

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

EXECUTIVE MEETING

Meeting Room A/Hybrid Zoom, County Hall, Cross Street, Beverley, HU17 9BA

1 November 2023

COMMENCING 11:00 am

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 meeting held on 30 March 2023 as a correct record (*pages 1-4*)

Items for Decision

4. Budget Monitoring 2023/2024 (*pages 5-8*)
5. Strategic and Operational Risk Register – Review - (*pages 9-22*)

Items for Discussion

6. NEIFCA Annual Audit 2022/2023 (*pages 23-28*)
7. Chief Officer's Operational Update (*pages 29-34*)
8. NEIFCA Health & Safety Policy & Safe Working Practices 2023/2024 – Review - (*pages 35-36 plus additional documents*)
9. NEIFCA Byelaws Update – (*pages 37-40 plus additional documents*)
10. Any other items which the Chairman decides are urgent by reason of special circumstances which must be specified

Exempt Item

The public are likely to be excluded from the meeting for consideration of items 4 and 5 on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1 and 3 of part 1 of Schedule 12A of the Local Government Act 1972.

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

MEETING OF THE EXECUTIVE COMMITTEE

30 MARCH 2023

Present

Dr Stephen Axford
Mr Graham Collins
Prof Mike Elliott
Mr Gary Redshaw
Mr Andrew Wheeler
Councillor David Chance
Councillor Ron Allcock
Councillor Tony Randerson

Representing

Chairman
MMO appointee
MMO appointee
MMO appointee
MMO appointee
North Yorkshire County Council
North Lincolnshire County Council
North Yorkshire County Council

Clerk Caroline Lacey, East Riding of Yorkshire, Stephen Chandler East Riding of Yorkshire Council and David McCandless, Chief Officer also attended the meeting.

The meeting took place at County Hall, Beverley, members also had the option to dial into the meeting via Zoom, the meeting commenced at 13:30.

48.	APOLOGIES
	None Recorded
49.	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.
50.	TO TAKE NOTES OF THE MEETING HELD ON 21 SEPTEMBER 2022 AS A CORRECT RECORD
	Resolved – That the minutes of the meeting held on 21 September 2022 be approved as a correct record and signed by the Chairman.
51.	TO TAKE NOTES OF THE MEETING HELD ON 23 JANUARY 2023 AS A CORRECT RECORD
	Resolved – That the minutes of the meeting held on 23 January 2023 be approved as a correct record and signed by the Chairman.

52.	NEIFCA ANNUAL PLAN
	<p>The Chief Officer, David McCandless presented a report for members to review the Annual Plan for the year 2023/2024. The Chief Officer discussed with members the ambitious local plans for the year ahead but cautioned that priorities could change in the event of any unforeseen occurrences arising such as the shellfish mortality event.</p> <p>The Clerk of the authority, Caroline Lacey, proposed some additional minor amendments to the plan which were accepted.</p>
	Resolved - (a) The annual plan for 2023/2024 was reviewed.
53.	REVENUE BUDGET 2023/2024
	<p>The Treasurer presented a report to provide Members with a detailed operational budget for 2023/2024.</p> <p>Members were informed the 3% levy increase approved at the Authority Meeting in December 2022 had been incorporated into the budget along with increases to reflect the impact of a 2023/24 pay award on employee budgets. In addition, a review of individual budget lines had been undertaken to ensure they were set at an appropriate level within the existing budget. Supplementary budgets for 2023/24 include external funding for the ELSI project and Fisheries Management Plans, along with funding from the renewals fund to supplement the Patrol Vessel Replacement Project.</p>
	Resolved – (a) The draft budget for 2023/24 is approved (b) The level of general reserves is maintained at £228,450 (17%) of the annual levy
54.	BUDGET REPORT 2022/2023
	<p>The Treasurer presented a report to advise Members of the budget position at the end of month 09 (December) 2022/2023.</p> <p>At the end of December 2022, the Authority had realised net expenditure of £1,090,319 against an expected £949,427 overspending by £140,892. The forecast outturn overspend of £179,108 was due to the £240,000 estimated cost of patrol vessel repairs offset by savings from additional one-off recharge income from NEIFCA employees working on the European Lobster Settlement Index project.</p> <p>It was anticipated that the projected outturn position would realise an overspend of £179,108 to be funded from the Patrol Vessel Maintenance Reserve and Renewals Fund, which could be reduced if the insurance settlement for the Patrol Vessel major repair was finalised prior to the financial year-end. The forecast included the planned transfer of £102,900 plus accrued interest into the Renewals Fund and £10,000 into the Vehicle Replacement Reserve.</p>
	Resolved – (a) The revenue budget monitoring position is noted.
55.	RISK MANAGEMENT STRATEGY & STRATEGIC AND OPERATIONAL RISK REGISTER REVIEW
	<p>The Clerk presented a report to inform members that in accordance with the Authority's Risk Management Strategy, a six monthly review of the Strategic and Operational Risk Registers has been undertaken and is reported for information.</p> <p>Currently, primary identified risk areas are financial, relating to cost recovery associated with the major engine failure onboard North Eastern Guardian III (NEG III) during July 2022 and the potential costs and funding pressures associated with the replacement of NEG III.</p>

