

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

**AUTHORITY MEETING
06 JUNE 2024**

Present:

Dr Stephen Axford
Councillor David Chance
Prof Michael Elliott
Mr Michael Montgomerie
Mr Graham Collins
Mr Andrew Faichney
Mr Kevin Woodcock
Councillor Cerri Cawley
Councillor Tim Norman
Councillor Johnathan Owen
Miss Rachel Hanbury
Mr Christian Proud
Miss Claire Argent
Councillor Neil Swannick

Representing:

MMO appointee
North Yorkshire County Council
Chairman
MMO appointee
MMO appointee
MMO appointee
MMO appointee
Redcar & Cleveland Council
East Riding of Yorkshire Council
East Riding of Yorkshire Council
MMO appointee
MMO Representative
Natural England Representative
North Yorkshire County Council

Mr Darren Stevens, Clerk, Mr David McCandless, Chief Officer, Mr Stephen Chandler, Treasurer, Dr Ralf Bublitz, Senior Environmental & Scientific Officer, Emma Jones, NEIFCA Support Services Officer attended the meeting.

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

1.	APOLOGIES FOR ABSENCE
	Apologies of absence were received from MMO members Rebecca Lynam, Will Jenkinson, Terry Pearson and Andrew Wheeler, Councillor Members Creevy and Poole.
2.	DECLARATION OF PERSONAL OR PREJUDICIAL INTERESTS
	Resolved –The Clerk asked Members to declare any personal or prejudicial interests in items on the Agenda and the nature of such interests. Councillor David Chance, North Yorkshire County Council and Councillor Cerri Cawley, Redcar & Cleveland Council declared that they are both members of the crustacea die of committee.
3.	GREETINGS AND INTRODUCTIONS TO NEW MEMBERS AND APPOINTEES
	The Clerk reported that the following new Members had been appointed to the Authority: Cllr Tracey Henry – Hull City Council Cllr Lynda Scanlan – Sunderland City Council Cllr Tim Norman – East Riding of Yorkshire Council Cllr Jonathan Owen – East Riding of Yorkshire Council

4.	TO ELECT A CHAIRMAN
	The Authority had received one nomination in writing Prof Michael Elliott. The Clerk asked the Authority if there were any other nominations. There were no further nominations. Prof Michael Elliott was duly elected Chairman by a majority vote.
	Resolved - That Prof Michael Elliott, MMO appointee be elected as Chairman for the ensuing year.
5.	TO ELECT A VICE CHAIRMAN
	The Clerk reported that the authority had received one nomination in writing from Councillor David Chance, North Yorkshire County Council. There were no further nominations. Councillor David Chance was duly elected as Vice Chairman.
	Resolved - That Councillor David Chance be elected Vice-Chairman for the ensuing year.
6.	TO APPOINT AN EXECUTIVE COMMITTEE
	Resolved – That the Chairman, Vice-Chairman Councillors Creevy, Swannick and Norman Mr Graham Collins, Mr Andrew Wheeler, Miss Rachel Hanbury be appointed for the ensuing year.
7.	TO CONFIRM MEMBERSHIP OF STANDARDS COMMITTEE
	Resolved - That Councillors Owen, Chance and Clerk be appointed for the ensuing year.
8.	TO CONFIRM MEMBERSHIP OF THE SCIENCE ADVISORY GROUP
	Resolved – That Chair, Vice-Chairman Dr Stephen Axford, Miss Rebecca Lynam, Mr Graham Collins, Dr Clare Fitzsimmons, Prof Mike Elliott, 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.
9.	TO APPOINT REPRESENTATIVES TO SERVE AND REPORT QUARTERLY
	Resolved - (a) That the following be appointed for the ensuing year to serve and report quarterly on :- Flamborough Harbour Commissioners (2 representatives): Councillor Tim Norman Miss Rachel Hanbury Staites Harbour Board (4 representatives)

