,594	56,625	393,969	429,330	-35,361
127,796	Land Based Operations	142,433	5,467	136,965	135,590	1,375
670,812	Offshore Operations	505,627	26,989	478,638	559,510	-80,872
101,725	Environment	129,122	18,050	111,072	140,130	-29,058
-31,013	Projects	112,876	194,404	-81,528	70,000	-151,528
<b>1,272,295</b>		<b>1,340,652</b>	<b>301,535</b>	<b>1,039,117</b>	<b>1,334,560</b>	<b>-295,443</b>
Net Income		Expenditure	Income	Net Income	Original Budget	Variance
£		£	£	£	£	£
<b>SOURCES OF FINANCE</b>						
1,337,344	Annual levy on Local Authorities	0	1,377,465	1,377,465	1,377,460	(5)
0	Contribution from Reserves	0	58,497	58,497	70,000	11,503
0	Cont (to)/from Capital	0	0	0	0	0
-112,900	Contribution to Earmarked Reserves	112,900	0	-112,900	-112,900	0
<b>1,224,444</b>		<b>112,900</b>	<b>1,435,962</b>	<b>1,323,062</b>	<b>1,334,560</b>	<b>11,498</b>
					<b>Net Underspend</b>	<b>-283,945</b>
<b>Contributions to/from earmarked reserves</b>					<b>£</b>	
Renewals Fund					102,900	
Vehicle Replacement					10,000	
Fisheries Management Plan					(41,102)	
Patrol Vessel Replacement					(17,395)	
					<b>54,403</b>	

<b>BALANCE SHEET</b>				
<b>1 April 2023</b>		<b>31 March 2024</b>		
£		£	£	£
<b>LONG TERM ASSETS</b>				
2,338,957	Waterborne Assets - Gross Book Value		2,338,957	
-1,426,152	Waterborne Assets - Depreciation		<u>-1,450,893</u>	888,064
234,484	Vehicles and Equipment - Gross Book Value		234,484	
-146,033	Vehicles and Equipment - Depreciation		<u>-159,720</u>	74,764
	Work in Progress			
<u>1,001,256</u>				<u>962,828</u>
<b>CURRENT ASSETS</b>				
<b>Debtors</b>				
2,678	HMRC - VAT		17,696	
268,752	Other		187,675	
0	Prosecution Costs	3,758		
990	Provision for Bad Debt	<u>-2,328</u>	1,430	
479	Payment in Advance		<u>479</u>	207,280
<b>Short Term Investments</b>				
<b>Cash and cash equivalents</b>				
1,400,000	Temporary Investments		1,845,672	
253,642	Cash at Bank and in Hand		236,267	
350	Petty Cash		<u>350</u>	2,082,289
<b>CURRENT LIABILITIES</b>				
-163,938	Creditors		-188,268	
	Receipt in Advance			<u>-188,268</u>
<u><b>2,764,209</b></u>	<b>NET ASSETS</b>			<u><b>3,064,130</b></u>
<b>FINANCED BY</b>				
1,746,453	Usable Reserves			2,084,802
1,017,756	Unusable Reserve			979,328
<u><b>2,764,209</b></u>	<b>TOTAL RESERVES</b>			<u><b>3,064,130</b></u>

<b>NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY</b>		
<b>RESERVES</b>		
<b>General Reserve</b>	<b>2023/24</b>	<b>2024/25</b>
	<b>£</b>	<b>£</b>
Balance brought forward	228,450	228,450
Transfer from Revenue	0	0
Transfer to Revenue	0	0
Balance carried forward	<u>228,450</u>	<u>228,450</u>
<b>Patrol Vessel Maintenance</b>	<b>2023/24</b>	<b>2024/25</b>
	<b>£</b>	<b>£</b>
Balance brought forward	1,136	88,689
Transfer from Revenue	87,553	0
Transfer to Revenue	0	-38,689
Balance carried forward	<u>88,689</u>	<u>50,000</u>
<b>External Projects</b>	<b>2023/24</b>	<b>2024/25</b>
	<b>£</b>	<b>£</b>
Balance brought forward	50,000	8,898
Transfer from Revenue	0	0
Transfer to Revenue	-41,102	0
Balance carried forward	<u>8,898</u>	<u>8,898</u>
<b>Vehicle Replacement Reserve</b>	<b>2023/24</b>	<b>2024/25</b>
	<b>£</b>	<b>£</b>
Balance brought forward	22,782	32,782
Transfer from Revenue	10,000	10,000
Transfer to Revenue	0	-20,000
Balance carried forward	<u>32,782</u>	<u>22,782</u>
<b>Renewals Fund</b>	<b>2023/24</b>	<b>2024/25</b>
	<b>£</b>	<b>£</b>
Balance brought forward	1,444,085	1,725,982
Transfer from Revenue	299,292	192,440
Transfer to Revenue	-17,395	-17,000
Balance carried forward	<u>1,725,982</u>	<u>1,901,422</u>
<b>TOTAL USEABLE RESERVES</b>	<u>2,084,801</u>	<u>2,211,552</u>

**NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY**

**Report to:** Authority Meeting  
6 June 2024

---

**Provision of Services to NEIFCA**

---

Report by the Chief Officer

**A. Executive Summary**

To seek the Authority's approval for the continued provision of core services including Clerkship and Secretariat, Treasurer and financial services, Human Resources and Legal services through East Riding of Yorkshire Council with effect from 1 July 2024 until end of March 2029.

**B. Recommendation**

That Authority members consider the report and approve the continued provision of the following core services through East Riding of Yorkshire Council, with effect from 1 July 2024 for a further period of five financial years until the 31 March 2029:-

- (i) Clerkship
- (ii) Treasurer and financial services
- (iii) Human Resources
- (iv) Legal

**1. Background**

1.1 Since its inception in 1996 East Riding of Yorkshire Council (ERYC) has played a crucial role in the provision of core services to North Eastern Sea Fisheries Committee (NESFC) and since October 2010, to North Eastern Inshore Fisheries and Conservation Authority (NEIFCA). Over the years this has enabled NEIFCA to modernise, develop and maintain its standing as one of the most professionally run and respected IFC Authority's in the UK.