	Elevated reputational risk, surrounding the Authority's ongoing response to the shellfish mortality event which occurred in October 2021 was also identified and noted.
	Resolved - That the revised Strategic and Operational Risk Register be reviewed in six months' time
56.	NEIFCA HEALTH AND SAFETY POLICY & SAFE WORKING PRACTICES 2023/2024
	<p>The Chief Officer presented a report to inform members of the completion of the Annual review of the Authority's Health & Safety provisions.</p> <p>Since the last review in September 2022 the Chief Officer was pleased to advise that there had been no notable incidents or accidents to report whilst staff have been working and all are currently fit and well.</p> <p>All current and longstanding safe working practices have been maintained including revised provisions implemented during 2022 to support potting survey work conducted from North Eastern Guardian III. The most notable change related to the mandatory wearing of 'stab vests' by NEIFCA staff. Recent intelligence combined with a more active enforcement regime has increased the potential risk of a stabbing occurring at Sunderland. The risk level was now considered possible (previously remote). In order to ensure the continuation of safe operations at Sunderland 'stab vests' would now be required to be worn at all times. Elsewhere within the NEIFCA district the risk of a stabbing occurring is still considered remote.</p> <p>The Chief also reassured members that all staff are correctly trained in all aspects of their role and will continue to monitor this on a regular basis.</p>
	Resolved – Members noted the report.
57.	TEES AND NORTH YORKSHIRE SHELLFISH MORTALITY - UPDATE
	<p>The Chief Officer presented a report to update members on the ongoing issues surrounding shellfish mortality in waters surrounding the Tees and North Yorkshire.</p> <p>Since the NEIFCA stock assessment report was published in September 2022, the Environmental and Scientific team had been working very hard on a follow up report in consultation with the Marine Management Organisation and further guidance had been sought from the Science Advisory Group which had provided further direction on the report.</p> <p>Environmental & Scientific Manager Ralf Bublitz presented the findings of the report and gave members an overview of the challenges faced by the team with regards to the data received from the MMO.</p> <p>Members also discussed the role of NEIFCA going forward in the investigation and how best to present the updated report, once concluded, to the industry.</p>
	Resolved – Members noted the report
58.	CHIEF OFFICERS OPERATIONAL UPDATE
	The Chief Officer, David McCandless provided members with an operational report covering the period December 2022 to February 2023. The main points on a local level, having already been covered within this meeting, included the vessel replacement project and the shellfish mortality incident.

	On a national level, the Chief Officer gave an update on operations, with the implementation of FMP's being a significant part of workstreams going forward. The review of all IFCA's is currently underway with a slight delay, with the report due in early Autumn.
	Resolved – Members noted the report
59.	ANY OTHER BUSINESS
	Member Graham Collins raised the issue of remuneration for MMO members who attend meetings requesting that it fell into line with payments Councillors received from their authorities. The Clerk advised that local authority members received no additional payments for attending meetings other than expenses related to travel. This position was also supported by Councillor Chance. The Chief Officer advised that he would look into the status of other IFCA's and their payment structures and provide additional information to support a report to the next Authority meeting.
	The meeting closed at 15:27

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NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Executive Meeting
1 November 2023

BUDGET MONITORING 2023/24

Report by the Treasurer

A. **Purpose of Report**

To advise Members of the budget position at the end of month 03 (June) in 2023/24.

B. **Recommendations**

- i. That the budget monitoring position is noted.

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 June 2023.

1.3 At its meeting on 1 December 2022, the Authority set a levy totalling £1,377,464 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 30 June 2023**

2.1 Appendix A summarises the expenditure and income for the Authority for the three months to June 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 June 2023, the Authority has net expenditure of £337,736 against an expected £349,524 underspending by £11,788. The forecast outturn underspend is £53,751, mainly due underspends on employees relating to vacancies.

The main variances are:

- Employee underspends of £47,929 – mainly due to underspends from delaying recruiting to vacancies in the offshore team until the position on the patrol vessel replacement and sale of existing vessel is clearer. The forecast includes provision for payment of the 2023-24 Local Government Employers original pay offer of a flat rate of £1,925.

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 June 2023

	<i>Approved Budget</i>	<i>Profiled Budget to Month 3</i>	<i>Actual to Month 3</i>	<i>Variance to Profile</i>	<i>Projected Outturn</i>	<i>Variance to Projected</i>
	£	£	£	£	£	£
EXPENDITURE						
Employee Expenses						
Pay,NI and Superannuation	853,830	213,458	189,253	-24,204	803,045	-50,785
Other Employee Costs	18,000	1,404	1,404	0	20,856	2,856
Premises	17,530	4,383	44,456	40,073	17,530	0
Transport						
Patrol Vessel Running Costs	197,820	78,630	41,833	-36,797	197,080	-740
Vehicle Running Costs	37,060	10,146	9,359	-787	34,098	-2,962
Travel and Subsistence	29,770	7,443	12,576	5,133	25,541	-4,229
Supplies and Services	157,500	33,330	38,906	5,575	158,909	1,409
Support Services	169,780	1,275	1,760	485	173,701	3,921
	1,481,290	350,068	339,546	-10,522	1,430,759	-50,531
INCOME						
Grants and Contributions	-23,000	-2,244	-3,511	-1,266	-27,000	-4,000
Other Income	-123,730	1,700	1,700	0	-122,950	780
	-146,730	-544	-1,811	-1,266	-149,950	-3,220
NET EXPENDITURE	1,334,560	349,524	337,736	-11,788	1,280,809	-53,751

	<i>Approved Budget</i>	<i>Profiled Budget to Month 3</i>	<i>Actual to Month 3</i>	<i>Variance</i>	<i>Projected Outturn</i>	<i>Variance to Projected</i>
	£	£	£		£	
NET EXPENDITURE						
Central / Headquarters	429,330	-77,454	-73,408	4,046	471,878	42,548
Land Based Operations	135,590	33,898	33,237	-660	130,643	-4,947
Offshore Operations	559,510	337,573	327,780	-9,793	483,417	-76,093
Environment	140,130	35,033	35,782	749	124,872	-15,258
Grant Aided Projects	50,000	15,475	10,100	-5,375	50,000	0
Patrol Vessel Replacement	20,000	5,000	4,246	-754	20,000	0
	1,334,560	349,524	337,736	-11,788	1,280,809	-53,751

	<i>Approved Budget</i>	<i>Profiled Budget to Month 3</i>	<i>Actual to Month 3</i>	<i>Variance</i>	<i>Projected Outturn</i>	<i>Variance to Projected</i>
	£	£	£		£	
REPRESENTED BY						
Annual levy on Local Authorities	-1,377,460	-1,377,460	-994,805	382,655	-1,377,460	0
Contribution from Reserves	-70,000	0	0	0	-70,000	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
	-1,334,560	-1,377,460	-994,805	382,655	-1,334,560	0

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Executive Committee
1 November 2023

Strategic & Operational Risk Register – Six Monthly Reviews

Report of the Clerk.

