

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

EXECUTIVE MEETING

Zoom Conference Commencing 09:30

Friday 5 March 2021

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
3. To take the notes of the last meeting held on 12 November 2020 as a correct record (*pages 2-3*)

Items for Decision

4. NEIFCA Annual Plan 2021/2022 - (*page 4*)
5. Revenue Budget 2021/2022 - (*pages 5-11*)
6. Budget Report 2020/2021 – (*pages 13-16*)
7. Risk Management Strategy & Strategic and Operational Risk Register Reviews - (*pages 17-34*)
8. NEIFCA Health & Safety Policy & Safe Working Practices 2021/2022 - (*pages 35-36*)

Items for Information

9. NEIFCA Byelaw Update – (*pages 37 - 47*)
10. New Cabin RIB & Patrol Vessel Replacement Update – (*pages 48 - 49*)

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

MEETING OF THE EXECUTIVE COMMITTEE

12 November 2020

Present

Councillor Ron Allcock
 *Dr Stephen Axford (Chair)
 Councillor Edward Bell
 Councillor Tony Randerson
 Prof Mike Elliott
 Councillor Chris Matthews
 Mr Gary Redshaw

Representing

North Lincolnshire Council
 MMO appointee
 Durham County Council
 MMO appointee
 MMO appointee
 East Riding of Yorkshire Council
 MMO Appointee

Clerk Caroline Lacey, East Riding of Yorkshire and Stephen Chandler East Riding of Yorkshire Council also attended the meeting. David McCandless attended the first part of the meeting to provide operational clarification.

Due to the restrictions associated with the Covid-19 pandemic, the meeting took place via a 'Zoom' conference dial in, the meeting commenced at 09:30.

* Dr Stephen Axford chaired the meeting in his role as Vice Chair

1.	<u>APOLOGIES</u>
	Apologies for absence were received from Kirsten Carter.
2.	DECLARATION OF PERSONAL OR PREJUDICIAL INTERESTS
	Resolved – The Clerk asked Members to declare any personal or prejudicial interests with respect to items on the Agenda and the nature of such interests. No such interests were declared.
3.	TO TAKE NOTES OF THE MEETING HELD ON 6 OCTOBER 2020 AS A CORRECT RECORD
	Resolved – That the minutes of the meeting held on 6 October 2020 be approved as a correct record and signed by the Chairman.
	EXCLUSION OF THE PUBLIC
	That the public be excluded from the meeting for consideration of the following item (Minutes 17) on the grounds that it involves the likely disclosure of exempt information defined in Paragraphs 8 and 9 of part 1 of Schedule 12A of the Local Government Act 1972.

4.	NEIFCA EMPLOYEE PAY AND REMUNERATION POLICY
	The Clerk submitted a report on the NEIFCA Employee Pay and Remuneration Policy, which set out the organisation's pay policy including how employees would progress through the pay range.
	<p>Resolved – (a) The Committee approved the draft pay policy subject to the inclusion of making clear that 'acting up' should not normally continue for more than one year. For consultation with the Unions and staff.</p> <p>(b) The Committee confirmed the principles set out in the draft pay policy and established by Cornwall Council that offers be made on the first increment of each grade except where this resulted in a reduction in salary. In which case the offer would be at the first appropriate increment that offered an increase. As set out in Appendix B to the Committee report.</p> <p>(c) The Committee confirmed that the CFO post would not attract overtime or unsocial allowance payments.</p>

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Executive Committee
5 March 2021

NEIFCA Annual Plan 2021/2022

Report by the Clerk & Chief Officer.

A. Purpose of Report

1. To review the Annual Plan for the year 2021/2022.
2. To authorise the drafting of an accompanying annual report, summarising the Authority's main activities and outputs during the 2020/2021 year.

B. Recommendation

1. That members endorse the draft plan for 2021/2022 for submission to Defra.
2. That members authorise the drafting of an annual report, summarising the Authority's main activities and outputs during the 2020/2021 year for review by the Authority at the June 2021 meeting.

1. Background

- 1.1 Section 177 of the 2009 Marine and Coastal Access Act places a statutory duty on Inshore Fisheries and Conservation Authorities (IFCA's) to make and publish an annual plan which sets out the main objectives and priorities for the year ahead.
- 1.2 A draft copy of the plan covering the new 2021/2022 year is attached for members information and review. Central to the new plan, remains the shared national IFCA vision and revised set of national IFCA Success Criteria and indicators endorsed by members at the Authority meeting held on 3 December 2015 (Minute 23 refers). The new plan also provides a summary work programme for the year ahead which is reflective of national, regional and local priorities.
- 1.3 Following the Authority's endorsement on 18 December 2020 of the recommendations emanating from the staffing review, the 2021/2022 plan sets out an ambitious programme of transformation with a focus on, recruitment, organisational culture, training and development of staff and partnership collaboration with key agencies. Further work is also planned to develop a new website and fisheries database to support the delivery of the Authority's fishing permit schemes. Ongoing work to develop a more flexible framework of fisheries management regulations will also be furthered with a focus on crustacean fisheries, alongside consultation with the regions fishing industry.

Contact Officer:

David McCandless, Chief Officer, david.mccandless@eastriding.gov.uk

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Executive Committee
5 March 2021

DRAFT BUDGET 2021/22

Report of the Treasurer

A. Purpose of Report

To inform Members of the draft budget for 2021/22.

B. Recommendations

- a) That the draft budget for 2021/22 be approved
- b) That the level of general reserves is maintained at £228,450 (18%) of the annual levy
- c) That the £23,000 supplementary budget for external projects, fully funded by external income is added to the 2021/22 budget

1. Introduction

- 1.1 At its meeting on 18 December 2020, the Authority set the levy for the North Eastern Inshore Fisheries and Conservation Authority at £1,298,392 for 2021/22. The Authority resolved that a detailed budget be brought to the Executive for approval.
- 1.2 The Authority's budget has been reviewed in detail by the Chief Officer and his senior management team, together with the Treasurer, to identify the level of expenditure necessary to meet operational priorities through to 31 March 2022.

2. Overall Budget

- 2.1 The Authority's budget is spent in the following major areas –
 - **Central Management Budget:** Expenditure relating to the cost of Corporate Management and administrative support.
 - **Operations:** Direct expenditure incurred in the performance of the Authority's objectives, comprising land-based, offshore and environmental activities.
- 2.2 The draft budget resources the main objectives and work priorities for the year ahead in order to deliver the requirements of both the adopted national vision and the Authority's local priorities. It has been produced in line with the Annual Plan and Strategic Risk Register.

- 2.3 The 1% levy increase approved at the Authority Meeting on 18 December 2020 has been incorporated into the budget, which fully funds the revised staffing structure following the completion of the organisational review. The Chief Fisheries Officer was required to identify savings of £20,000 and this has mainly been achieved by reducing travel & subsistence budgets. Approval is also sought to establish a £23,000 external projects supplementary budget, which is fully funded by external income.
- 2.4 The following table summarises the proposed revenue budget for the Authority for 2021/22. Further details are shown in Appendix A.

Net Expenditure	£
Central Management	419,430
Operations	
Land Based	129,760
Offshore Operations	508,680
Environment	127,630
Grant Funded	0
Net Cost of Service	1,185,500
Funding	
Contribution to Vehicle Replacement Reserve	10,000
Contribution to Renewals Fund	102,900
Local Authority Levy	1,298,400

3. Risk

- 3.1 The Bank of England's most recent monetary policy report explains that the economic outlook remains unusually uncertain and is dependent on the evolution of the COVID-19 pandemic, measures taken to protect public health and how households, businesses and markets respond to these developments. CPI has risen slightly to 0.6% in December 2020 and the Bank predicts the level of CPI will rise sharply towards the 2% target in the spring and remain close to this level to the end of the forecast period. NEIFCA will experience this low level of inflation as a temporary saving on fuel and other supplies.
- 3.2 The government Spending Review 2020 on 25 November 2020 introduced a pause in the increase in public sector pay for 2021-22 excluding those working in the NHS. The impact of the exit from the European Union's Single Market and Customs Union on 1st January 2021 is also anticipated to result in increased economic uncertainty as companies adjust to new trading arrangements. It is also recognised that the risk to NEIFCA's financial outlook has heightened including the specific grant Local Authorities receive for Inshore Fisheries and Conservation and in relation to potential future pressure on resources from other agencies on NEIFCA to perform additional work previously undertaken by them.
- 3.3 The financial impact on NEIFCA of any increases to inflation may be offset by savings from reduced operations due to COVID-19 in the first quarter of the financial year and savings from vacancies pending the commencement of the recruitment process following the completion of

the organisational review in December 2020. The commission and build of a new 9.5m Cabin Rigid Inflatable Boat (RIB) is due to be complete in April 2021 and may result in increased expenditure on fuel but this will be offset by long term savings on repairs and maintenance. Staff continue to work from home where possible and measures have been implemented to ensure that the organisation complies with the government's COVID-19 secure workplace guidelines. Regulatory oversight will continue to be maintained throughout the district via a combination of routine patrols, use of remote monitoring systems and periodic observational work whilst still conforming to national government advice and statutory guidelines.