1.2 The last review of core service provision to NEIFCA was considered by the Authority on 18 December 2020. Following that review members supported the Chief Officer's recommendation that ERYC continue to provide the core services of Clerkship, Treasurer and financial services, Human Resources and Legal to the Authority for a further period of three financial years (Minute 65 refers). That agreement was due to expire on 31 March 2024 but was extended by the Executive Committee at its meeting held on 7 March 2024 to enable full consideration at the June 2024 Authority meeting (Minute 87 refers). From an organisational perspective it is critical that the current arrangements for provision of these core services continue. This will safeguard the provision of a quality service and the effective and efficient functioning of the organisation as a whole.

## 1.2 **Clerkship**

1.2.1 Through the continued relationship with the Clerk and associated links to ERYC, Authority officers and staff have been able to access a wide range of systems and expertise which have been critical to both the effective delivery of ‘day to day’ operations and the positive delivery of the Authority’s statutory objectives. This currently includes financial, IT, HR and other systems which remain embedded within the ERYC. These systems and associated expertise would be lost if members choose not to support the continued provision of services through ERYC and as an organisation NEIFCA would have to procure and re-develop a wide range of services, externally, from scratch, to support its needs. Given the resource and time demands that this would require it would place the functioning of the Authority at immediate risk of collapse and take many years to re-establish the current position and standing that the Authority currently enjoys.

1.2.2 Contact with Clerk and ERYC services is generally weekly with regular monthly catch up meetings scheduled to update on operational matters and discuss a wide range of matters and issues, this access and time is not charged, and additional support and advice is also readily available when required, representing an extremely cost effective and efficient service throughout. Through the Clerkship and ERYC, which is recognised as one of the most efficient and well managed Local Authorities in the UK, NEIFCA has been able to access and adopt a wide range of policies and procedures which has improved and strengthened its standing as an organisation. This relationship has ensured that NEIFCA continues to develop and expand in its role at the forefront of inshore fisheries management.

1.2.3 It is therefore recommended that members approve the continued provision of Clerk services by ERYC.

## 1.3 **Treasurer and financial services**

1.3.1 Treasury and financial services are provided to NEIFCA through an annual Service Level Agreement with ERYC. This includes accountancy and management services, payment services and payroll services. ERYC have provided this service since 1996 and have established a comprehensive working knowledge of the Authority’s operational activities. More crucially, NEIFCA is embedded within ERYC payroll and financial systems which would be very difficult and expensive to re-establish. It is therefore recommended that members approve the continued provision of Treasurer and financial services by ERYC.

## 1.4 **Human Resources**

1.4.1 Human resource support is also provided to NEIFCA through an SLA which is subject to a regular review process. The HR department has built up an extensive working knowledge of the Authority’s practices, systems and staffing information which would be difficult to re-establish and develop elsewhere. It is therefore recommended that members approve the continued provision of HR services by ERYC.

## 1.5 **Legal Services**

1.5.1 Legal support is provided by the ERYC Legal and Democratic Services team who were appointed through an open tender process completed during 2002. This contract has been reviewed and extended over the years by both NESFC and NEIFCA. Since 2002 the ERYC legal team have developed an extensive working and practical knowledge of associated marine case work to Crown Court level. The ERYC Legal and Democratic



Services Team continue to provide an excellent cost effective service at approximately 50% of the private sector charge and it is extremely important that members approve the continued provision of legal services by ERYC.

- 1.6 Continuation of existing arrangements with ERYC will be met from current budgetary provisions.

Contact Officer

David McCandless, Chief Fishery Officer,  
Tel: 07771936501

Background Papers

None.



**NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY**

**Report to:** Authority Meeting  
06 June 2024

---

**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 8 March and 21 May 2024.

B. **Recommendation**

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

1. **Background**

1.1 Since the last Authority meeting held on 8 December 2023, two meetings of the SAG were held on 8 March and 21 May 2024 and is summarised below.

1.2 **8 March 2024**

At the meeting members considered the following items:

- Annual Research and Evidence Plan 2024/25
- Scallop Beam Trawl Report
- Stock Status Report
- European Lobster Settlement Index project
- Sea Bass survey program
- MMO Marine consents 2023/24

1.2.1 *Annual Research Plan 2024/2025*

Environmental & Scientific Manager Ralf Bublitz presented the draft annual research plan for 2024/25. Three new workstreams have been added to the plan, regular meat yield surveys for Scallops, observer trips for beam trawling and recording biometric data for Sea Bass.

This year's plan is based around not having the provision of a patrol vessel for the survey season. Environmental & Scientific Manager Ralf Bublitz explained there are contingency

plans in place for this, with the opportunity to work closer with the industry. Members discussed the ambitious plans in detail and agreed to the suggestion of a change to the time frame between Cockle Surveys from 2 years to 5 years.

Discussion were held with regards to Sea Bass monitoring with suggestions from EA & YWT that data sharing and collaborations between agencies would be beneficial.

### 1.2.2 *Scallop Beam Trawling Byelaw*

Environmental & Scientific Manager Ralf Bublitz updated members on the scallop beam trawling activities over 2023/2024. The analysis of the MMO's CatchApp data showed a total number of 102 active fishing days during 2023 across 5 vessels whereby 90,798kg (90.8 tonnes) of king scallops were removed from the stock using a beam trawl. The majority of king scallops landed was throughout April to August 2023, with the highest landings in June 2023, where 26,368kg of king scallops were landed. Most of the fishing activity occurred north of the permitted scallop dredge boxes – ICES sub-rectangle 38E96 with 74.3 tonnes landed from this area.

The current emergency byelaw for beam trawling will expire on the 18<sup>th</sup> July 2024 with the possibility of a one off extension for 6 month. The new draft byelaw will be taken to the June Authority meeting for approval.