A. Purpose of Report

To inform members of the Executive Committee that in accordance with the Authority's Risk Management Strategy, a sixth monthly review of the Strategic and Operational Risk Registers has been undertaken and is reported for information.

B. Recommendation

That the revised Strategic and Operational Risk Register be reviewed in six months' time.

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 every six months and reported to the Authority (Minute 17 refers). In accordance with these recommendations the Risk Management Strategy and Operational Risk Registers were reviewed, updated and reported to members on 30 March 2023. (Minuted item 55 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 over the last six months and affected the key risks identified within the Registers. The risks have been reviewed and the changes are highlighted in bold within the attached registers. 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 March 2024. The identified risks have also been ranked in order of significance and colour coded (highest residual risk score red to lowest green).

2.2 Since the March 2023 review, financial risks surrounding the Authority's primary vessel, North Eastern Guardian III (NEG III) have significantly moderated following notification of the insurance settlement relating to the main engine failure which occurred during July 2022. During June 2023, the Authority also took some key strategic decisions on the financing of a new bespoke

vessel to replace NEG III which has also lowered some of the associated risk levels reported during March 2023 although uncertainty remains over the level of income that will be generated from its future sale, a key component of financing the new build. Other risks associated with the 2021 shellfish mortality event have also moderated since the last review in March. Other key changes in strategic and operational risk relate primarily to operational contingency planning pending the sale of NEG III and delivery of the second year of the European Lobster Settlement Index project following the recent collapse of the Holderness Fishing Industry Group, a key delivery partner in the project.

- 2.3 The revised Strategic Risk Register is attached as Appendix 1, the Operational Risk Register as Appendix 2 and the risk based enforcement matrix, a sub register of the Operational Risk Register, as Appendix 3 for members information. All changes are highlighted in bold text.

Contact Officer

Caroline Lacey, Clerk of the Authority
Ext 3000

Background Papers

Strategic Risk Register
Operational Risk Register
Risk based enforcement matrix

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	A reputation for smart and prudent stewardship.	Financial Reputation	<p>Failure to manage the Authority's assets, caused by:-</p> <ul style="list-style-type: none"> • Lack of funding • Service failures/poor maintenance • Poor risk assessments and controls • Age and deterioration of vessels & vehicles 	9 (3x3)	<p>Asset Management Plans - including audit and survey result to target investment and maintenance at high priority areas.</p> <p>Patrol Vessel renewal fund and replacement project ongoing. Maintenance programme. Risk assessments. Inspections and surveys. Insurance.</p>	6 (3x2)	<p>Review and define inspection survey programme. Ensure compliance with the programme. Review adequacy of sums insured and compliance with insurance policy conditions. Strengthen asset management and control.</p>	<p>Formal notification of insurance settlement covering 50% of repair costs to main engines onboard NEG III</p> <p>Authority agree a 20year finance/leasing plan supported by ERYC to replace NEG III.</p> <p>£100K of additional Defra grant aid received covering 2022/2023 financial year.</p>	Chief Officer & Deputy Chief Officer & Operational Support Manager
Risk No	Strategic Objective	Category of Risk	Risk	Gross Risk Score	Control Action	Residual Risk Score	Further Action Required	Update	Risk Owner

NEIFCA 2	An Authority which attracts and keeps the best staff.	Customer/ Staff	<p>Specialist staff and skills shortages. Sickness absence.</p> <p>Triggers include:-</p> <ul style="list-style-type: none"> (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 (vi) More mobile workforce within the sector. 	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.	Environmental & Scientific Manager vacancy currently filled via an internal secondment supported by one full time Environmental Officer post and two fixed term appointments for one year, initially. Currently offshore team carrying two full time vacancies.	Chief Officer & Deputy Chief Officer & Operational Support Manager.
NEIFCA 3	<p>A reputation for smart and prudent stewardship.</p> <p>Statutory responsibilities.</p>	Reputation Legal	<p>Failure to meet statutory responsibilities set out by legislation. Main causes of risk are:-</p> <ul style="list-style-type: none"> (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. (vii) Mechanical breakdown in key assets 	9 (3x3)	<p>Series of performance targets set and measured to meet the requirements.</p> <p>Reported on quarterly basis to the Authority.</p> <p>Understanding and adherence to all governing legislation.</p> <p>Dynamic risk assessments and supporting safe working practices implemented when required.</p>	6 (3x2)	Reviewed on a quarterly basis by reporting to the Authority.	See previous updates	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 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. Performance measured against number of targets. Exceptions reported to Authority. Constitution, Standing Orders Schemes of Delegation. The Authority has put in place structures and processes to govern decision making.	6 (2x3)	Reviewed on a quarterly basis by the Authority.		Chief Officer & NEIFCA Senior Management Team
NEIFCA 5	A reputation for smart and prudent stewardship.	Financial/ Economic	Cuts to service, balance budget. Triggers include:- <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 Unforeseen mechanical failure Increasing inflation & costs 	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.	4 (2x2)	Ensure sound business cases are made to Authority funders for continued financial support.	<p>Formal notification of insurance settlement covering 50% of repair costs to main engines onboard NEG III.</p> <p>UK Inflation rates drop to 7.9% during June 2023.</p> <p>Authority agree a 20year finance/leasing plan supported by ERYC to replace NEG III.</p> <p>£100K of additional Defra grant aid received covering 2022/2023 financial year.</p>	Clerk/ Treasurer/ Chief IFC Officer
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	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.	6 (2x3)	Full engagement with Defra, MMO, national working groups and local management groups.	4 (2x2)	Regular updates and progress reports to Science Advisory Group, Executive and full Committee.		Chief, Deputy Chief Officers. Senior Environmental & Scientific Officer Environmental & Scientific Officers.
NEIFCA 7	A reputation for smart and prudent stewardship.	Organisational Reputation	Loss or damage to reputation through poor press and public relations e.g response to shellfish mortalities Poor management and or use of website & social media outlets.	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)	Reviewed on a quarterly basis. Daily management of Website & social media feeds in terms of content and comment.	Second shellfish landings report released during July 2023 provided a more accurate picture of trends and more positively received. Since April 2023 no major associated incidents recorded. Officers maintaining active working arrangements with key Agencies and the fishing industry.	Chief Officer & Operational Support Manager
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.	Disaster Planning	Major incident, i.e. patrol vessel collides with another vessel or runs aground. Total loss of primary asset.	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
NEIFCA 9	A reputation for smart and prudent stewardship.	Reputation/ Legal	Officers acting beyond their statutory remit through inexperience. Legal challenge. Potential incident. Adverse publicity.	6 (3x2)	Full training in role. Qualifications. Performance monitoring, target setting, recruitment procedures. Annual appraisal system.	4 (2x2)	As roles develop, change, continuous training and development. EDP process to be utilised for this.	Training strengthened through induction, national IFCA training courses supported by a national coordinator.	Chief Officer