- 3.4 Maintenance of the patrol vessel is usually cyclical in nature and can be planned. However a catastrophic event, such as engine failure, could potentially leave the Authority exposed to substantial additional expenditure. Whilst most such events would be insured, the Authority would likely be expected to incur the expenditure in the first instance. As the vessel ages the risk of higher maintenance requirements become more likely.
- 3.5 Reserves are held to manage the above risks. In the short-term the general reserve will be available to meet the ongoing known risks above.

4. Reserves

- 4.1 The Authority maintains a general reserve to meet unforeseen events and specific reserves to even out cash flow for individual projects or purchases (Appendix B). The Authority currently holds four specific reserves.

5. General Reserve

- 5.1 The general reserve enables the Authority to demonstrate its financial standing as a 'going concern', to be in a position to meet unforeseen liabilities. The actual level of reserves is subjective, since any such liability is neither known nor anticipated. Setting the level of general reserves is just one of several related decisions in the formulation of the budget for a particular year. Account is taken of the key risks, stated above, that could impact on the financial assumptions underpinning the budget alongside a consideration of the Authority's financial management arrangements. A good track record for managing in-year budget pressures and operation of robust financial reporting arrangements is evident.
- 5.2 Approval is sought to transfer £30,257 from the general reserve to the renewals fund. This sum was set aside at the end of 2019/20 financial year to fund the potential funding pressure from the organisational review. This is now complete and the funding is no longer required to be set aside in the general reserve. At 31 March 2021, the balance on the general reserve is forecast to be £228,450, which represents 18% of the annual levy for 2021/2022. It is anticipated that this can be maintained until 31 March 2022. This is a reasonable level of balances for the Authority to hold.

6. Specific Reserves

- 6.1 In 2011/12 the Authority created an earmarked 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 balance on the reserve will be maintained at £50,000.
- 6.2 £100,000 plus accrued interest had been set aside annually in order to plan for the replacement of the vessel. A Special Authority meeting on 17 August 2020 authorised a contract for £383,773 for the build and commission of a new 9.5m Cabin Rigid Inflatable Boat (RIB), one

of the three individual components which together make up the project to replace the Authority's main patrol vessel (Appendix C). The RIB is expected to be delivered in April 2021 and the project will be fully funded from the renewals fund. Estimates of the remaining cost of replacing the patrol boat are between £3.2m and £4.2m and external funding is now very limited. The balance in the renewals fund is estimated to be £1,309,267 at 31 March 2022.

- 6.3 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. Maintaining a reasonable vehicle replacement reserve enables the fleet programme to be effectively managed and the annual set aside of £10,000 is proposed to be maintained at the same level.

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

Appendix A

2021/22 DRAFT REVENUE BUDGET

	Central Management £	Land Based Operations £	Offshore Operations £	Environment £	Funded Projects £	2021/22 Draft Budget £	2020/21 Budget £
EXPENDITURE							
Employee Expenses							
Pay, NI and Superannuation	177,570	119,930	305,150	119,930	-	722,580	704,600
Other Employee Costs	23,640	5,230	9,600	2,650	23,000	64,120	31,550
Premises	9,940		23,800	-	-	33,740	30,430
Transport						-	-
Patrol Vessel Running Costs	-	-	170,920	-	-	170,920	166,120
Vehicle Running Costs	31,440	-	-	-	-	31,440	32,340
Travel and Subsistence	14,650	50	2,250	1,550	-	18,500	35,750
Supplies and Services	80,550	4,550	8,960	3,500	-	97,560	99,400
Support Services	94,420	-	-	-	-	94,420	93,230
	432,210	129,760	520,680	127,630	23,000	1,233,280	1,193,420
INCOME							
Grants and Contributions	- 3,000	-	- 12,000	-	- 23,000	- 38,000	- 15,000
Other Income	- 9,780	-	-	-	-	- 9,780	- 5,780
	- 12,780	-	- 12,000	-	- 23,000	- 47,780	- 20,780
NET EXPENDITURE	419,430	129,760	508,680	127,630	-	1,185,500	1,172,640
REPRESENTED BY							
Annual levy on Local Authorities						-1,298,400	-1,285,540
Contribution to Vehicle Replacement Reserve						10,000	10,000
Contribution to Renewals Fund						102,900	102,900
						-1,185,500	-1,172,640

Reserves

The Authority maintains specific reserves to even out cash flow for individual projects or purchases, and a general reserve to meet unforeseen events.

The actual opening balances at 1 April 2021 will be known once the 2020/21 accounts for NEIFCA have been completed. The following tables include the underspend projected in the latest budget monitoring position for 2020/21, together with the proposals contained in the draft budget for 2021/22.

	2020/21	2021/22
General Reserve	£	£
Balance brought forward	258,707	228,450
Transfer to Renewals Fund	-30,257	0
Transfer from Revenue	0	0
Balance carried forward	<u>228,450</u>	<u>228,450</u>
Patrol Vessel Maintenance	£	£
Balance brought forward	50,000	50,000
Usage	0	0
Transfer from Revenue	0	0
Balance carried forward	<u>50,000</u>	<u>50,000</u>
Renewals Fund	£	£
Balance brought forward	1,208,674	1,398,234
Usage	-191,867	-191,867
Transfer from Revenue	381,427	102,900
Balance carried forward	<u>1,398,234</u>	<u>1,309,267</u>
Vehicle Replacement	£	£
Balance brought forward	21,482	31,482
Usage	0	0
Transfer from Revenue	10,000	10,000
Balance carried forward	<u>31,482</u>	<u>41,482</u>
TOTAL USEABLE RESERVES	<u>1,708,166</u>	<u>1,629,199</u>

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

2021/22 DRAFT CAPITAL BUDGET

Scheme	Total Approved Budget £	Budget 2020/21 £	Budget 2021/22 £	Commentary
9.5m Cabin Rigid Inflatable Boat (RIB)	383,770	191,880	191,890	Payment profile - 20% commencement (paid December 2020), 30% mid contract (paid February 2021) & 50% on completion (due April 2021)
	<u>383,770</u>	<u>191,880</u>	<u>191,890</u>	

100% funded from Renewals fund

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Executive Committee
5 March 2021

BUDGET MONITORING 2020/21

Report by the Treasurer

A. Purpose of Report

To advise Members of the budget position at the end of month 09 (December) in 2020/21.

B. Recommendation

- i. That the budget monitoring position is noted.
- ii. That the inclusion of a dynamic vessel stabilisation and charting and radar plotting system in section 3.3 is retrospectively approved, funded from in year underspends.
- iii. That any underspend at the year-end be transferred to the Renewals Fund towards the replacement of the patrol vessel.

1. Introduction

- 1.1 A detailed budget monitoring exercise is undertaken monthly by the Treasurer in consultation with the Chief Officer. This analyses individual budget lines in terms of the current expenditure and allows for projections to the end of the financial year.
- 1.2 This report provides the overall position and any areas whereby an explanation is required of any notable variance on the Authority's spending to the end of December 2020.
- 1.3 At its meeting on 5 December 2019, the Authority set a levy totalling £1,285,536 for the current financial year, including £102,900 plus accrued interest transferred to the Renewals Fund and £10,000 transferred to the Vehicle Replacement Reserve.

2. Revenue Expenditure to 31 December 2020

- 2.1 Appendix A summarises the expenditure and income for the Authority for the nine months to December of the financial year and compares it with the budget. The appendix shows both subjective and objective net expenditure for the period.
- 2.2 At the end of December 2020, the Authority has net expenditure of £668,786 against an expected £810,368, underspending by £141,582. The forecast outturn underspend is £248,270 mainly due to employee underspends due to vacancies (£142,479):
 - Employee underspends of £142,479 - underspends on salaries of £169,925 due to 5 permanent vacant posts. Vacancies have not been recruited to due reduced operations at the start of the financial year due to COVID-19 restrictions and the organisational review which concluded in December. The forecast outturn underspend includes back pay paid to employees in January 2021. The recruitment process is expected to start before the

financial year end. Within other employee costs expenditure on agency staff is £41,565 higher than budgeted for and is offset by £11,000 savings on training due again to COVID-19 restrictions. £22,976 of the agency expenditure is funded by income from other organisations;

- Patrol Vessel Running Cost underspends of £61,886 mainly due to savings on fuel due to reduced operations particularly in the first quarter of the year;
- Travel & Subsistence underspends of £31,398 due to reduced expenditure on public transport and expenses following the introduction of the COVID-19 restrictions in March 2020.

- 2.3 It is anticipated that the outturn position will be an underspend of £248,270 in addition to the planned transfer of £102,900 plus accrued interest into the Renewals Fund and £10,000 into the Vehicle Replacement Reserve. It is proposed that any underspend is transferred to the Renewals Fund towards the replacement of the patrol vessel.