	<p>Councillor Neil Swannick Councillor C Cawley Mr Steven Mallinson NEIFCA Shore Operations Manager Miss Rachel Hanbury</p> <p>(b) That the following be appointed for the ensuing year to attend meetings of:</p> <p>The Association of Inshore Fisheries & Conservation Authorities Forum (3 representatives):</p> <p>Chairman/(the Vice-Chairman to substitute when the Chairman is unable to attend) Clerk or Deputy Clerk Chief IFC Officer</p> <p>(c) That it be noted that the Chief IFC Officer was a Director of The Association of Inshore Fisheries & Conservation Authorities .</p>
10.	MINUTES OF THE AUTHORITY MEETING HELD ON 08 DECEMBER 2023
	Resolved – That the minutes of the Quarterly meeting held on 08 December 2023 be approved as a correct record and signed by the Chair.
11.	MINUTES OF THE EXECUTIVE MEETING HELD ON 07 MARCH 2024
	Resolved – That the minutes of the Executive meeting held on 07 March 2024 be approved as a correct record and signed by the Chair.
12.	MARINE AND COASTAL ACCESS ACT 2009 (SECTION 155) – MAKING OF XXXIII BEAM TRAWL BYELAW 2024
	<p>The Chief Officer presented a report to inform Members of the intention to make the following byelaw regulation in accordance with the duty imposed by section 153 and the provisions contained within sections 155, 156, 158 and 160 of the Marine and Coastal Access Act 2009 - XXXIII Beam Trawling Byelaw 2024. 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. 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. The key aims of the new byelaw were to replace the current emergency regulation with flexible management framework that would 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. The Chief Officer reiterated to members although further data and information on the emerging fishery is still required, one of the key aims and objectives of the new byelaw is to ensure a mechanism is in place to manage effort and fishing activity in the Authority's district.</p>

	<p>Resolved – a) That the Authority approves the making of the byelaw. b) That the Authority instructs the Clerk to give requisite notice by advertisement of the intention to apply to the Secretary of State for confirmation of the said byelaw.</p>
13.	NEIFCA FINANCIAL OUTTURN 2023/2024
	<p>The Treasurer of the Authority presented a report of the Annual Accounts for NEIFCA for the year ended 31 March 2024. The net expenditure for 2023/24 of £1,039,117 was detailed in the report. The revenue outturn underspend was £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 was summarised in the report. The outturn position was made up of a number of compensating variances. The outturn included £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. Members discussed a recommendation that the underspend be committed to the vessel replacement fund including the build and commission of a new 6m open rigid inflatable boat (RIB). This new RIB would operate in tandem with the new main vessel, when delivered, during Spring 2025. Natural England representative Claire Argent questioned if it was suitable to use grant funding to support the purchase of the new RIB and if such a purchase would meet the original grant criteria. The Treasurer and Chief Officer reassured members that the new asset would support the delivery and objectives set out by DEFRA, and due to the delay in receiving 'the grant in aid' money, the funds were replacing money already spent to meet the objectives set out by Defra initially.</p>
	<p>Resolved - a) That the Statement of Accounts were approved as presented b) That Members Approved the Outturn position</p>
14.	PROVISION OF SERVICES TO NEIFCA
	<p>The Chief Officer presented a report 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. Members discussed the location of the Authority meetings and the possibility of holding them at different locations across the district. Members also suggested that the number of attendees required at a meeting, in order for the meeting to be quorate should be reviewed alongside the overall review of the Authority's standing orders.</p>
	<p>Resolved – 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:-</p> <ul style="list-style-type: none"> (i) Clerkship (ii) Treasurer and financial services (iii) Human Resources (iv) Legal