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	Customer Service/ reputation	<p>Failure to provide agreed service.</p> <p>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.</p> <p>Serious mechanical failure and breakdown onboard the main vessel asset.</p> <p>Agreement to finance the build of a new fisheries vessel will necessitate the sale of NEG III and the temporary loss of the key asset to support service delivery.</p>	12 (4x3)	<p>Performance Indicators.</p> <p>Inspections audit.</p> <p>Workload monitoring.</p> <p>Policy and procedure compliance.</p> <p>Staff training.</p> <p>Communication with customers.</p> <p>Contingency planning including sourcing external support to maintain levels of service delivery in the short to term, prioritised to needs.</p>	8 (4x2)	Clerk and Chief Officer.	Quarterly	<p>Annual reports.</p> <p>Performance monitoring reports.</p> <p>Feedback from staff and customers.</p>
Risk Number	Process	Risk Identification	Risk Analysis	Risk Control	Residual Risk	Monitoring		
	Risk Category	Risk	1-8 = Low	Control Action	1-8 = Low	By Whom	Review Frequency	Triggers for Action

			8-10 = Medium 10-20 = High		8-10 = Medium 10-20 = High			
2	Staffing	Lack of staffing resources to deliver service and that staff have adequate skills training to achieve performance requirements. Increasing pressures from UK government to support national fisheries policy development & implementation without additional resource could have a negative impact on the delivery of IFCA statutory duties and responsibilities. Unable to fill vacancies with suitable applicants. Increased natural turnover of staff within a more mobile work sector.	9 (3x3)	Communication networks. Staff flexibility. Monitoring of workloads. Workforce Development. Vacancy Management. Recruitment processes expedited to fill vacancies. Maintenance of active dialogue with all key partner agencies. AIFCA, NIMEG & TAG. Environmental & Scientific Manager vacancy currently filled via an internal secondment supported by one full time Environmental Officer post and two fixed term appointments for one year, initially.	6 (3x2)	Clerk and Chief IFC Officer.	Quarterly.	Reports to Authority. Team meetings/EDRs. Sickness Review Meetings. Vacancy/sickness. Performance monitoring results. Proactive training programmes.
3	Professional, contractual, legal reputation.	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.	9 (3x3)	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. New £262K contract agreed with Defra to support the two year ELSI project. Contract soon to be let for the build and commission of a new main vessel September 2023.	6 (3x2)	Chairman, Clerk and Chief Officer & associated project leads.	Monthly.	Procurement processes. Legislative changes. Contract variations. Timetable slippage.
Risk Number	Process	Risk Identification	Risk Analysis	Risk Control	Residual Risk	Monitoring		
	Risk Category	Risk	1-8 = Low 8-10 = Medium	Control Action	1-8 = Low 8-10 = Medium	By Whom	Review Frequency	Triggers for Action

Risk Number	Process	Risk Identification	Risk Analysis	Risk Control	Residual Risk	Monitoring		
4	Financial reputation.	<p>Failure to deliver projects through lack of resources or investment. Recent collapse of HFIG, key delivery partner in the ELSI project.</p> <p>Loss of funding and grants resulting in inability to proceed with projects.</p> <p>Change in legislation resulting in inability to generate funds.</p> <p>Reputation for inability to utilise grants awarded.</p>	10-20 = High 9 (3x3)	<p>Budget setting and monitoring process.</p> <p>Procurement policy followed.</p> <p>Appropriate resources available to undertake the project.</p> <p>Skills and knowledge of staff.</p> <p>With regard to supporting national projects ensure maintenance of dialogue and a proactive approach.</p> <p>Business Cases considered with full whole life costs of projects made.</p> <p>Proactive communications ongoing with Defra, variation to ELSI project timelines agreed.</p>	10-20 = High 6 (3x2)	Clerk and Chief Officer.	Monthly	<p>Performance monitoring reports.</p> <p>Budget reports.</p> <p>Legislative changes.</p> <p>Government funding initiatives.</p> <p>Authority decisions.</p> <p>Contract variation slippage.</p>
5	Financial reputation, technical.	<p>Insufficient funding to replace main fisheries vessel, North Eastern Guardian III.</p> <p>Access to external funding support discounted in the short term although Defra may provide some capital funding support to IFCA's in due course.</p> <p>Extending operational life of existing vessel increases risk of significant mechanical breakdown & reduced re-sale value.</p> <p>Lower than expected return achieved from the sale of NEG III.</p>	10-20 = High 9 (3x3)	<p>Maintenance of current funding levels to the vessel renewal account. Continued investment in current vessel as a saleable asset. Defra CDEL funding of £562K agreed to support replacement programme.</p> <p>Any additional savings generated re-allocated to the vessel renewal reserves.</p> <p>Authority agree a 20year finance/leasing plan supported by ERYC to replace NEG III.</p> <p>Targeted and strategic marketing of the sale of NEG III.</p>	10-20 = High 6 (3x2)	Chairman, Clerk, Chief Officer and Deputy Chief Officer	Quarterly	Budget financial review & reporting to Committees and internal working groups.