Scientific dispensations will continue to be allocated to applicants and vessels will be supplying a weekly catch return.

The MMO legal team have concluded that the modified gear used initially has officially been classified as a dredge, and the vessel involved has been notified.

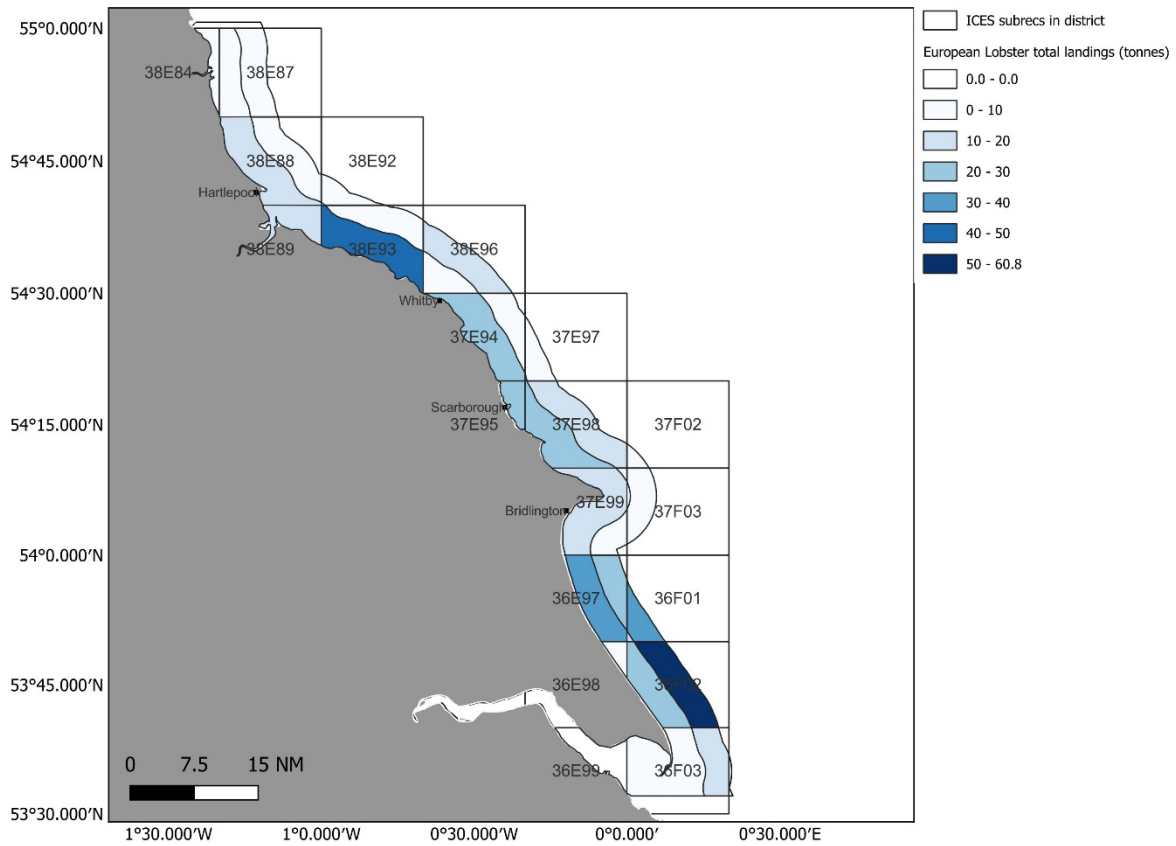
Work in 2024/25 will continue on monitoring both stocks and pressure for the beam trawling activities.

### 1.2.3 *Stock status report*

Environmental & Scientific Manager Ralf Bublitz presented a report on catch and landings data for shellfish from 2023. Since the publication of the Shellfish landings report last year, further assessments of landings data by fishing area have been possible using inhouse NEIFCA catch return data. The total landings of European lobster and edible crab into the NEIFCA district in 2023 reported from NEIFCA catch returns, were 463.2 tonnes and 596.6 tonnes respectively. Of this the total landings reported by <10m vessels via the MMO under10 catch app were 457 tonnes of lobster and 468 tonnes of edible crab. At this stage it is not possible to compare the landings from the MMO under 10 catch app and NEIFCA catch return system with previous years as there is no complete data set for 2022 due to both systems been introduced in spring and summer 2022 retrospectively. However, when comparing the landings with the iFish 2 system, edible crab landings of the under 10m vessels have decreased in 2023 and lobster landings seem to be at similar levels.

An annual stock status report will be produced each year using the data from the MMO under 10 catch app and NEIFCA catch return system. As soon as a time series of 2- 3 years has been established it will then be possible to draw better comparisons and monitor trends.

The use of the new catch return system has been very successful with an 85% catch return submission rate for 2023. Members praised the report, in particular the new maps used. With the new catch return system, maps with a better spatial resolution for landings and effort can be produced now (Figure 1).



**Figure 1.** NEIFCA European lobster landings reported via online Catch Return system. Landings of European lobster are displayed in tonnes and assigned to an ICES sub rectangle and band (A = 0-3nm, B = 3-6nm).

#### 1.2.4 European lobster settlement index project

Environmental & Scientific Manager Ralf Bublitz presented an update to members on the progress of the DEFRA funded research project ELSI. Highlighted was the help given by the FISP team to navigate the exceptional challenges faced in the last 6 months. The project time frame has been extended based on these difficulties. The focus for the coming season is on plankton tows, with help from the industry and data analysis from Hull University. Cages have been in the water all winter, recovery of these is imminent, with analysis undertaken by a PHD student at the university who has worked on the project previously.

#### 1.2.5 Sea Bass Survey Program

Environmental & Scientific Manager Ralf Bublitz updated members on the progress of the Seabass scale sampling project that is currently being rolled out to collate baseline information about the population of seabass within our district. Since the start of this sampling program, NEIFCA officers managed to measure and collect scale samples from 20 individual Seabass landed by one intertidal net fisher alongside a citizen science project, whereby recreational anglers are given a sampling guide with instructions on how to take scale samples and envelopes to keep the scales in and to record biometric data for each individual sampled Seabass. Data will be collated and a database will be set up in due course.