3. Capital Expenditure to 31 December 2020

- 3.1 A Special Authority meeting on 17 August 2020 authorised the award of a contract for the build and commission of a new 9.5m Cabin Rigid Inflatable Boat (RIB), one of the three individual components which together make up the project to replace the Authority's main patrol vessel 'North East Guardian III'.
- 3.2 Capital expenditure of £76,755 has been incurred to date against the £383,773 contract budget. A further interim payment of £115,132 is due in February 2021 with the balance of £191,886 to be paid upon completion of the build which is expected to be in April 2021.
- 3.3 Retrospective approval is sought for the inclusion of a dynamic vessel stabilisation system and higher specification charting and radar plotting system for the new vessel totalling £31,318, fully funded from in year underspends. This investment will ensure that the Cabin RIB's operational capabilities are maximised while there are continued uncertainties surrounding the timescale for the replacement of the main patrol vessel.
- 3.4 The option of a dynamic vessel stabilisation system was not considered in the original outline specification for the new vessel. Since then, changes in the management of offshore fishing activity by the UK government are increasingly displacing larger nomadic fishing vessels, particularly scallop dredgers, inshore, currently 22 such vessels are active around the limits of the NEIFCA district. These vessels operate in more inclement weather conditions during the winter months. The inclusion of a dynamic vessel stabilisation system will significantly enhance the Authority's ability to respond to this activity. Such a system automatically adjusts the trim of the vessel and compensates for prevailing sea conditions, thus reducing pitching and rolling and the associated risks to the health, safety and wellbeing of staff operating the new vessel. The Humpdhree H350 dynamic vessel stabilisation system was identified as the preferred system at a cost of £17,942. The Chief Officer had to take a time critical decision to include this additional system within the build process and therefore retrospective approval is sought from members.
- 3.5 A standard charting and radar plotting system was included within the original outline specification for the new vessel. Given the developing escalation of nomadic fishing activity and the increasing risks of associated non-compliance an enhanced navigational system will significantly strengthen the vessel's capabilities to monitor, record and gather evidence at sea at an additional cost of £13,376. In line with the vessel stabilisation system, the Chief Officer had to take a time critical decision to include this enhancement within the build process and therefore retrospective approval is also sought from members.
- 3.6 The proposed enhancements to the new build will also make the vessel a more attractive prospect for chartering by external organisations and will be funded from savings generated within the current revenue budget.

Contact Officer

Liz Smith (liz.smith@eastriding.gov.uk)
Principal Accountant, East Riding of Yorkshire Council

Stephen Chandler
Treasurer

Background Papers: NEIFCA Monitoring File

NEIFCA Budget Monitoring Report as at December 2020

	<i>Approved Budget</i>	<i>Profiled Budget to Month 9</i>	<i>Actual to Month 9</i>	<i>Variance to Profile</i>	<i>Projected Outturn</i>	<i>Variance to Projected</i>
	£	£	£	£	£	£
EXPENDITURE						
Employee Expenses						
Pay,NI and Superannuation	704,600	528,450	374,015	-154,435	534,675	-169,925
Other Employee Costs	31,550	32,326	49,846	17,521	58,995	27,445
Premises	30,430	13,230	31,999	18,769	36,977	6,547
Transport						
Patrol Vessel Running Costs	166,120	125,840	76,551	-49,289	104,234	-61,886
Vehicle Running Costs	32,340	23,215	23,372	157	33,035	695
Travel and Subsistence	35,750	26,813	3,365	-23,447	4,352	-31,398
Supplies and Services	99,400	73,425	72,535	-890	97,648	-1,752
Support Services	93,230	2,655	92,790	90,135	92,790	-440
	1,193,420	825,953	724,474	-101,479	962,707	-230,713
INCOME						
Grants and Contributions	-15,000	-11,250	-47,798	-36,548	-30,447	-15,447
Other Income	-5,780	-4,335	-7,890	-3,555	-7,890	-2,110
	-20,780	-15,585	-55,688	-40,103	-38,337	-17,557
NET EXPENDITURE	1,172,640	810,368	668,786	-141,582	924,370	-248,270

	<i>Approved Budget</i>	<i>Profiled Budget to Month 9</i>	<i>Actual to Month 9</i>	<i>Variance</i>	<i>Projected Outturn</i>	<i>Variance to Projected</i>
	£	£	£		£	
NET EXPENDITURE						
Central / Headquarters	463,640	278,298	282,109	3,812	424,517	-39,123
Land Based Operations	132,200	99,150	82,482	-16,668	112,304	-19,896
Offshore Operations	466,150	341,270	253,297	-87,973	330,069	-136,081
Environment	110,650	82,988	42,235	-40,753	57,479	-53,171
Grant Aided Projects	0	8,663	8,663	0	0	0
	1,172,640	810,368	668,786	-141,582	924,370	-248,270

	<i>Approved Budget</i>	<i>Profiled Budget to Month 9</i>	<i>Actual to Month 9</i>	<i>Variance</i>	<i>Projected Outturn</i>	<i>Variance to Projected</i>
	£	£	£		£	
REPRESENTED BY						
Annual levy on Local Authorities	-1,285,540	-1,285,540	-1,285,536	4	-1,285,540	0
Contribution to Vehicle Replacement	10,000	0	0	0	10,000	0
Contribution to Renewals Fund	102,900	0	0	0	102,900	0
	-1,172,640	-1,285,540	-1,285,536	4	-1,172,640	0

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Executive Committee
5 March 2021

Risk Management Strategy & Strategic & Operational Risk Register Review

Report of the Clerk.

A. Purpose of Report

To present a revised Risk Management Strategy for adoption and inform members of the Executive Committee that in accordance with the Strategy, a review of the Strategic and Operational Risk Registers has also been undertaken and is reported for approval.

B. Recommendation

That the revised Risk Management Strategy be adopted and the revised Strategic and Operational Risk Register be approved.

1. Background

- 1.1 The Risk Management Strategy and associated Strategic and Operational Risk Registers were first approved by the shadow Authority at its quarterly meeting held on 25 January 2011 (Minute 17 refers).
- 1.2 The Authority agreed that the Risk Management Strategy be reviewed on an annual basis and that the Strategic and Operational Risk Registers be reviewed as a minimum every six months and reported to the Authority (Minute 17 refers). In accordance with these recommendations the Operational Risk Registers were reviewed and updated on 18 December 2020 (Minute item 57 refers).

2. Strategic & Operational Risk Register Reviews

- 2.1 The Strategic and Operational Risk Registers have been reviewed to consider any potential changes which have occurred since the last review and affected the key risks identified within the Registers. The changes are highlighted in bold. An updated position for each of the key indicators is also included in the Register. The next review of the Strategic Risk Register is scheduled for September 2021. The identified risks have also been ranked in order of significance (highest residual risk score).
- 2.2 Considerations surrounding the impacts of the Covid-19 pandemic on operational risk remain at the forefront alongside more strategic risks associated with staffing vacancies, funding for a replacement patrol vessel, the implementation of the 2020 Organisational Review and the UK exit from the EU, identified during the last review.
- 2.3 The revised Risk Management Strategy is attached as Appendix 1, the revised Strategic Risk Register is attached as Appendix 2, the Operational Risk Register as Appendix 3 and the risk based enforcement matrix, a sub register of the Operational Risk Register, as Appendix 4 for members information.

Contact Officer

Caroline Lacey, Clerk of the Authority
Ext 3000

Background Papers

Revised Risk Management Strategy
Strategic Risk Register
Operational Risk Register

Risk Management Strategy

1. Introduction

- 1.1 North Eastern Inshore Fisheries and Conservation Authority (NEIFCA) recognises its responsibility to manage risk in order to successfully achieve the Authority's objectives, maximise opportunity and minimise threats. This is also reflected in national guidance advice to Inshore Fisheries and Conservation Authorities.
- 1.2 Risk cannot always be eliminated and this strategy provides a structured approach to enable the Authority to identify, manage and monitor the most significant risks it faces. From an operational perspective it also provides a framework for applying a more 'risk based' approach to its activities.
- 1.3 The aim of this strategy is to manage risk and to successfully integrate risk management into existing business and management processes. Risk management is a key part of the Authority's corporate governance arrangements and also provides assurance to meet the requirements of the Accounts and Audit Regulations 2003.

2. Objectives

- 2.1 The objectives of the risk management strategy are to –
- Embed risk management in the culture of NEIFCA including the Authority's decision making, strategic planning, policy, project and service delivery arrangements.
 - Manage risk in accordance with best practice, ensuring key strategic and operational risks are identified, monitored and controlled.
 - Raise awareness of the need for risk management both within the Authority and with key partners and suppliers of goods and services.
 - Enable the Authority to anticipate and respond to change.
 - Prevent injury, damage and loss, thus reducing the cost of risk.

3. Roles and Responsibilities

- 3.1 All Members and employees should have regard to risk when carrying out their duties. Risk management is part of all decisions at both manager and Member level and all Authority processes. The key roles within the risk management process are -

NEIFCA	To oversee the effective management of risk by Authority officers
Clerk	To champion risk management and ensure it is embedded throughout the Authority. To develop the Authority's risk management policy and strategy To report to Members on risk management
Chief Officer & Senior Management Team	To ensure the Authority manages risk effectively through the development and implementation of the strategy. To identify, manage and monitor the strategic risks faced by the Authority.
IFC Officers	To manage risk effectively in their particular areas of service delivery.

Clerk and Treasurer	To support the Authority and its services in the effective development, implementation and review of the risk management strategy
---------------------	---

3.2 Responsibilities and reporting requirements are set out in more detail in Annex A.

4. Risk Definitions

4.1 Risk is the chance of something happening that will have an impact on objectives.

4.2 Risks can be divided into two main categories –

Strategic risks – that need to be taken account of in judgements about the Authority's medium to long term goals.

Operational risks – day to day risks in the delivery of a service.