15.	SCIENCE ADVISORY GROUP UPDATE – 08 MARCH 2024 & 21 MAY 2024
	The Chair of SAG & the Environmental & Scientific Manager presented a report to update members on the most recent proceedings of the Science Advisory Group (SAG) following meetings held on 8 March and 21 May 2024. Members questioned if there had been any further reports of wash-ups in the NEIFCA district, the Chief Officer informed members that capital dredging commenced on the 20 th May 2024, on the 23 rd May officers received reports of wash-ups in the Tees area. NEIFCA officers carried out beach patrols and had no immediate concerns. The Chief Officer reassured members that officers were working with partner agencies to agree on some common species, such as the shore crab, which would be closely monitored to act as an indicator for concern.
	Resolved – That the report be noted.
16.	MANAGEMENT OF SCALLOP DREDGING 2024/2025
	The Chief Officer presented a report to support consideration of recommendations for the 2024/2025 fishery. The 2023/2024 fishery commenced on 1 November 2023 and closed on 30 April 2024, in line with previous seasons three vessels were permitted and no major compliance issues were recorded. One of the permit holders, however, took the voluntary decision to leave the fishery early, reporting low meat yields affecting price and lack of access due to the high prevalence of static gear. Poor weather also regularly hampered fishing activity. Analysis of data collected by IFCOs during observer trips indicates continuing stable trends within the exploited stock particularly in terms of size distribution. The intention was therefore to re-open the fishery on the 1 November 2024 and a maximum of three permits be offered in accordance with the draft procedure included in the report as a sensible precautionary measure. Parallel to the planned opening of the fishery at the beginning of November 2024 officers are continuing exploratory work to open a further area which would then enable a more flexible and rotational system of management to be developed which could deliver enhanced benefits for both the exploited stock and the wider marine environment. This work will be supported through the Science Advisory Group.
	Resolved - That the report be noted.
17.	MANAGEMENT OF PERMITTED INTERTIDAL AND SUB-TIDAL FIXED NET FISHERIES 2024/2025
	The Chief Officer presented a report to update members on the planned process and timelines for opening the Holderness Coast permitted intertidal and sub-tidal fixed net fisheries on 1 October 2024. It was 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.
	Resolved – That the report be noted.

18.	CHIEF OFFICERS OPERATIONAL REPORT
	The Chief Officer presented a report to provide members with a comprehensive and detailed operational summary covering the period December 2023 to May 2024, which included an update on the new vessel build and progress on the marketing and sale of the current patrol vessel North Eastern Guardian III.
	Resolved – That the notes be received.
19.	FISHERIES STATUTES AND REGULATIONS - PROSECUTIONS
	The Clerk submitted a report on the fisheries enforcement activities taken by the Authority for the period December 2023 to April 2024.
	Resolved – That the notes be received.
20.	NEIFCA BYELAW UPDATE
	<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:</p> <p>XXVIII Shellfish Permit Byelaw 2022</p> <p>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 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. 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 were currently in the process of evaluating that. Officers anticipated that the QA process in relation to this byelaw would take a further two to three months to complete.</p> <p>XXIX Humber Estuary Fishing Byelaw 2022</p> <p>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. Following completion of the statutory consultation process on 27 October 2023, the outcome was published on the NEIFCA website on 11 January 2024 and stakeholders notified via email. In line with the statutory process the draft byelaw regulation and supporting documentation was also sent to the Marine Management Organisation for</p>

	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 were currently in the process of evaluating that. Officers anticipated that the QA process in relation to this byelaw would take just over a month to complete.
	Resolved - That the notes be received.
21.	REPORTS FROM PARTNER AGENCIES AND BODIES
	Reports from the partner agencies were unavailable at the time of printing. MMO representative Christian Proud and Natural England Representative provided a verbal update at the meeting.
	Resolved - That the notes be received.
22.	ANY OTHER BUSINESS
	Members queried whether there was an out of hours contact telephone number available for members of the public to use to report incidents. The Chief Officer discussed a stand-by/callout policy which was in the early stages of development and consultation with staff, which would include the provision of an out of hours contact number. The Chief Officer recommended to members that the matter be referred to the Executive Committee to oversee the development of a supporting service provision.
	Resolved – That standby and callout provisions be referred to the Executive Committee.
	The meeting closed at 13:00