### 1.2.6 *MMO consents*

Environmental & Scientific Manager Ralf Bublitz presented the summary of reviewed MMO licence applications for 2023/24. All consents going forward will be logged and tracked using a risk rating for impact on the NEIFCA district.

## 1.3 **21 May 2024**

At the meeting members considered the following items:

- Scallop fishery monitoring report
- Cockle Monitoring Report
- Beam Trawling Byelaw

### 1.3.1 *Scallop fishery monitoring report*

Environmental & Scientific Manager Ralf Bublitz presented a report to update members on the results of the scallop dredge fishery monitoring work for the 2023/2024 season. Overall landings and LPUE show a decreasing trend for the 2023/24 season. A continuous decrease in the LPUE has been observed since the 2020/21 season. However, average scallop size remains stable and well above the minimum size. Bycatch of lobster remains very low, while CPUE for edible crab remains at similar low levels compared to the 2022/23 season. Members discussed the issues with the South box which made this inaccessible for scallopers.

Discussions were held on the future of the North box and in particular, the data analysis needed for both inside and outside of this box going into the new season. Members agreed that data from the upcoming season, through observer trips, scallop analysis and industry input is vital to making decisions on the fishery in the future.

MMO member Michael Montgomerie shared information with regards to trials undertaken in the South using the Dutch Sumwing.

Members discussed the impact of FMP's with regards to the management of the scallop fishery with Chief Officer David McCandless suggesting that NEIFCA's current management would be ahead of the national legislation due to come into effect. The new beam trawling byelaw would also be the mechanism for reactive management of the fishery.

### 1.3.2 *Cockle monitoring report*

Environmental & Scientific Manager Ralf Bublitz presented a report to members on NEIFCA's biannual Cockle Monitoring Program for 2024. The surveys undertaken in March 2024 found higher abundances of sized cockles (over 20mm shell width) at Cleethorpes and Bran Sands and a substantial increase in biomass at all 3 sites. This is the first recorded increase in biomass since standardised surveys began. It seems that all 3 cockle beds are improving, especially at Bran Sands where the biggest increase in biomass has been recorded. Despite the improvement of the cockle beds, it is still recommended that the beds remain closed to exploitation at this time and that monitoring continues. The previously suggested change to the frequency of the surveys from 2 years to 5 years has now been revised and will remain at 2 years.

Members suggested to discuss the findings with other IFCA's to establish if similar patterns are present nationally.

### 1.3.3 *Beam Trawling Byelaw*

Chief Officer David McCandless presented the draft Beam Trawling Byelaw, consolidating existing byelaws and introducing an effort management system for this fishery targeting King Scallops within the District.

#### Contact Officer

David McCandless,  
Chief Officer,  
Ext. 3690





**NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY**

**Report to:** Authority Meeting  
06 June 2024

---

**Management of Permitted Intertidal & Sub-tidal Fixed Net Fisheries 2024/2025**

---

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 2024.

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 2023 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 2024/2025 so officers are planning now for the re-opening of both the permitted intertidal and sub-tidal fixed net fisheries from 1 October 2024. 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 10 June 2024 with a provisional closing date of 28 June 2024. All applicants will be notified in writing on the outcome of their applications by 12 July 2024 and unsuccessful applicants will be offered the right of appeal which will close on 2 August 2024. Any appeals will be considered by the Executive Committee on 5 September 2024. 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 2024. A draft procedure outlining the application and allocation process is attached for members information.

Contact Officer

David McCandless, Chief Officer  
Tel: 07771936501



## Procedure for NEIFCA Area C Fixed Netting Permit Allocation

Issue Date – 06 June 2024

Review Date – June 2025

Contact Officer – David McCandless (Permit Allocation Officer)

<b>PURPOSE</b>	To Ensure Allocation of NEIFCA Fixed Netting Permits to Fish Within Area C of the Holderness Coast
<b>AIM</b>	Allocation of permits are undertaken in a fair, efficient and transparent manner and that there is a clear and consistent appeals procedure
<b>SUCCESS CRITERIA</b>	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 June 2024.** 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.ne-ifca.gov.uk](http://www.ne-ifca.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 12 July 2024.**

### **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 12 July 2024.**
- 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 Friday 2 August 2024** and will be considered by the Executive Committee meeting provisionally scheduled for 5 September 2024.
- 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  
6 June 2024

---

**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 2023 to 31 May 2024.

B. **Recommendation**

That Members note the report.

1. **Overview**

1.1 **NEIFCA**

***New Fisheries Vessel Build - Update***

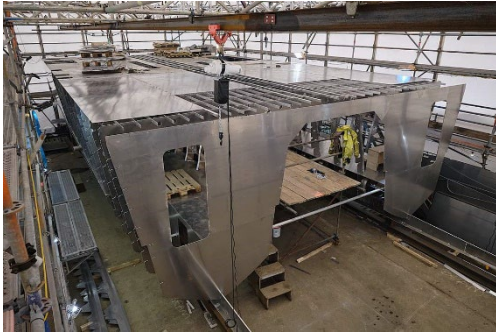
Following the Authority decisions taken during June 2023 to progress the build and commission of a new fisheries vessel to replace North Eastern Guardian III (NEG III) and the award of contract to Whitby based shipbuilders, Parkol Marine Ltd, on 6 October 2023, the construction work is advancing well. Design and pre-build planning work was completed at the end of 2023 followed by the delivery of the hull and superstructure materials and the commencement of construction during February 2024. At the time of writing this report the build process was approaching a key contractual stage, the completion of the hull and main deck structure. The following images chart the build progress to date:



*Laying of keel February 2024*



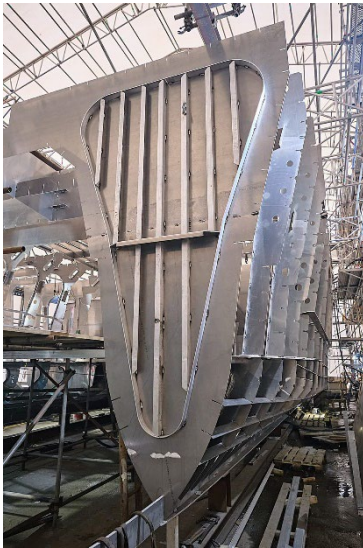
*Framing March/April 2024*



*Plating April/May 2024*



*Framing & Plating May 2024*



*Framing May 2024*



*Hull plating May 2024*

### ***Sale of North Eastern Guardian III - Update***

Documentation supporting the marketing and sale of (NEG III) was finalised during February 2024 in consultation with the East Riding of Yorkshire Council procurement team who will be facilitating the electronic reception of bids to purchase the vessel on behalf of NEIFCA. Marketing commenced on 22 May 2024 with a guide price of £1.6 million and a provisional closing date for bids of 31 July 2024.

### ***Pollution & Discharge Events***

Outside the significant issues experienced surrounding the shellfish mortalities in the Tees estuary Officers are regularly contacted over concerns relating to sewage and mine water discharging. In some parts of the NEIFCA district these have been longstanding, one particular example is Whitburn, just North of Sunderland and the Wheatcroft outfall to the South of Scarborough which carries effluent from the McCains factory. These matters have at times been discussed extensively within both the Executive and Science Advisory sub-committees. Most recently I have had discussions with the Chair on how best NEIFCA should tackle such issues and whether that should be at national IFCA level. The ultimate objective for NEIFCA should be clean and healthy inshore waters throughout its district.

### ***Enforcement & Compliance Work***

Since the last operational update presented to members at the Authority meeting held on 8 December 2023 poor weather has dominated with a succession of ‘named’ Atlantic storms passing over the UK. This has significantly reduced inshore fishing activity across all sectors. From an enforcement and compliance perspective NEIFCA officers have maintained foreshore observations and the inspection of fisheries premises alongside quayside work.

### ***Organisational Work***

During the last six months officers have continued to expand the development and use of the new bespoke fisheries permitting database. This work includes direct electronic submission of catch and effort returns from the commercial sector.

### ***Environmental & Scientific Work***

Much of the recent work of the environmental and science team has involved finalising a shellfish, cockle and Scallop stock monitoring report. Alongside that the team have been engaged in the revision of the Shellfish and Humber Estuary Byelaw and the new Beam Trawling Byelaw.

## **1.2 National Work streams**

### ***Fisheries Management plans***

On 17 July 2023 Defra launched a formal consultation on six ‘front runner’ Fisheries Management Plans (FMPs) including crab and lobster, sea bass, king scallop, whelk, Channel non-quota species and Southern North Sea and Eastern Channel mixed flatfish. The consultation concluded on 1 October 2023. 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 Association of IFCAs, in partnership with Kent and Essex IFCA are coordinating IFCA involvement in both the development and implementation of the plans at national level in partnership with the Marine Management Organisation (MMO). As part of that work an online questionnaire survey was recently circulated across NEIFCA members for completion and return by 8 September 2023 and a follow up IFCA workshop was held in Poole on 26 and 27 September 2023. NEIFCA was represented at that workshop by its Scientific lead Officer, Dr Ralf Bublitz and Dr Stephen Axford.

Five of the six priority FMPs were formally published by Defra on 14 December 2023 including crab and lobster, bass, king scallop, whelk and Channel demersal non-quota species.

Alongside the national IFCA response, Chief Officer David McCandless and the Environmental and Scientific Manager Dr Ralf Bublitz are jointly overseeing NEIFCA’s involvement, at local level, in the implementation of the new national plans

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

- Marketing and sale of North Eastern Guardian III
- Overseeing the build of the new replacement vessel

- Finalising the quality assurance process relating to the shellfish permit and Humber estuary management byelaws and submission to Defra for confirmation.
- Commencement of formal consultation on the new proposed beam trawling byelaw.
- Further implementation of the new fisheries database including the capture of electronic catch and effort returns.

#### 1.4 Summary of meetings and events attended:-

Natural England Withernsea meeting	4 <sup>th</sup> December 2023
National Association of IFCA's Workshop & Meeting, London	5 <sup>th</sup> & 6 <sup>th</sup> December 2023
Coastal & Marine Local Nature Recovery Strategy	7 <sup>th</sup> December 2023
NEIFCA Authority meeting	8 <sup>th</sup> December 2023
IFCA Chief Officers Group meeting	12 <sup>th</sup> December 2023
Yorkshire Marine Nature Partnership	12 <sup>th</sup> December 2023
Coastal Health Working Group	14 <sup>th</sup> December 2023
Coastal & Marine Natural Capital Logic Chain	14 <sup>th</sup> December 2023
UK Commercial Fishing Social Survey	18 <sup>th</sup> December 2023
National Association of IFCA's Directors meeting	18 <sup>th</sup> December 2023
FMP Webinar	20 <sup>th</sup> December 2023
AIFCA briefing	20 <sup>th</sup> December 2023
IFCA/MMO Strategic Operations Group meeting	8 <sup>th</sup> January 2024
IFCA Chief Officers Group meeting	10 <sup>th</sup> January 2024
Natural England MPA/Fisheries consultation - York	10 <sup>th</sup> January 2024
Yorkshire Marine Nature Partnership Research Group	11 <sup>th</sup> January 2024
Oyster Restoration Teesside, Exo Team	15 <sup>th</sup> January 2024
AIFCA briefing	17 <sup>th</sup> January 2024