4.3 Examples of strategic and operational risks are listed at Annex B. The two are interlinked with the potential for operational risks to become a strategic risk for the Authority.

5. Risk Management Process

5.1 There are four key stages to the risk management process, which will be recorded and monitored through the use of risk registers –

- **Identification**

The Authority will identify both strategic and operational risks that can affect achievement of its strategic and service objectives.

- **Assessment**

Risks will be assessed for impact and likelihood using a scoring matrix. Both the gross risk (before controls) and the net risk (following the implementation of controls) will be assessed.

- **Control**

Mitigating controls will be identified for all medium and high scoring risks and action plans developed where controls need to be improved. Consideration must be given to the anticipated benefits in relation to the estimated costs in deciding whether it is cost effective to introduce the proposed controls/initiatives. Risks and controls will be allocated to a risk owner for monitoring and review.

- **Monitoring and Review**

Strategic and operational risk will be reviewed and reported at least every 6 months by the risk owners.

5.2 Strategic Risk Process

Identification and assessment of strategic risks will form part of the corporate business planning process. A full review of the strategic risk register will be undertaken every six months by the Clerk, Chief & Deputy Chief Officers and the Authority to ensure all risks associated with the delivery of strategic objectives have been identified and assessed.

Risks will be allocated a risk owner and will be reviewed every six months together with any outstanding actions required. This review will be reported to the Authority.

The Clerk and Chief Officer will be responsible for identifying any new risks and providing the link with any changes in operational risk that need to be reflected in the strategic risk register.

5.3 Operational Risk Process

The identification, assessment and control of operational risks will form part of the service planning process.

The Chief & Deputy Chief Officers will be responsible for reviewing registers and controls on a six monthly basis through management teams and updating registers accordingly.

The Authority will gain an understanding of key operational risks through the performance monitoring process and will monitor that the operational risk register is updated.

5.4 Risk Analysis & Risk Evaluation Process

5.4.1 Risk are measured in two ways:

- The likelihood of the risk event occurring
- The impact on the Authority should the risk event occur

The likelihood of the risk event occurring will be given a score from 1 to 5 using the following criteria:

Likelihood	Score	Description	Criteria
Almost certain	5	The event is expected to occur in most circumstances	Probability of occurring in the next year >90%
Likely	4	The event will probably occur in most circumstances	Probability of occurring in the next year 60 to 90%
Possible	3	The event will occur at some time	Probability of occurring in the next year 30 to 60%
Unlikely	2	The event is not expected to occur	Probability of occurring in the next year 10 to 30%
Remote	1	The event may only occur in exceptional circumstances	Probability of occurring in the next year <10%

5.4.2 The potential impact of an event on the Authority will also be given a score of 1 to 4 as follows:

- 1 Insignificant – Minimal disruption, no long-term consequences to service delivery or marine conservation and management. No stakeholder concern. Minor negative publicity
- 2 Minor – Short-term consequences to both service delivery and or marine conservation and management. Potential for stakeholder concern. Some adverse publicity in local media.
- 3 Moderate – Medium long term consequences to both service delivery and or marine conservation and management, impact absorbed with significant intervention. Extensive stakeholder concern. Extended adverse publicity in both local and national media.
- 4 Major – Significant long-term consequences, formal intervention from central government departments or Executive Agencies, significant stakeholder concern and pro-longed loss of confidence. Sustained adverse publicity both locally and nationally.

The gross risk score = likelihood x potential impact

The residual risk score includes the application of appropriate control actions

The application of appropriate control actions may not necessarily reduce the gross risk score

The table below provides a visual ‘heat chart’ of the relationship between the levels of potential impact and likelihood of certain risk occurring and provides a general guide to the overall risk assessment process.

LIKELIHOOD		IMPACT			
		Insignificant 1	Minor 2	Moderate 3	Major 4
	Almost Certain 5	Green 5	Green 10	Amber 15	Red 20
	Likely 4	Green 4	Green 8	Amber 12	Red 16
	Possible 3	Green 3	Green 6	Amber 9	Red 12
	Unlikely 2	Green 2	Green 4	Green 6	Amber 8
	Remote 1	Green 1	Green 2	Green 3	Amber 4

5.5 Project and Procurement Risk Process

Projects will be managed using appropriate methodology. Project managers will identify and assess the risks associated with the project and mitigating controls and document these in a risk register. The register will be maintained and updated throughout the life of the project and be reported to the Chief Officer on a regular basis.

The risks associated with a particular procurement will be considered and documented.

6. Corporate Business Processes

6.1 Risk management will continue to be embedded in all the Authority's key business processes including –

- Long term financial planning and annual budget setting processes.
- Authority Performance planning processes.
- Policy and decision making processes.
- Strategic planning processes.
- Operational delivery

7. Training and Communication

7.1 Risk management training will be provided to officers identified in Annex A.

7.2 The Clerk and Treasurer will provide support and advice on risk management throughout the Authority.

8. Measuring Effectiveness

8.1 The effectiveness of this process will be reported through the Statement of Internal Control.

9. Monitoring and Reporting

9.1 Assurance on the effectiveness of controls over key strategic and operational risks will also be provided by the Audit Section.

9.2 The strategy and action plan will be reviewed annually.

10. Links to other policies and strategies

10.1 Insurable retained risk will be managed by the Treasurer in accordance with the risk financing strategy.

NORTH EASTERN INSHORE AND CONSERVATION AUTHORITY - STRATEGIC RISK REGISTER

Risk No	Strategic Objective	Category of Risk	Risk	Gross Risk Score	Control Action	Residual Risk Score	Further Action Required	Update	Risk Owner
NEIFCA 1	An Authority which attracts and keeps the best staff.	Customer/ Staff	Specialist staff and skills shortages. Sickness absence. Triggers include:- (i) Inability to recruit and retain staff. (ii) Inadequate succession planning. (iii) The Authority has a small but dedicated workforce. (iv) Private sector competition (v) Impacts of a global pandemic or other external event	9 (3x3)	Recruitment, retention policies, training and development, surveys of existing staff, analysis at exits interviews and managing sickness absence.	6 (3x2)	Recruitment processes expedited to fill vacancies when they arise.	Organisational review recommendations agreed on 18 December 2020. Recruitment process to commence during March 2021.	Chief Officer & Deputy Chief Officer
NEIFCA 2	A reputation for smart and prudent stewardship.	Financial Reputation	Failure to manage the Authority's assets, caused by:- <ul style="list-style-type: none">• Lack of funding• Service failures/poor maintenance• Poor risk assessments and controls• Inaction on behalf of the Chief Officer and his assistants.• Age and deterioration of vessels & vehicle	9 (3x3)	Asset Management Plans - including audit and survey result to target investment and maintenance at high priority areas. Patrol Vessel renewal fund and replacement project ongoing. Maintenance programme. Risk assessments. Inspections and surveys. Insurance.	6 (3x2)	Review and define inspection survey programme. Ensure compliance with the programme. Review health and safety arrangements. Review adequacy of sums insured and compliance with insurance policy conditions. Operating a close monitoring regime on investment Strengthen asset management and control.	Allocation of funds to the Renewals Fund made as part of the annual budget setting increased to £100K pa. Sixth monthly review of asset registers. Vessel and vehicle replacement plans in place. New 9.5m cabin RIB under construction. Chief Officer and Clerk jointly working to access external funding support.	Chief Officer Deputy Chief Officer

Risk No	Strategic Objective	Category of Risk	Risk	Gross Risk Score	Control Action	Residual Risk Score	Further Action Required	Update	Risk Owner
NEIFCA 3	A reputation for smart and prudent stewardship. Statutory responsibilities.	Reputation Legal	Failure to meet statutory responsibilities set out by legislation. Main causes of risk are:- (i) Poor leadership/ judgement by managers. (ii) Inadequate monitoring review. (iii) Lack of professional staff. (iv) Legal challenge. (v) Lack of trained, experienced staff. (vi) Impacts of a global pandemic or other similar external factors.	9 (3x3)	Series of performance targets set and measured to meet the requirements. Reported on quarterly basis to the Authority. Understanding and adherence to all governing legislation. Dynamic risk assessments and supporting safe working practices implemented when required.	6 (3x2)	Reviewed on a quarterly basis by reporting to the Authority.	Organisational review recommendations agreed on 18 December 2020. Recruitment process to commence during March 2021.	Chief Officer
NEIFCA 4	A reputation for smart and prudent stewardship. Strategic objectives	Reputation	Failure to achieve policies, aims and objectives.	9 (3x3)	Annual Plan produced each year outlining strategic objectives. Performance measured against number of targets. Reviewed in March. Exceptions reported to Authority. Constitution, Standing Orders Schemes of Delegation. The Authority has put in place structures and processes to govern decision making.	6 (3x2)	Reviewed on a quarterly basis by the Authority.		Chief Officer
NEIFCA 5	A reputation for smart and prudent stewardship	Reputation/ legal	Failure to deliver revised fisheries management policies within Marine Protected Area Sites which fall within the Authority's jurisdiction. Procedural delays in the formal making of regulations.	9 (3x3)	Full engagement with Defra, MMO, national working groups and local management groups.	6 (2x3)	Regular updates and progress reports to Science Advisory Group, Executive and full Committee.	4 out of five outstanding byelaw regulations have now been confirmed since March 2019 and one has been refused.	Chief, Deputy Chief Officers. Senior Environmental & Scientific Officer Environmental & Scientific Officers.