	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 and contractual.	<p>Unexpected budget demands and variances and failure to achieve agreed budget Income generation is expected to remain low during 2023/2024.</p> <p>Major engine failure onboard NEG III July 2022.</p>	6 (3x2)	<p>Increase of 3% in 2023/2024 levy with further increases advised. Monitoring systems. Systems to capture spend. Regular budget holder meetings. Internal Audit.</p> <p>Regular reviews of the appropriate level of reserves. Maintenance of insurance provisions.</p> <p>Formal notification of insurance settlement covering 50% of repair costs.</p> <p>UK Inflation rates drop to 7.9% during June 2023.</p> <p>£100K of additional Defra grant aid received covering 2022/2023 financial year.</p>	4 (2x2)	Treasurer, Clerk and Chief Officer.	Monthly.	Budget financial reporting.
7	Financial reputation, technical.	<p>Volatility of global oil/fuel markets and national tax changes.</p> <p>Markets remain unstable following Russian/Ukraine war in Europe 2022.</p>	6 (2x3)	Regular monitoring of fuel spends included within quarterly reports to Authority. Additional provision made within annual precept.	4 (2x2)	Chairman, Clerk, Treasurer, Chief Officer and Deputy Chief	Monthly.	Budget financial review & reporting
Risk Number	Process	Risk Identification	Risk Analysis	Risk Control	Residual Risk	Monitoring		
	Risk Category	Risk	1-8 = Low	Control Action	1-8 = Low	By Whom	Review Frequency	Triggers for Action

			8-10 = Medium 10-20 = High		8-10 = Medium 10-20 = High			
8	Legal/ reputation.	Legal challenge resulting from failure to undertake statutory responsibilities in terms of enforcement, poorly drafted Authority bye-laws or national legislation. Ongoing legal challenge fixed net permitting scheme	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.
9	Financial and reputational	Breaches of General Data Protection & Freedom of Information Regulations 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. SLA agreed with ERYC information governance and feedback team to provide expert support, advice and training.	4 (2x2)	DPO Clerk Chief Officer Support Officer	Monthly	Formal complaint or report to ICO

OPERATIONAL RISK REGISTER – ENVIRONMENTAL RISK 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	<p>Impacts on fish and shellfish stocks through over-exploitation</p> <p>Pressures on stocks, particularly crustacea remain high although work is continuing on revised management measures. Currently catch statistics indicate a general declining trend in crab landings.</p> <p>Impacts in intertidal areas rising due to influxes of shore gatherers.</p>	9 (3x3)	<p>Detailed monitoring of stock health. Development of dedicated management plans and strategies. Tailored management provisions. Sound enforcement. Fisheries accreditation schemes. National coordination.</p> <p>Maintaining a high level of communication and active joint working with key partner agencies. New shellfish permit byelaw now under formal consultation. If confirmed, will increase ability to more effectively manage the impacts of exploitation. New emergency byelaw implemented to managing an emergent beam trawl fishery targeting king scallop.</p>	9 (3x3)	Chief & Deputy Chief Officers and Environmental & Scientific Officers	Quarterly & monthly	Non achievement of stock indicators. Declining catches and fleets. Complaints and comments.
2	Environmental	<p>Impacts on fish and shellfish stocks through pollution incidents or environmental factors such as extreme events, novel pathogens or climate change.</p>	9 (3x3)	<p>Regular monitoring, reporting and working in partnership with key agencies such as Defra, EA, CEFAS, MMO. Potential use of emergency byelaw making powers.</p>	6 (3x2)	Chief & Deputy Chief Officer and Environmental & Scientific Manager	Monthly	Observed mortality on shore and at sea, evidence of pollution events reports of unusually low catch rates from the industry.
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	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. Habitat damage caused to sensitive intertidal areas due to influxes of shore gatherers.	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
4	Environmental	Impacts on fish and shellfish stocks through non-compliance with regulations. Prohibition on landing egg bearing lobsters. Impacts in intertidal areas rising due to influxes of shore gatherers.	9 (3x3)	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. Strengthening enforcement procedures and techniques. Maintaining a high level of communication and active joint working with key partner agencies.	6 (3x2)	Chief, Deputy Chief and IFC Officers	Monthly	Intelligence reports. Surveillance. Routine observations and complaints
5	Environmental	Impacts on other marine species such as sea birds, cetaceans and other organisms associated with fishing activities	6 (2x3)	Monitoring through fishing permit and catch and effort schemes. One off studies and assessments. Timely use of emergency byelaw making procedures when required.	4 (2x2)	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
1 November 2023

NEIFCA Annual Audit Report 2022/2023

Report of the Clerk

A. Purpose of Report

To inform Members of the findings of the annual audit report.

B. Recommendation

1. That Members note the report.

1. Background

1.1 SWAP audit services in partnership with the East Riding of Yorkshire Council undertakes an annual audit of the Authority's operational activity.

1.2 The purpose of the audit is to provide management with assurance about the effectiveness of the controls identified and the exposure to risk that any control weaknesses may cause.

1.3 The objectives of the audit process are included within the scope of the audit that took place during April of this year and should re-assure members that appropriate control objectives are being tested by internal audit.

2. Internal Audit

2.1 The Audit Plan is designed to provide the Authority with assurance on key financial controls for the operation of NEIFCA. Inadequate processes or inconsistent application of procedures can lead to legal challenge or financial penalty in areas such as enforcement, health and safety or data protection

2.2 The key objectives were to provide assurance over the operational and governance processes noted below:

- Governance arrangements including declarations of interest, gifts & hospitality, website currency of information
- Expenditure (including purchase & fuel cards)
- Recruitment (including staff handbook, induction process)
- Payroll including staff performance reviews
- Travel & subsistence
- Inventories/asset management
- Health & Safety including mandatory training/assurance

3. Opinion.

3.1 The overall assurance opinion is substantial. A sound system of governance, risk management and control exists, with internal controls operating effectively and being consistently applied to support the achievement of objectives in the area audited.