East Marine Plan Launch	18 <sup>th</sup> January 2024
DEFRA Commercial Fishing Social Survey meeting	19 <sup>th</sup> January 2024
AI camera project – Bangor University	22 <sup>nd</sup> January 2024
Yorkshire Marine Nature Partnership Executive Board	23 <sup>rd</sup> January 2024
Northeast 4b Regional Fisheries Group	24 <sup>th</sup> January 2024
King scallop FMP working group meeting	24 <sup>th</sup> January 2024
North East 4B regional fisheries group meeting	24 <sup>th</sup> January 2024
ERYC foreshores catch up meeting	25 <sup>th</sup> January 2024
IFCA Chief Officers Group MPA meeting	26 <sup>th</sup> January 2024
MMO catch up	26 <sup>th</sup> January 2024
North Sea and Channel sprat FMP meeting	31 <sup>st</sup> January 2024
Industry Working Group Bridlington	31 <sup>st</sup> January 2024
DEFRA survey	2 <sup>nd</sup> February 2024
New vessel build progress meeting	5 <sup>th</sup> February 2024
Yorkshire Wildlife Trust meeting	8 <sup>th</sup> February 2024
DEFRA FISP meeting	9 <sup>th</sup> February 2024
CEFAS Sea Bass tagging	9 <sup>th</sup> February 2024
CEFAS Weymouth Lab meeting	12 <sup>th</sup> February 2024
Fishing into the Future meeting	12 <sup>th</sup> February 2024
MMO MPA Greater Wash meeting	13 <sup>th</sup> February 2024
EIFCA MPA meeting	14 <sup>th</sup> February 2024
Ultramarine survey meeting	16 <sup>th</sup> February 2024
Fishing into the Future meeting	19 <sup>th</sup> February 2024
NEIFCA Annual Staffing Appraisals	19 <sup>th</sup> & 20 <sup>th</sup> February 2024
Coastal Health AIFCA meeting	21 <sup>st</sup> February 2024
NEIFCA Annual Staffing Appraisals	26 <sup>th</sup> & 27 <sup>th</sup> February 2024
Fishing into the future F-Rep Event	27 <sup>th</sup> – 29 <sup>th</sup> February 2024

Guest Lecture Salford University	1 <sup>st</sup> March 2024
CEFAS Weymouth Lab meeting	6 <sup>th</sup> March 2024
IFCA Chief Officers Group Meeting	6 <sup>th</sup> March 2024
<i>Nephrops</i> FMP	7 <sup>th</sup> March 2024
NEIFCA Executive Committee meeting	7 <sup>th</sup> March 2024
Scientific Advisory Group meeting	8 <sup>th</sup> March 2024
Oyster Restoration Teesside Exo	14 <sup>th</sup> March 2024
Bridlington Lab facility facilitation NFFO	15 <sup>th</sup> March 2024
Internal NEIFCA audit meeting	18 <sup>th</sup> March 2024
Yorkshire Marine Nature Partnership Executive Board	21 <sup>st</sup> March 2024
North East Fishing Collective meeting	22 <sup>nd</sup> March 2024
Coastal Health AIFCA	26 <sup>th</sup> March 2024
Industry Working Group – North	28 <sup>th</sup> March 2024
New vessel build progress meeting	3 <sup>rd</sup> April 2024
Crustacean Management Group	4 <sup>th</sup> April 2024
Staff meeting	10 <sup>th</sup> April 2024
Angling Trust	11 <sup>th</sup> April 2024
ELSI – University of Hull survey planning	12 <sup>th</sup> April 2024
NEIFCA Internal Audit	15 <sup>th</sup> – 26 <sup>th</sup> April 2024
NIFCA summer survey catch up	16 <sup>th</sup> April 2024
Coastal & Marine Local Nature Recovery Strategy	17 <sup>th</sup> April 2024
MMO Byelaw meeting	17 <sup>th</sup> April 2024
IFCA Chief Officers Group meeting	18 <sup>th</sup> April 2024
NWIFCA lobster tagging	22 <sup>nd</sup> April 2024
Coastal Health working group	24 <sup>th</sup> April 2024
Scallop dredging permit holder meeting	26 <sup>th</sup> April 2024

CIFCA meeting	7 <sup>th</sup> May 2024
New vessel build progress meeting	7 <sup>th</sup> May 2024
IFCA/MMO licensing engagement meeting	8 <sup>th</sup> May 2024
<i>Nephrops</i> FMP steering group	8 <sup>th</sup> May 2024
DEFRA “Fishing Lives” survey meeting	13 <sup>th</sup> May 2024
Natural England Tees monitoring	17 <sup>th</sup> May 2024
DEFRA “Fishing Lives” survey meeting	20 <sup>th</sup> May 2024
Scientific Advisory Group meeting	21 <sup>st</sup> May 2024
Driffield Countryside Career Event	23 <sup>rd</sup> May 2024
National Association of IFCA's Forum meeting	4 <sup>th</sup> June 2024
NEIFCA Authority meeting	6 <sup>th</sup> June 2024
New vessel build progress meeting	6 <sup>th</sup> June 2024

## 2.0 **NEIFCA Operational Reports**

### 2.1 **Land-based Work streams**

During the reporting period, the effects from storm Babet and storm Ciaren were still being felt throughout the industry with little spells of calm weather to allow fishing activities to take place. During spring, fishers have been reluctant to place pots at sea due to continuous bad weather and reduced catches. Fishers are still repairing fish gear and replacing gear that was lost during storm Babet and storm Ciaren.

Since the last report to the Authority, during December, officers have been pro-actively engaging with the potting fleet gaining any information on the current stock levels after the mass shellfish mortality. Fishers have been very positive and have reported increases in both velvet crabs and undersize edible crabs appearing in pots from the Tees to Runswick Bay. Recreational bait collectors have also reported green shore crabs returning to the River Tees in good numbers.

A small nomadic scallop fleet has remained active throughout the reporting period, fishing outside the NEIFCA district fishing in the areas of Scarborough to Flamborough Head during the months September and October with poor returns. The majority of these vessels landed into the port of Hartlepool. Throughout the period Officers engaged with these vessels making operators aware of the associated legislation. Catches have been relatively good, however, the meat yield from the scallops has been poorer than expected which has led to a drop in price.