Risk No	Strategic Objective	Category of Risk	Risk	Gross Risk Score	Control Action	Residual Risk Score	Further Action Required	Update	Risk Owner
NEIFCA 6	A reputation for smart and prudent stewardship.	Financial/Economic	<p>Cuts to service, balance budget. Triggers include:-</p> <ul style="list-style-type: none"> • Reduction in Government funding • Budget over spends, insufficient reserves. • Precept set too low. • Lack of compliance with financial regulations • Increased pressure on resources from other agencies • Additional costs associated with the NEIFCA organisational review. • Impacts of National Austerity 	9 (3x3)	Three year financial plan in place based on prudent projections and sensitivity analysis. Budget process flexible enough to deal with changes in funding e.g. savings plans. Lobbying with other Authority's to get better deals. Government assumptions used in the planning exercise. Formal considerations of reserves. Monthly revenue and capital budget monitoring. Demonstrating the ability to manage in-year budget pressures. Early closure of accounts. Attraction of EU and other grants for project works.	6 (2x3)	Ensure sound business cases are made to Authority funders for continued financial support.	Board agreed that the levy for 2021-22 year be increased by 1% to meet identified pressures alongside the continuation of the IFCA 'New Burdens' funding support until end March 2021. CSR 20 has now been delayed until end 2021 and whilst the government has hinted at future restrictions on public sector spending the expectation is that IFCA core funding will be maintained at current levels.	Clerk/ Treasurer/ Chief IFC Officer
NEIFCA 7	A reputation for smart and prudent stewardship.	Disaster Planning	Major incident, i.e. patrol vessel collides with another vessel or runs aground.	4 (1x4)	The appropriate qualifications/licences/tickets are held by the crew. Train staff with skills in marine environment. Adequate Insurance.	4 (1x4)	Continue to keep up to date with training and appropriate qualifications		Chief Officer & Deputy Chief Officer

Risk No	Strategic Objective	Category of Risk	Risk	Gross Risk Score	Control Action	Residual Risk Score	Further Action Required	Update	Risk Owner
NEIFCA 8	A reputation for smart and prudent stewardship	Reputation	<p>Loss or damage to reputation through poor press and public relations</p> <p>Poor management and or use of social media outlets.</p>	6 (2x3)	Good internal communications, PR, reports to Authority, Press releases approved by the Chief Officer and Clerk/Chairman where necessary. Members and key managers to have received media training. Members receive detailed briefings on sensitive issues and confidentiality requirements supported by Standards Committee and procedures. Back up arrangements through the national Association and partner IFCA's.	4 (2x2)	<p>Reviewed on a quarterly basis.</p> <p>Daily management of social media feeds in terms of content and comment.</p>	NEIFCA is expanding its active use of social media outlets such as Facebook with associated increase in reputational risk.	Chief Officer
NEIFCA 9	A reputation for smart and prudent stewardship.	Reputation/ Legal	<p>Officers acting beyond their statutory remit through inexperience.</p> <p>Legal challenge.</p> <p>Potential incident.</p> <p>Adverse publicity.</p>	6 (2x3)	Full training in role. Qualifications. Performance monitoring, target setting, recruitment procedures.	3 (1x3)	<p>As roles develop, change, continuous training and development.</p> <p>EDP process to be utilised for this.</p>	Training strengthened through induction, national IFCA training courses supported by a national coordinator.	Chief Officer

APPENDIX 3

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY - OPERATIONAL RISK REGISTER

Risk Number	Process	Risk Identification	Risk Analysis	Risk Control	Residual Risk	Monitoring		
	Risk Category	Risk	1-8 = Low 8-10 = Medium 10-20 = High	Control Action	1-8 = Low 8-10 = Medium 10-20 = High	By Whom	Review Frequency	Triggers for Action
1	Financial reputation, technical.	<p>Insufficient funding to replace main fisheries vessel, North Eastern Guardian III.</p> <p>Access to European Funding has now been ruled out with no current prospect of securing any additional external funding support.</p> <p>UK exit from the European Union</p>	9 (3x3)	<p>Maintenance of current funding levels to the vessel renewal account including allocating an additional £20K pa. Continued investment in current vessel as a saleable asset. Monitoring and utilisation of all appropriate external funding avenues. Officers continue to explore all external funding options to support vessel replacement.</p> <p>Additional savings generated through the 2020/2021 financial year re-allocated to the vessel renewal reserves.</p>	9 (3x3)	Chairman, Clerk, Chief Officer and Deputy Chief Officer	Quarterly	Budget financial review & reporting to Committees and internal working groups.
2	Staffing	<p>Lack of staffing resources to deliver service and that staff have adequate skills training to achieve performance requirements.</p> <p>Increasing pressures from partner agencies to support their front-line services and primary service delivery could have a negative impact on the delivery of IFCA statutory duties and responsibilities. UK exit from the European Union. Delays in implementing the NEIFCA review. Covid-19 impacts on staffing resources.</p>	9 (3x3)	<p>Communication networks. Staff flexibility. Monitoring of workloads. Workforce Development. Vacancy Management. Adhere to Sickness Policy. Implement Training Plans. Health and Safety.</p> <p>Expedite the implementation of the 2020 organisational review. Recruitment set to commence during March 2021.</p> <p>Strict adherence to Covid-19 risk assessments, associated safe working practices and national guidance.</p>	6 (3x2)	Clerk and Chief IFC Officer.	Quarterly.	<p>Reports to Authority. Team meetings/ EDRs. Sickness Review Meetings. Vacancy/sickness. Performance monitoring results. Proactive training programmes.</p> <p>Regularly revise and update supporting Covid-19 risk assessments and safe working practices.</p>

Risk Number	Process	Risk Identification	Risk Analysis	Risk Control	Residual Risk	Monitoring		
	Risk Category	Risk	1-8 = Low 8-10 = Medium 10-20 = High	Control Action	1-8 = Low 8-10 = Medium 10-20 = High	By Whom	Review Frequency	Triggers for Action
3	Financial and contractual.	Unexpected budget demands and variances and failure to achieve agreed budget Income generation is expected to remain low during 2021/2022.	9 (3x3)	Increase of 1% in 2021/2022 levy with further increases advised. Monitoring systems. Systems to capture spend. Regular budget holder meetings. Internal Audit. Regular reviews of the appropriate level of reserves.	6 (3x2)	Treasurer, Clerk and Chief Officer.	Monthly.	Budget financial reporting.
4	Customer Service/ reputation	Failure to provide agreed service. Failure to establish and achieve performance targets therefore having a detrimental impact on the delivery of service to the customer and achievement of performance objectives. Covid-19 impacts on associated resourcing	9 (3x3)	Performance Indicators. Inspections audit. Workload monitoring. Policy and procedure compliance. Staff training. Communication with customers. Strict adherence to Covid-19 risk assessments, associated safe working practices and national guidance.	6 (3x2)	Clerk and Chief IFC Officer.	Quarterly	Annual reports. Performance monitoring reports. Feedback from staff and customers. Regularly revise and update supporting Covid-19 risk assessments and safe working practices.
5	Financial and reputational	Breaches of new General Data Protection Regulations which came into force at the end of May 2018 could lead to fines and reputational impacts.	6 (3x2)	Key staffed trained and familiar with new GDP regulations. Data Protection Officer role agreed, creation of a register of data processing activities, utilisation of impact assessments when required, creation of public and internal privacy statements and active management of all data processing activities. Advice from ICO.	4 (2x2)	DPO Clerk Chief Officer Support Officer	Monthly	Formal complaint or report to ICO

Risk Number	Process	Risk Identification	Risk Analysis	Risk Control	Residual Risk	Monitoring		
	Risk Category	Risk	1-8 = Low 8-10 = Medium 10-20 = High	Control Action	1-8 = Low 8-10 = Medium 10-20 = High	By Whom	Review Frequency	Triggers for Action
6	Financial reputation, technical.	Volatility of global oil/fuel markets and national tax changes. Markets remain unstable	6 (3x2)	Regular monitoring of fuel spends included within quarterly reports to Authority. Additional provision made within annual precept.	4 (2x2)	Chairman, Clerk, Deputy Clerk, Chief Officer and Deputy Chief	Monthly.	Budget financial review & reporting
7	Legal/ reputation.	Legal challenge resulting from failure to undertake statutory responsibilities in terms of enforcement, poorly drafted Authority bye-laws or national legislation including national prohibition on landing egg bearing lobsters.	6 (3x2)	Performance monitoring in terms of enforcement targets. Drafting of bye-laws in consultation with Legal Services. Proper consultation processes followed in accordance with statutory requirements. Involvement of NEIFCA Legal team, MMO, DEFRA in final approval of bye-laws. Strengthening enforcement practices and techniques.	4 (2x2)	Clerk, Legal Advisor and Chief Officer.	Monthly and quarterly reports to Authority.	Performance monitoring reports. Legal challenges.
8	Financial reputation.	Failure to deliver projects through lack of resources or investment. Loss of funding and grants resulting in inability to proceed with projects. Change in legislation resulting in inability to generate funds. Reputation for inability to utilise grants awarded. Continued risk level due to ongoing national MPA management programme. Future funding implications of the UK exit from the EU.	3 (1x3)	Budget setting and monitoring process. Procurement policy followed. Appropriate resources available to undertake the project. Skills and knowledge of staff. With regard to supporting national projects ensure maintenance of dialogue and a proactive approach. Business Cases considered with full whole life costs of projects made	3 (1x3)	Clerk and Chief Officer.	Monthly	Performance monitoring reports. Budget reports. Legislative changes. Government funding initiatives. Authority decisions. Contract variation slippage.