3.2 A copy of the report is appended for Members information. One of the findings recommends the completion of an annual review of Standing Orders and Financial Regulations as a standing item to the March Executive Committee meeting each year.

Contact Officer

Caroline Lacey, Clerk

Ext 3000



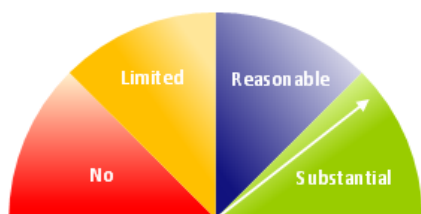
North Eastern Inshore Fisheries & Conservation Authority Final Report

Issue Date: 6 June 2023

Audit Objective

To provide assurance on key financial controls for the operation of the North Eastern Inshore Fisheries & Conservation Authority

Assurance Opinion



A sound system of governance, risk management and control exists, with internal controls operating effectively and being consistently applied to support the achievement of objectives in the area audited.

Number of Actions

Priority	Number
Priority 1	0
Priority 2	0
Priority 3	3
Total	

Risks Reviewed

- Inadequate controls over income and expenditure may impact on the ability of NEIFCA to deliver its objectives
- Inadequate processes or inconsistent application of procedures may lead to legal challenge or financial penalty in areas such as enforcement, health and safety, and data protection.

Assessment

Low

Low

Key Findings



- Financial regulations are overdue for review but the Authority may also wish to consider reviewing and amending the Terms of Reference for the Executive Committee if annual review of the Financial Regulations is not considered necessary.
- A site visit to Penny Hedge storage found that it was difficult to locate or identify some equipment due to the specialised nature of the items which do not routinely have supplier serial numbers.



A significant improvement in the management of assets has been noted over the last three audits including evidence of annual inventory checks and the lease of more suitable storage facilities in Whitby. Installation of the racking which has been purchased will further improve the storage and management of assets, as will the use of photographs to accompany the asset register record.

Audit Scope

Through sample testing of transactions and records the audit has provided an assessment of the level of assurance that can be placed on the effectiveness and consistency of application of internal controls in the following areas:

- Governance arrangements including declarations of interest, gifts & hospitality, website currency of information
- Expenditure (including purchase & fuel cards)
- Recruitment (including staff handbook, induction process)
- Payroll including staff performance reviews
- Travel & subsistence
- Inventories/asset management
- Health & Safety including mandatory training/assurance

Other observations

This audit has not covered the procurement process for the replacement vessel as this is currently in the tender process and will be subject to scrutiny and approval at a Special Executive meeting. Budget monitoring and reconciliations have not been specifically tested in the audit as Finance Accountancy team undertake separate monitoring, reconciliation and approval processes providing segregation and challenge at the second line of defence.

It was noted that two scheduled meetings had been unable to take place as planned due to them not meeting the threshold number of in person attendees to make them quorate. One meeting commenced but was not quorate and had to be reconvened at a later date. The other failed to get sufficient Members indicating they would be able to attend in person, also requiring the meeting date to be rescheduled. Officers will be working with Members to ensure that good communications are maintained between themselves and Members in respect of in person attendance. Meeting dates and locations will be set as far in advance of the date as possible, with follow up closer to the meeting to confirm in person attendance.

<p>Finding 1.</p> <p><u>Governance</u></p> <p>The Terms of Reference for the Executive Committee which are contained within the Members Handbook states that it will undertake an annual review of Standing Orders and Financial Regulations. It was confirmed that there had not been a review of Financial Regulations for a number of years. If it is not considered necessary to review them on an annual basis it may be appropriate to review and amend the ToR for the Executive Committee.</p>	<p>Action</p> <p>Review of Standing Orders and Financial Regulations will be included as a standing item at the March Executive Committee meeting each year.</p> <table border="1" data-bbox="1133 448 2107 596"> <tbody> <tr> <td>Priority</td> <td>3</td> <td>SWAP Reference</td> <td>AP#2330</td> </tr> <tr> <td>Responsible Officer</td> <td colspan="3">CIFO</td> </tr> <tr> <td>Timescale</td> <td colspan="3">31/03/2024</td> </tr> </tbody> </table>	Priority	3	SWAP Reference	AP#2330	Responsible Officer	CIFO			Timescale	31/03/2024		
Priority	3	SWAP Reference	AP#2330										
Responsible Officer	CIFO												
Timescale	31/03/2024												
<p>Finding 2.</p> <p><u>Inventories</u></p> <p>Improvements to the asset registers have been made since the previous audit with clearer records and evidence of an asset register check being provided. There are new items purchased which have not been included on a register, in the main these are equipment for the ELSi project and IT hardware. With the move to laptops and away from static desk top devices it is all the more important to have a record of devices and to whom they are allocated.</p> <p>During the site visit to Penny Hedge Storage site it was apparent some of the equipment was difficult to locate or identify due to the specialised nature of the items which do not routinely have supplier serial numbers.</p>	<p>Action</p> <p>Asset registers will be updated to ensure all new equipment is included, separate registers to be created for the ELSi grant funded project equipment and IT hardware. Will include photos of items with the asset register to help with identification of equipment for future annual asset checks. (Not required for ICT and office based equipment.)</p> <p>Will introduce a logbook at each site for officers to record equipment taken and returned, to include item and officer details including the dates.</p> <table border="1" data-bbox="1133 903 2107 1050"> <tbody> <tr> <td>Priority</td> <td>3</td> <td>SWAP Reference</td> <td>AP#2128</td> </tr> <tr> <td>Responsible Officer</td> <td colspan="3">Operation Support Manager</td> </tr> <tr> <td>Timescale</td> <td colspan="3">30/09/2023</td> </tr> </tbody> </table>	Priority	3	SWAP Reference	AP#2128	Responsible Officer	Operation Support Manager			Timescale	30/09/2023		
Priority	3	SWAP Reference	AP#2128										
Responsible Officer	Operation Support Manager												
Timescale	30/09/2023												
<p>Finding 3.</p> <p><u>Register of Personal Interest/gifts and hospitality</u></p> <p>The Members and Staff Handbooks include adequate information regarding the circumstances in which a declaration of personal interests would need to be made. The process is a passive one however, in that it does not evidence those instances where the matter has been considered by the Member/Officer and there are no interests to declare. Greater transparency would be achieved if both Members and Officers were required to submit nil returns. The current welcome letter to Members and the Member declaration form do not refer to submission of nil returns which may account for the non-receipt of declarations for some of the Members.</p>	<p>Action</p> <p>There will be an annual prompt for Members at the June Authority meeting also requiring a nil return to be completed where appropriate. Officers will be asked to confirm their position regarding any personal interests annually, alongside the driving licence checks undertaken.</p> <table border="1" data-bbox="1133 1307 2107 1450"> <tbody> <tr> <td>Priority</td> <td>3</td> <td>SWAP Reference</td> <td>AP#2319</td> </tr> <tr> <td>Responsible Officer</td> <td colspan="3">Operational Support Manager</td> </tr> <tr> <td>Timescale</td> <td colspan="3">31/07/2023</td> </tr> </tbody> </table>	Priority	3	SWAP Reference	AP#2319	Responsible Officer	Operational Support Manager			Timescale	31/07/2023		
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NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Executive Committee
1 November 2023