The three beam trawlers which have been regularly working within the NEIFCA district, targeting scallops, have reported good steady fishing with very little bycatch. One of those

fishermen considers that beam trawling is proving more efficient for catching scallops compared with dredging.

Whilst out on patrol officers have engaged with recreational anglers throughout the district raising the profile of NEIFCA and trying to engage the recreational sector in helping with NEIFCA's Sea Bass Scale sampling survey. Posters have also been placed throughout the NEIFCA district notifying anglers of any species or bag limits that maybe subject to legislation within NEIFCA District. Officers also attended the European open held at Sand le Mer holiday park during March 2024.

While out on patrol officers have engaged with recreational anglers throughout the district and 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 national 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 58 inspections were completed by the shore team covering the following fishing activities

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

<b>December</b>	<b>Infringement</b>	<b>Location</b>
	4 Undersized edible crabs (VW)	Sunderland Marina
<b>February</b>		
	42 undersized edible crabs (OR)	Scarborough
	1 V notch, 1 egg bearing lobster (VW)	Bridlington
<b>April</b>		
	Scallop vessel no AIS (OR)	Scarborough
	3 egg bearing lobsters (VW)	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,



- Humberside Marine Police
- The Environment Agency
- Tees Harbour Police
- Northumbria Marine Police
- Gang Master & Labour Abuse Authority
- The Angling Trust
- Border Force
- Northumberland IFCA
- Eastern IFCA
- Centre for Environment, Fisheries, and Aquaculture Science CEFAS

NEIFCA land-based officers are actively working with the National Fishing Line Recycling scheme and in the reporting period, officers have collected over 55000m of fishing line to be recycled.

Officers have also worked closely with Whitby harbour staff to introduce a crab line recycling bin to try and encourage holiday makers and recreational anglers to dispose of their lines responsibly and not to litter around the harbour.

## 2.2 **Offshore Work streams**

Since the last report provided at the Authority meeting held on 8 December 2023 the main vessel has been undergoing an intensive period of engine recommissioning and testing in preparation for marketing and sale. The primary support asset 'Protector III' has also been undergoing a major overhaul and re-fit at its manufacturer and is expected to re-enter service sometime next month (June 2024). Patrol work has been limited and targeted to specific intelligence led tasks when required, periodically utilising 'North Eastern Guardian III' and its daughter craft 'Bravo I'.

During the reporting period NEG III completed 19 sea patrols covering 368 nautical miles which included over 50 vessel inspections 5 vessel boardings.

## 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 2023 and May 2024.

Reference	Date reviewed
Stallingborough Phase 3 Sea Defence improvement Scheme	04/01/2024
Eastern Green Link 3	21/02/2024
Dogger Bank South Geotech borehole survey	15/04/2024
Eastern Green Link 4	22/02/2024
Doggerbank C Fisheries Liaison Plan	22/02/2024
From Wreck to Reef, NE Conservation	15/04/2024
Tees Seagrass project	15/04/2024
New Wear Footbridge	14/05/2024
Dogger Bank C Offshore Wind Farm	14/05/2024
River Hull Arctic Corsair	14/05/2024
Immingham Floating Pontoon	14/05/2024
ABP Green Energy Terminal Additional SI	14/05/2024

### 2.3.2 ELSI project update

Overall good progress has been made over the winter working in collaboration with the University of Hull to complete the processing and analysing of the settlement cage samples. Following the completed lab work, a biodiversity index will be generated which is an important start to catalogue species diversity along the Holderness and North Yorkshire coastlines.

Data analysis is an ongoing process with more data going to be collected in the summer 2024 season. All data are collated and processed to MEDIN standard. NEIFCA is now ready for the last push over the next 5 months to complete the outstanding field work after facing various challenges with resourcing of staff and vessels. Back up plans have been implemented to minimise impacts on the project and to ensure the data collection for the upcoming season can start in May/June 2024 and continue throughout the summer. Finding one EBP lobsters in November 2022 was a milestone for this project, however it also highlights that there is not enough knowledge about the abundance, distribution and seasonality of planktonic lobster larvae. Therefore, work for the 2024 summer season will focus on plankton tows with increased effort and frequency.

#### Next period:

Between May and September 2024, a total of 48 survey days are planned across the district with the aim to complete 2 plankton tows at 2 randomly chosen sites on each sampling day. A PhD student from the University of Hull will be conducting all the survey trips and processing all the samples. For the plankton trawls north of Flamborough Head, 2 local trawlers have been contracted to undertake these surveys. A local commercial vessel operator (Ultramarine Ltd) has been contracted to undertake all plankton trawls south of Flamborough Head.

The NEIFCA vessel is operational again and the recovery of the remaining cages is planned to re-commence in June 2024. Any recovered cages will be processed for presence/absence of juvenile lobsters and temperature and salinity data recovered from 1 remaining logger.

The Whitby Hatchery will be testing a new lobster larvae release system which will be fixed on top of a lobster settlement collector box together with a CatchCam to record and analyse interactions of the released lobsters with the settlement collector boxes. These will then be recovered 24-48 hours after deployment and the number of retained post-settlement lobsters recorded. Additional lobster settlement collector boxes will be deployed by the Northumberland IFCA in their district to test other areas of the North-East Coast.

Additionally, habitat assessments (video tows) of sites where settlement collectors have been deployed are planned to ground truth and update existing habitat maps.

### 2.3.3 Survey Programme Update

Observer trips aboard the permitted scallop dredge vessels concluded at the end of the season in April. Unseasonably bad weather throughout this season limited the number of suitable days for fishing trips for Officers. As a result, biometric data for around two thousand scallops have been collected across five observer trips, which is less than 50% compared to the 2022/23 season. Industry sampling in 2023/24 was also restricted to the North Box only due to ongoing gear conflicts in the South Box. Within the report to the Science Advisory Group, Officers highlighted a 73% decrease in landings and 37% decrease in Landings Per Unit Effort (LPUE). This is partly due to a drop of around 50% in days fished for two of the three permit holders. The 3<sup>rd</sup> permit holder fished for only 6 days and stopped fishing in February 2024. Average scallop size in the North Box remains stable at 111mm and well above the minimum size. Officers have also noticed an increase in under-sized scallops in the North Box. Therefore, scallop stocks are considered stable enough and Officers recommended three permits be issued for the 2024/25 season.