Risk Number	Process	Risk Identification	Risk Analysis	Risk Control	Residual Risk	Monitoring		
	Risk Category	Risk	1-8 = Low 8-10 = Medium 10-20 = High	Control Action	1-8 = Low 8-10 = Medium 10-20 = High	By Whom	Review Frequency	Triggers for Action
9	Professional, contractual, legal reputation.	<p>Failure to effectively support projects, poor contract documentation, failure to meet contract deadlines, failure to meet legal requirements and procurement legislation Provider fails to deliver the contract.</p> <p>Procurement of a new 9.5m Cabin RIB underway, delivery expected April 2021.</p>	6 (2x3)	<p>Use of internal/external experts/consultants. Robust specifications. Risk Assessments. Strong contract management. Financial, technical and legal vetting of all providers. Procurement policy followed. Monitoring and reporting processes. Meet statutory requirements. With regard to supporting national projects ensure maintenance of dialogue and a proactive approach.</p>	4 (2x2)	Chairman, Clerk and Chief IFC Officer.	Monthly.	<p>Procurement processes. Legislative changes. Contract variations. Timetable slippage.</p>

OPERATIONAL RISK REGISTER – RISK BASED ENFORCEMENT MATRIX

Risk Number	Process	Risk Identification	Risk Analysis	Risk Control	Residual Risk	Monitoring		
	Risk Category	Risk	1-8 = Low 8-10 = Medium 10-20 = High	Control Action	1-8 = Low 8-10 = Medium 10-20 = High	By Whom	Review Frequency	Triggers for Action
1	Environmental	Habitat damage caused by invasive fishing methods. Damage to protected features of European Marine Sites or Marine Conservation Zones Risks from the activities of nomadic scallop dredgers surrounding the NEIFCA area Covid-19 impacts on supporting resources.	9 (3x3)	Ongoing monitoring of activities. Active participation in associated schemes of management. Introduction of emergency and long-term Byelaw regulations and codes of conduct governing activities. Enforcement of existing regulations. Timely use of emergency byelaw making procedures when necessary. Working closely with the MMO and Defra to ensure adequate protection remains in place.	6 (3x2)	Chief Officer, Deputy Chief Officer Environmental & Scientific Officers	Quarterly to Authority and associated working groups	Significant increases in related activity. Evidence of damage and impact. Complaints
2	Environmental	Impacts on fish and shellfish stocks through non-compliance with regulations. Prohibition on landing egg bearing lobsters.	6 (2x3)	Targeted approach to enforcement at ports and areas of known high non-compliance at peak season. Focus on ports of high volume landings out of season. New intelligence gathering system established to better inform targeted enforcement activity. Strengthening enforcement procedures and techniques. Activities impacted by Covid-19 restrictions	4 (2x2)	Chief, Deputy Chief and IFC Officers	Monthly	Intelligence reports. Surveillance. Routine observations and complaints

Risk Number	Process	Risk Identification	Risk Analysis	Risk Control	Residual Risk	Monitoring		
	Risk Category	Risk	1-8 = Low 8-10 = Medium 10-20 = High	Control Action	1-8 = Low 8-10 = Medium 10-20 = High	By Whom	Review Frequency	Triggers for Action
3	Environmental	Impacts on fish and shellfish stocks through over-exploitation Pressures on stocks, particularly crustacea remain high although work is continuing on revised management measures.	6 (2x3)	Detailed monitoring of stock health. Development of dedicated management plans and strategies. Tailored management provisions. Sound enforcement. Fisheries accreditation schemes. National coordination. Fishing activities impacted by Covid-19 restrictions.	4 (2x2)	Chief & Deputy Chief Officers and Environmental & Scientific Officers	Quarterly & monthly	Non achievement of stock indicators. Declining catches and fleets. Complaints and comments.
4	Environmental	Impacts on other marine species such as sea birds, cetaceans and other organisms associated with fishing activities	4 (1x4)	Monitoring through fishing permit and catch and effort schemes. One off studies and assessments. Timely use of emergency byelaw making procedures when required. Fishing activities impacted by Covid-19 restrictions.	4 (1x4)	Chief Officer, Deputy Chief Officer Environmental & Scientific Officers	Quarterly to Authority and associated working groups	Negative feedback from catch reporting schemes and or studies. Complaints

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Executive Committee
5 March 2021

Health & Safety Policy & Safe Working Practices 2021/2022 - Review

Report by the Chief Officer.

A. Purpose of Report

To inform members of the completion of the Annual review of the Authority's Health & Safety provisions.

B. Recommendation

That Members note the report.

1. Background

- 1.1 The Health and Safety at Work Act 1974 and the management of Health and Safety at Work Regulations 1999 and other associated legislation impose duties on all of us, both of a general and specific nature to ensure as far as is reasonable and practicable, health and safety at work. North Eastern Inshore Fisheries and Conservation Authority wishes, through the preparation and issue of this policy to convey the importance that it places on all measures that promote the health and safety of its employees
- 1.2 This policy and its provisions are reviewed continuously throughout the year both at senior management level and at regular staffing Health and Safety meetings. If appropriate, changes to safe working practice guidelines are made and risk assessments reviewed, including where necessary, the provision of additional safety equipment for officers. Such changes are reported to the Executive Committee on a six monthly basis.
- 1.3 Since the last review in December 2020 I am pleased to advise that there have been no notable incidents or accidents to report whilst staff have been working and all are currently fit and well. As part of this standard six-monthly review all the standard Safe Operational Working Practices and supporting risk assessments have been fully reviewed and updated.
- 1.4 Over and above the standard operational risk assessments and associated safe working practices, NEIFCA officers continue to respond rapidly to the unprecedented impacts and risks associated with the ongoing Covid-19 pandemic to both protect staff and comply with all current governmental advice. In managing these impacts an overarching set of Covid-19 specific risk assessments have been developed alongside a set of supporting Control Measures. These are being strictly followed by all staff alongside the standard safe operational practices when working. These additional systems are dynamic, subject to daily review and or amended to take account of any changes in risk and or governmental advice.

- 1.5 The updated safe working practice documents and revised risk assessments are shared with all operational staff and subject to continuous review by both the senior operational management team and as part of the general staffing health and safety meetings. The entire health & safety regime is underpinned by regular health and safety training and ‘refresher’ courses undertaken by all operational staff.

Contact Officer: David McCandless, Chief Officer, david.mccandless@eastriding.gov.uk

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Executive Committee
5 March 2021

NEIFCA Byelaw Update

Report by the Chief Officer

A. Purpose of Report

To update members on all current fisheries byelaw work streams.

B. Recommendation

1. That members note the report.

1. **Background**

- 1.1 **Byelaw XXXII Fish, Mollusc and Crustacea Byelaw 2019**

This new byelaw regulation was formally made by the Authority on 5 December 2019 to replace an emergency byelaw which re-instated long-standing minimum landing sizes for a wide range of fish and shellfish species across the NEIFCA district. The emergency byelaw was required due to changes in EU legislation which affected application across the unlicensed vessel sector. The new regulation was made jointly with Northumberland, Eastern and Kent and Essex IFCAs and following a prolonged period of consideration by both the MMO and Defra which included some minor adjustments in wording, it was finally confirmed on 12 February 2021.

- 1.2 A copy of the new regulation is attached for members information.

Contact Officer: David McCandless, Chief Officer, david.mccandless@eastriding.gov.uk

North Eastern Inshore Fisheries and Conservation Authority
Marine and Coastal Access Act 2009 (c.23)

XXXII Fish, mollusc and crustacea minimum size byelaw 2019

The Authority for the North Eastern Inshore Fisheries and Conservation District, in exercise of the power conferred by sections 155 and 156 of the Marine and Coastal Access Act 2009 makes the following byelaw for that District.

Interpretation

1. In this byelaw:
 - a) "the Authority" means the North Eastern Inshore Fisheries and Conservation Authority as defined in articles 2 and 4 of the North Eastern Inshore Fisheries and Conservation Order 2010 (SI 2010/2193);
 - b) "the District" means the North Eastern Inshore Fisheries and Conservation District as defined in articles 2 and 3 of the North Eastern Inshore Fisheries and Conservation Order 2010;
 - c) "Live bait" means fish that are:
 - (i) used only as a hook bait for the capture of other fish;
 - (ii) retained on a vessel or within the District's waters;
 - (iii) released alive into the fishery when no longer required; and
 - (iv) not landed or removed from the fishery.
 - d) "tranship" means the unloading of all or any fisheries products on board a vessel to another vessel.

Catch Prohibitions and Restrictions

2. A person fishing under the authority of a fishing vessel licence issued by the Marine Management Organisation or other devolved UK fishery administration who catches a species listed in column 1 of Schedule 1, subject to paragraph 7, must:
 - a) not tranship that species if it measures less than the size specified in column 2 of Schedule 1; and
 - b) return it immediately to the sea.