Chief Officer's Operational Update

Report of the Chief Officer

A. Purpose of Report

To provide members with an operational report covering the period March 2023 to August 2023.

B. Recommendation

That Members note the report.

1. Overview

1.1 NEIFCA

Tees & North Yorkshire Shellfish Mortalities

Since the washup of dead or dying crabs and lobsters was first identified within the outer Tees Estuary and surrounding foreshore areas in October 2021, regular updates have been provided to members at meetings and via additional electronic bulletins, most recently at the Authority meeting held on 8 June 2023. Aside from one notable wash up event, which occurred at Redcar towards the end of April 2023 no further events have been recorded by the Authority's officers and internal work has now shifted to monitoring short to medium trends in catches and landings. Externally, industry research, coordinated through Newcastle University and supported by the universities of Durham and York continues to examine links associated with the capital dredging programmes in the Tees Estuary with the expectation that some findings from that work will be published shortly.

On 17 July 2023 NEIFCA published its second appraisal of shellfish landing trends at key ports surrounding the Tees and North Yorkshire. This second report covered a much larger dataset, collated over a longer time frame than the first report published during September 2022. The report highlighted declines in edible crab landings throughout the NEIFCA district most notably at Redcar where recorded landings had fallen by 96% during 2022 when compared with the 5 year average. Whilst some ports welcomed record landings of lobster during 2022, most notably Bridlington and Whitby other ports including Staithes, Redcar and Hartlepool experienced a reduction in reported catches, again, most notably at Redcar, 69%. Recorded declines in landings were also mirrored in the levels of

recorded fishing activity. The trends outlined within the report are indicative of the extent of the localised impacts that the fishing industry have had to face at ports surrounding the Tees, particularly within the under ten metre fleet. The overall picture and prognosis will become much clearer once further data is collated and analysed.

A copy of the second shellfish landings report can be accessed from the NEIFCA website.

Replacement Patrol Vessel Project

At a special authority meeting held on 30 June 2023 NEIFCA approved plans, in partnership with its lead Local Authority, East Riding of Yorkshire Council (ERYC), to replace its main patrol vessel, North Eastern Guardian III (NEG III) with a new bespoke vessel. The new vessel will significantly enhance NEIFCA's offshore stock monitoring and marine survey capabilities alongside supporting the ongoing delivery of its fisheries enforcement and compliance work. Since June, NEIFCA officers have been working with ERYC leads to finalise contractual terms which were formally concluded on 6 October 2023. Officers are now in the later stages of the finalising the build design of the new vessel with the manufacturer, Parkol Marine Ltd of Whitby. The progression of the new build remains on target with construction expected to commence sometime before the end of 2023 and delivery early 2025. There is a building media interest and a joint press release is being developed with the vessel designers and manufacturer.

Enforcement & Compliance Work

Since the last meeting of the Executive Committee, fishing activity and associated enforcement and compliance work has followed normal seasonal expectations. Potting activity is now approaching peak season and officers are focusing on checking associated catches for compliance with minimum size regulations and byelaw provisions, particularly those relating to soft shelled, mutilated and 'V' notched lobsters.

Offshore officers have recently launched a campaign designed to improve the mandatory marking of fishing gear at sea. All static fishing gear should be attached to a clearly visible surface marker which carries the vessel's name, port letters and numbers and in the case of unlicensed gear, the associated NEIFCA permit number. Levels of compliance vary widely across the district but a method of marking both compliant and non-compliant gear has been implemented at sea which will then be followed by seizure and further investigation. Fishing gear is an expensive outlay with the average 'ready to fish' pot costing upwards of £200 alongside the risk of having to pay a maximum fine of up to £50K if convicted of breaching the NEIFCA byelaw provisions. Although in the early stages of the campaign, Officers have noted some improvements in general compliance.

In terms of formal actions, the most recent prosecution was heard at Grimsby Magistrates Court on Wednesday 19 April 2023. The case related to the landing of ten egg bearing lobsters detected in a catch landed at Grimsby during June 2022. The skipper and owner both plead guilty to the offence. The owner was fined £1660 and the skipper £800 with full costs of £880 awarded back to NEIFCA.

Organisational Work

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

Environmental & Scientific Work

Much of the recent work of the environmental and science team has involved finalising the release of the second shellfish landings report and supporting the delivery of the annual offshore survey programme both onboard NEG III and fishing vessels operating throughout the NEIFCA district. Alongside that the team have been engaged in the national FMP work.