Between December 2023 and May 2024, the Environmental Team completed 14 quayside sampling trips in three major ports of the district (Bridlington, Scarborough and Whitby). Biometric data for 965 lobster and 772 edible crabs were collected across these three ports. The biannual cockle survey was completed in March 2024 and found higher abundances of sized cockles (over 20mm shell width) at all 3 sites (Cleethorpes, Middleton Basin and Bran Sands). This is the first recorded increase in biomass since standardised surveys began. It seems that all 3 cockle beds are improving, especially at Brand Sands where the biggest increase in biomass has been recorded. Despite the improvement of the cockle beds, Officers recommended that the beds remain closed to exploitation at this time and that monitoring continues.

### 2.3.4 Outreach

Environmental and Scientific Officers delivered presentation on careers in Marine Science, the local Marine Ecology and Fisheries and NEIFCA's role at the following events:

- Guest Lecture “Challenges in Fisheries Management” – University of Salford
- Countryside Careers Evening 2024 – Driffeld Agricultural Society Education

**Contact Officer: David McCandless**  
**Chief Officer**  
**Mob: 07771936501**

**NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY**

**Report to:** Authority Meeting  
6 June 2024

---

**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 2023 to 31 May 2024.

**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 2023.
- 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.

Contact Officer

David McCandless

Chief Officer

Tel: 07771936501

Name(s)	Offence	Sanction	Court	Date	Fined	Costs Awarded	Costs Requested
Mr A Noble	Skipper Whitby -Retaining 20 soft shelled lobsters	PROS	Scarborough	11 December 2023	£1500	£1610	£1610
Mr G Snowdon	Person Hartlepool – taking 7 lobsters without a permit	HOC	N/A	3 January 2024	N/A	N/A	N/A
Mr D Liu	Proprietor restaurant Sunderland – 4 undersize cooked lobsters	HOC	N/A	18 January 2024	N/A	N/A	N/A
Mr R Harrison	Skipper Scarborough – landing 2 egg bearing, 2 ‘v’ notched, 1 soft shelled & 1 mutilated lobster	PROS	Scarborough	19 March 2024	£2,016	£985	£985
Mr K Formby	Skipper Bridlington – landing 10 egg bearing lobsters	PROS	Scarborough	19 March 2024	£1,200	£865	£865
Mr A Robinson	Skipper Bridlington – landing 4 egg bearing lobsters & 1 ‘v’ notched lobster	PROS	Scarborough	19 March 2024	£1,205	£855	£855
Mr W Wilton Snr	Skipper Sunderland – fishing for 6 egg bearing lobsters	PROS	South Tyneside	23 April 2024	£300	£800	£800

**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  
6 June 2024

---

**NEIFCA Byelaw Update**

---

Report by the Chief Officer

**A. Purpose of Report**

1. 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 establish a new flexible management framework which will more effectively cover the exploitation of listed shellfish species throughout the NEIFCA district, both offshore and onshore. The new proposed byelaw will also consolidate existing byelaw regulations and 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 Since the making of the byelaw on 1 December 2022 it has been subject to further internal quality assurance checks, informal consultation with fishing groups and wider formal statutory consultation which completed on 27 October 2023.

- 1.1.3 During this process the following adjustments were made to the draft byelaw regulation:

- Prior to the commencement of formal consultation the scope of the byelaw was widened to include, European green crab, mussel, common periwinkle, pullet carpet shell, Norway Lobster, razor clam and scallop. This was felt prudent and necessary to improve the active management of intertidal shore gathering by large ethnic groups which has become an increasing issue in some areas of the NEIFCA district.
- Prior to formal consultation additional provisions were also added to allow for the varying of fees and charges and the implementation of management by ‘pot type’ alongside a further provision clarifying that, in terms of Category 1 applications, first priority would be given to those vessels who held a permit on 1 December 2022.
- The supporting Regulatory Impact Assessments were also updated to include some additional information from the 2023 shellfish landings report and intertidal shore gathering.

1.1.4 Following the completion of the formal statutory consultation process on 27 October 2023 the outcome was presented to members, alongside the proposed next steps, at the Authority meeting held on 8 December 2023 (Minute 75 refers). The outcome was published on the NEIFCA website on 11 January 2024 and stakeholders notified via email.

1.1.5 In line with the statutory process the draft byelaw regulation and supporting documentation was sent to the Marine Management Organisation for a Quality Assurance assessment on 11 January 2024 with a recommendation that it be further considered for formal confirmation by Defra. The first iteration of the MMO QA process was received back from the MMO for comment on 11 April 2024 and officers are currently in the process of evaluating that.

1.1.6 Officers anticipate that the QA process in relation to this byelaw will take a further two to three months to complete.

## 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 included a revision to the boundaries of an existing protected area to support the expansion of eel grass habitat.

1.2.3 Following completion of the statutory consultation process on 27 October 2023 the outcome was presented to members, alongside the proposed next steps, at the Authority meeting held on 8 December 2023 (Minute 75 refers). The outcome was published on the NEIFCA website on 11 January 2024 and stakeholders notified via email.

1.2.4 In line with the statutory process the draft byelaw regulation and supporting documentation was also sent to the Marine Management Organisation for a Quality Assurance assessment on 11 January 2024 with a recommendation that it be further considered for formal confirmation by Defra. The first iteration of the MMO QA process was received back from the MMO for comment on 3 April 2024 and officers are currently in the process of evaluating that.

1.2.5 Officers anticipate that the QA process in relation to this byelaw will take just over a month to complete.

### Contact Officer

David McCandless, Chief Officer  
Ext. 3690



**NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY**

**Report to:** Authority Meeting  
06 June 2024

---

**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