3. A person must:

- a) not remove from the fishery, tranship, transport, store, land, sell, display or offer for sale or retain on board their vessel any species listed in column 1 of Schedule 1 if:
 - (i) it measures less than the size specified in column 2 of Schedule 1; and
 - (ii) it was caught other than under the authority of a fishing vessel licence issued by the Marine Management Organisation or other devolved UK fishery administration.
- b) Any seafish falling under paragraphs 3(a)(i) and 3(a)(ii) must be immediately returned to the sea.

- 4. The marine organisms specified in Schedule 1 shall be measured in accordance with Schedule 2.
- 5. Named crustaceans and named molluscs for which a minimum size is established in Schedule 1 may only be retained on board whole and may only be landed whole with the exception of the Norway lobster (*Nephrops norvegicus*).
- 6. The following named species below the minimum sizes specified in Schedule 1 may be used as live bait:
 - a) Herring (*Clupea harengus*)
 - b) Horse mackerel (*Trachurus trachurus*)
 - c) Mackerel (*Scomber scombrus*)

Exemption

- 7. Paragraphs 2 and 3 shall not apply to herring, horse mackerel and mackerel, within a limit of 10 % by live weight of the total catches retained on board of each of these species. The percentage of undersized herring, horse mackerel or mackerel shall be calculated as the proportion by live weight of all marine organisms on board after sorting or on landing. The percentage may be calculated on the basis of one or more representative samples. The limit of 10% must not be exceeded during transhipment, landing, transportation, storage, display or sale.

Revocations

- 8. The emergency byelaw with the title 'FISH, MOLLUSC AND CRUSTACEA MINIMUM SIZE EMERGENCY BYELAW 2019' made by North Eastern Inshore Fisheries and Conservation Authority on 13 August 2019 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.

I hereby certify that the above Byelaw was made by the Authority at its meeting on 5 December 2019.



Caroline Lacey

Clerk

North Eastern Inshore Fisheries and Conservation Authority

Town Hall

Quay Road

Bridlington

East Yorkshire

The Secretary of State for Environment, Food and Rural Affairs in exercise of the powers conferred by section 155 (3) and (4) of the Marine and Coastal Access Act 2009, confirms this byelaw made by the North Eastern Inshore Fisheries and Conservation Authority on 5 December 2019.



Colin Faulkner
Deputy Director,
External Fisheries Negotiations & Trade Policy

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

Date: 12/02/2021

Explanatory Note

(This note is not part of the byelaw)

This byelaw prohibits the removal from the fishery, retention on board, transshipping, landing, transporting, storing, selling, displaying or offering for sale specified marine organisms below specified sizes. The byelaw also prohibits the retention on board or landing of crustaceans unless they are whole.

Schedule 1 applies to all persons, however the byelaw contains a provision which exempts vessels fishing under a commercial fishing vessel licence issued by the Marine Management Organisation or other devolved administration. Vessels fishing under a commercial fishing vessel licence issued by the Marine Management Organisation or other devolved administration are required to comply with landing obligations and Minimum Conservation Reference Sizes as provided for in other UK legislation, and are only prohibited from transshipping undersized species under the byelaw.

The byelaw includes method of measurement according to the anatomy of the named species.

The byelaw contains provisions for the retention of live herring, horse mackerel or mackerel fish species below the minimum size that may be used as live bait when fishing for predatory fish species.

The byelaw contains provisions for retaining 10% undersize catch in relation to herring, horse mackerel or mackerel.

The byelaw replaces the emergency byelaw with the title “FISH, MOLLUSC AND CRUSTACEA MINIMUM SIZE EMERGENCY BYELAW 2019” made by North Eastern Inshore Fisheries and Conservation Authority on 13 August 2019.

Schedule 1

Species and specified minimum conservation reference sizes

a) Named Fish Species

Bass (<i>Dicentrarchus labrax</i>)	42 centimetres
Cod (<i>Gadus morhua</i>)	35 centimetres
Haddock (<i>Melanogrammus aeglefinus</i>)	30 centimetres
Hake (<i>Merluccius merluccius</i>)	27 centimetres
Herring (<i>Clupea harengus</i>)	20 centimetres
Horse mackerel (<i>Trachurus</i> spp.)	15 centimetres
Ling (<i>Molva molva</i>)	63 centimetres
Mackerel (<i>Scomber</i> spp.)	30 centimetres
Megrim (<i>Lepidorhombus</i> spp.)	20 centimetres
Plaice (<i>Pleuronectes platessa</i>)	27 centimetres
Pollack (<i>Pollachius pollachius</i>)	30 centimetres
Saithe (<i>Pollachius virens</i>)	35 centimetres
Sole (<i>Solea</i> spp.)	24 centimetres
Whiting (<i>Merlangius merlangus</i>)	27 centimetres

b) Named Mollusc Species

Octopus (<i>Octopus vulgaris</i>)	750 grams
Queen scallop (<i>Aequipecten opercularis</i>)	40 millimetres
Razor clam (<i>Ensis</i> spp.)	100 millimetres
King scallop (<i>Pecten maximus</i>)	100 millimetres
Short-necked clam (<i>Ruditapes philippinarum</i>)	35 millimetres
Whelk (<i>Buccinum undatum</i>)	45 millimetres

c) Named Crustacea Species

Crawfish (<i>Palinurus</i> spp.)	95 millimetres
European lobster (<i>Homarus gammarus</i>)	87 millimetres
Norway lobster (<i>Nephrops norvegicus</i>)	
Total length	85 millimetres
Carapace length	25 millimetres
Tail	46 millimetres
Female Spinous spider crab (<i>Maja squinado</i>)	120 millimetres

Schedule 2

Measurement of the size of a marine organism

1. The size of any fish shall be measured, as shown in Figure 1 for illustrative purposes, from the tip of the snout to the end of the tail fin.
2. The size of a European lobster shall be measured, as shown in Figure 2 for illustrative purposes, as the length of the carapace, parallel to the midline, from the back of either eye socket to the distal edge of the carapace.
3. The size of a Norway lobster (*Nephrops norvegicus*) shall be measured, as shown in Figure 3 for illustrative purposes, either:
 - a. as the length of the carapace, parallel to the midline, from the back of either eye socket to the midpoint of the distal dorsal edge of the carapace; or
 - b. as the total length, from the tip of the rostrum to the rear end of the telson, not including the setae; or
 - c. In the case of detached Norway lobster tails; from the front edge of the first tail segment present to the rear end of the telson, not including the setae. The tail shall be measured flat, unstretched and on the dorsal side.
4. The size of a crawfish (*Palinurus* spp.) shall be measured, as shown in Figure 4 for illustrative purposes, as the length of the carapace from the tip of the rostrum to the midpoint of the distal edge of the carapace.
5. The size of a spinous spider crab (*Maja squinado*) shall be measured, as shown in Figure 5 for illustrative purposes, as the length of the carapace, along the midline, from the edge of the carapace between the rostrums to the posterior edge of the carapace.
6. The size of any bivalve mollusc shall be measured, as shown in Figure 6 for illustrative purposes, across the longest part of the shell.
7. The size of a whelk shall be measured, as shown in Figure 7 for illustrative purposes, as the length of the shell.

Figure 1 Fish species

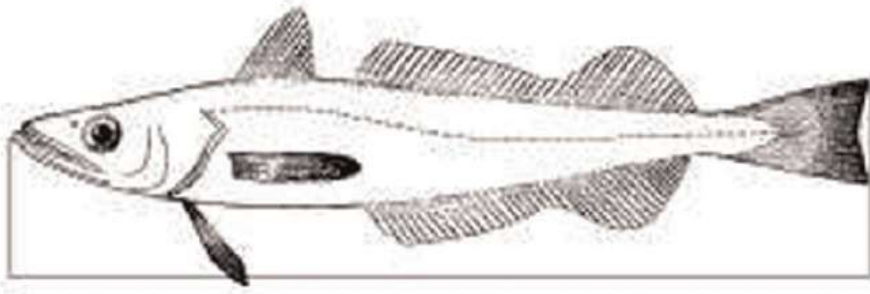


Figure 2 European lobster
(*Homarus gammarus*)

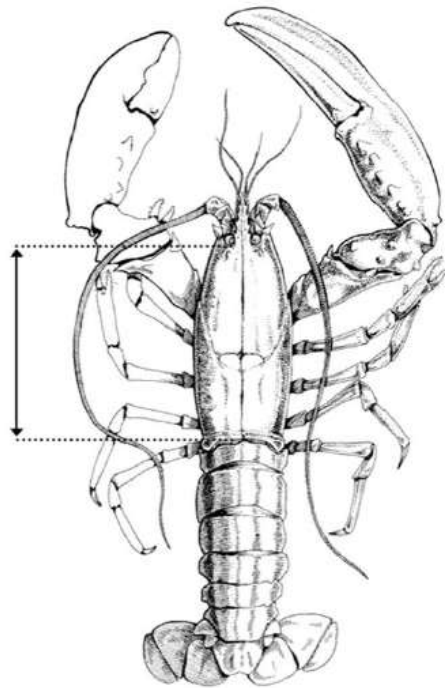


Figure 3 Norway lobster
(*Nephrops norvegicus*)

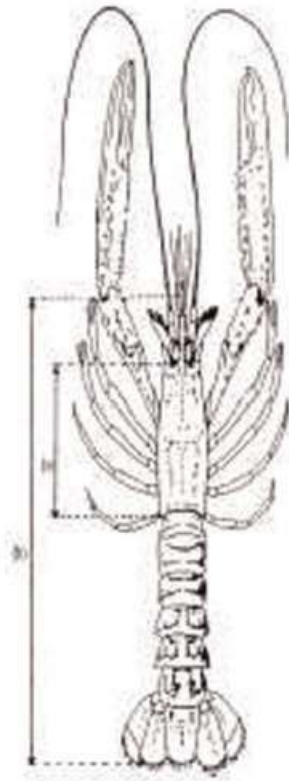


Figure 4 Crawfish
(*Palinurus* spp.)

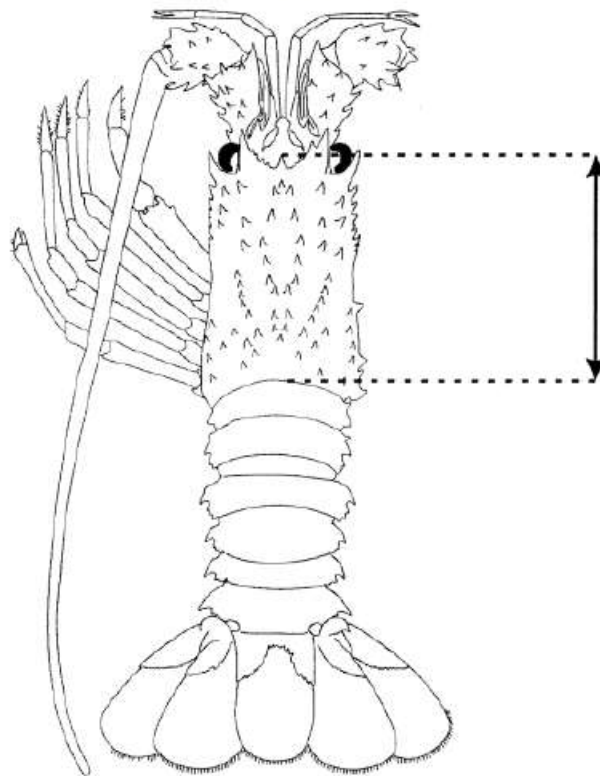


Figure 5 Spinous spider crab
(*Maja squinado*)

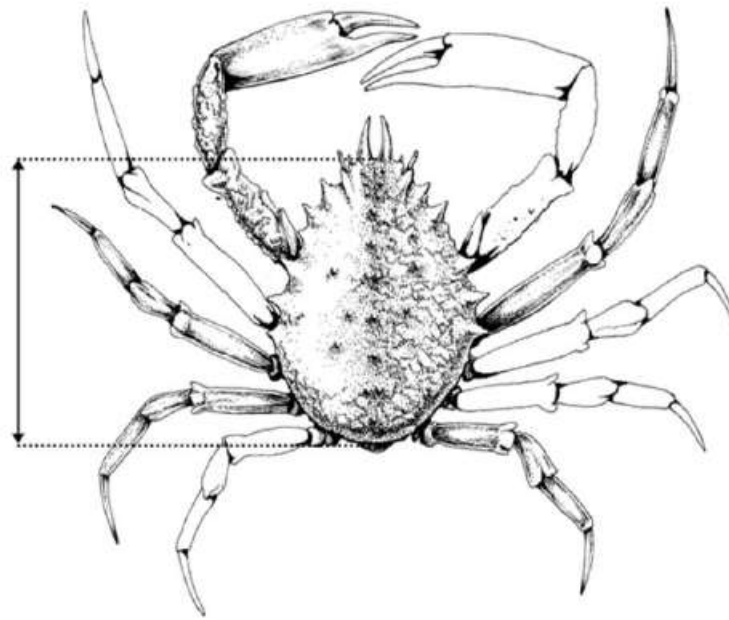


Figure 6 Bivalve molluscs

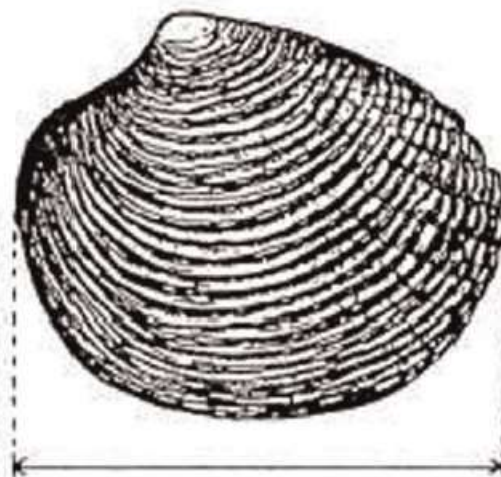
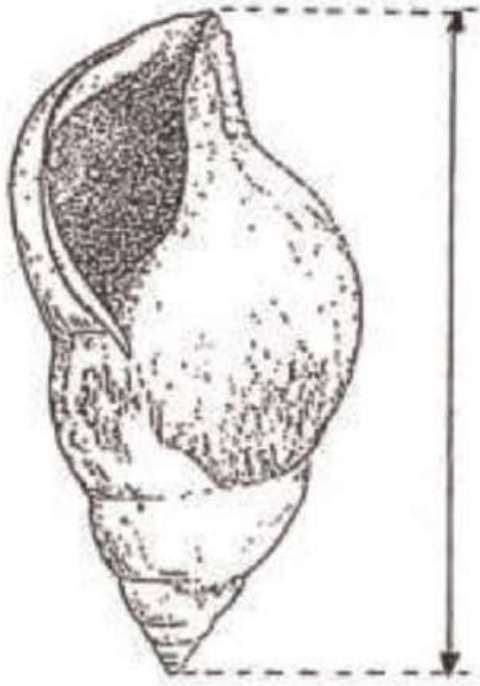


Figure 7 Whelk
(*Buccinum undatum*)



NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Executive Committee
5 March 2021

NEIFCA Cabin RIB and Patrol Vessel Replacement Update

Report by the Chef Officer

A. Purpose of Report

1. To update members on progress with the build and commission of the new 9.5m Cabin rigid inflatable boat (RIB) and the replacement of the main vessel.

B. Recommendations

1. That members note the report.

1. Background

- 1.1 The Authority's vessel replacement programme consists of three individual components, replacement of the main patrol vessel alongside the separate build and commission of two daughter craft, a 9.5m Cabin RIB and an 8m aluminium work boat. Since the commencement of the project in 2014 senior officers have undertaken a significant volume of work which has included a number of fact finding visits to key shipyards, smaller vessel manufacturers and vessel operators in the UK and Europe to discuss the project, gain first hand experience of associated facilities, resourcing and quality of craftsmanship.

The maximum anticipated cost of the funding the programme is estimated at £4.2 million leaving a current projected funding shortfall in the region of £1.8 million.

2. Progress to date

2.1 *9.5m Cabin Rigid Inflatable Boat*

- 2.1.1 The 9.5m Cabin RIB component of the programme is designed to provide fast intercept patrol cover either working in tandem with the main vessel or wholly independently. The vessel will specified to be coded at MCA level 2 with operating capacity up to 60 miles from a safe haven and associated on board facilities delivering safety and comfort for the crew.
- 2.1.2 At the Executive Committee meeting held on 16 April 2020 members endorsed the commencement of a formal tender process for the build and commission of the 9.5 m Cabin RIB. The outcome of the tender process to be considered in consultation with the Authority with the intention of awarding the associated contract (Minute item 9 refers).

- 2.1.3 In total three tenders were received in response to the procurement process and at a special meeting of the Authority held on 17th August 2020 members supported the recommendation to provisionally award the contract to Northern Marine Power Ltd (Minute item 22 refers). Letters were sent to the three companies who bid for the contract on 26 August 2020 informing them of the outcome of the procurement process and a statutory ten day ‘cooling off’ period ended on 9 September 2020. The build contract was formally signed off with Northern Marine Power Ltd on 13 October 2020 and the vessel build commenced.
- 2.1.4 Despite periodic impacts caused by the ongoing Covid 19 pandemic, the build has progressed well. The main super structure is complete and the internal ‘fit out’ is well underway including wiring, ancillary pipe work and electronics. The next phase will be the installation of the main engines.



2.2 Replacement of the main vessel

- 2.2.1 Since the vessel replacement programme was first initiated in 2014 a considerable amount of work and focus has gone into the replacement of the main vessel including the development of a supporting business case alongside extensive visits and discussions with vessel manufacturers across the UK and Europe. Accessing a meaningful level of external funding support remains the key to progressing this component of the programme and senior staff continue to actively pursue both private and public sector avenues. UK government funding sources are seen as the most likely avenue and associated fisheries support programmes, post EU exit, are currently being developed by Defra. The Clerk and Chief Officer have jointly lobbied all the MPs, who represent constituencies across the Authority's district, in an attempt to secure a meeting with senior government officials to discuss funding opportunities. This work has resulted in the confirmation of a provisional meeting with Defra officials on 9 March 2021. At local level the Chief Officer has maintained dialogue with the University of Hull who are actively exploring a wide range of both internal and external funding opportunities to support the programme.

Contact Officer: David McCandless, Chief Officer, david.mccandless@eastriding.gov.uk