1.2 National Work streams

Fisheries Management plans

On 17 July 2023 Defra launched a formal consultation on six ‘front runner’ Fisheries Management Plans (FMPs) including crab and lobster, sea bass, king scallop, whelk, Channel non-quota species and Southern North Sea and Eastern Channel mixed flatfish. The consultation concluded on 1 October 2023. The development of Fisheries Management Plans (FMPs) is a key component of the 2020 Fisheries Act to inform future fisheries management policy delivery across a range of exploited stocks in the UK. The Association of IFCAs, in partnership with Kent and Essex IFCA, led on the development of a national IFCA response to the consultation. As part of that work an online questionnaire survey was recently circulated across NEIFCA members for completion and return by 8 September 2023 and a follow up IFCA workshop was held in Poole on 26 and 27 September 2023. NEIFCA was represented at that workshop by its Scientific lead Officer, Dr Ralf Bublitz and Dr Stephen Axford.

1.3 Priority Work streams for the next six months

- Finalising design of the new vessel build.
- Monitoring commencement of build
- Preparation, marketing and sale of North Eastern Guardian III
- Collation and analysis of submissions received during the formal byelaw consultation
- Preparation of byelaw documentation for MMO QA and confirmation
- Further implementation of the new fisheries database including the capture of electronic catch and effort returns.

1.3 Summary of meetings and events attended

NEIFCA/MMO monthly TCG	1 st March 2023
NEIFCA annual staffing appraisals	3 rd March 2023
National Association of IFCAs Forum meeting	7 th March 2023
NEIFCA Science Advisory Group meeting	9 th March 2023
NEIFCA MMO operational meeting	10 th March 2023

IFCA Chief Officer Group meeting	16 th March 2023
NEIFCA Senior Management Team meeting	21 st March 2023
NEIFCA general staffing meeting	22 nd March 2023
NEIFCA Dogger Bank Windfarm meeting	23 rd March 2023
National Association of IFCA's Directors meeting	27 th March 2023
NEIFCA Executive Committee meeting	30 th March 2023
LA Collective Shellfish Mortality Group, Redcar	31 st March 2023
IFCA Chief Officer's Group meeting	12 th April 2023
Replacement vessel project tender evaluation	13 th April 2023
Replacement vessel project tender evaluation	20 th April 2023
NEIFCA EDI training	21 st April 2023
IFCA MMO Strategic Operations Group	25 th April 2023
NEIFCA/MMO monthly TCG	3 rd May 2023
Replacement vessel project work group	9 th May 2023
North East Regional Fisheries Group IVb	9 th May 2023
IFCA Chief Officer's Group meeting	17 th May 2023
IFCA/DEFRA MAFCO meeting	24 th May 2023
NEIFCA SAG meeting	31 st May 2023
Association of IFCAs Members Forum	6 th June 2023
NEIFCA Authority meeting	8 th June 2023
IFCA Chief Officers Group meeting	13 th June 2023
Marine Spatial Prioritisations Workshop	15 th June 2023
NEIFCA Senior Management Team meeting	16 th June 2023
NEIFCA Staffing meeting	19 th June 2023
NEIFCA Special Executive Committee meeting	20 th June 2023
IFCA National Training Group meeting	29 th June 2023

NEIFCA Special Authority meeting, Beverley	30 th June 2023
Scallop Industry Working Group meeting	7 th July 2023
IFCA Chief Officers Group meeting	19 th July 2023
IFCA/MMO Strategic Operations Group meeting	20 th July 2023
Vessel replacement project meeting, Whitby	25 th July 2023
NEIFCA/MMO monthly TCG	2 nd August 2023
IFCA Chief Officers Group meeting	9 th August 2023
IFCA MMO Licensing Group meeting	9 th August 2023
IFCA Training Group meeting	18 th August 2023

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Executive meeting
1 November 2023

Health & Safety Policy & Safe Working Practices 2023/2024 - Review

Report by the Chief Officer.

A. Purpose of Report

To inform members of the completion of the six monthly 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 reported to the Executive Committee on 30 March 2023 I can advise that there have been no notable incidents or accidents to report to members and as part of this six-monthly review all the standard Safe Operational Working Practices and supporting risk assessments have again been fully reviewed with no changes to report.
- 1.4 Members should recall that during the March 2023 review additional measures were put into place requiring the mandatory use of stab vests by all officers working in Sunderland due to an elevation in perceived risk levels. There is currently no evidence that those risk levels have changed since March so they will remain in place for now.

- 1.5 The 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
Ext. 3690

NORTH EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY

Report to: Executive Committee
1 November 2023

NEIFCA Byelaw Update

Report by the Chief Officer

A. Purpose of Report

1. To inform Members on progress with the following byelaws which were made at a meeting of the Authority held on 1 December 2022:

XXVIII Shellfish Permit Byelaw 2022
XXIX Humber Estuary Fishing Byelaw 2022

2. To inform Members on the making of the following emergency byelaw which was supported at a special meeting of the Authority held on 30 June 2023:

Emergency Beam Trawling Byelaw 2023

B. Recommendation

1. That members receive the update and note the report.

1. Background

1.1 *XXVIII Shellfish Permit Byelaw 2022*

- 1.1.1 At the Authority meeting held on 1 December 2022 members supported the making of a new byelaw XXVIII Shellfish Permit Byelaw 2022 (Minute Item 32 refers).

The key aims of the new byelaw are to establish a new flexible management framework which will more effectively cover the exploitation of listed shellfish species throughout the NEIFCA district, both offshore and onshore. The new proposed byelaw will also consolidate existing byelaw regulations and introduce an effort management system for commercial potting within the district. The provisions contained within the byelaw will be applied via conditions attached to the permit which can be varied following an appropriate review process, without the need to formally remake the whole byelaw. Two permitting schemes will be established, Category 1 for licensed commercial vessels and Category 2 for recreational operators. It is proposed that during year one a maximum of 234 Category 1 permits will be offered and permit holders restricted to working a maximum of 1000 pots. A permit charge would also be levied for Category 1 permits linked to the number of pots worked. The number of Category 2 permits offered will remain unrestricted but a new £10 charge would be levied, and the number of pots permitted reduced from 10 to 5 per permit holder with daily bag limits remaining unchanged.

1.1.2 Since the making of the byelaw on 1 December 2022 it has been subject to further internal quality assurance checks and informal consultation with fishing groups prior to the commencement of the formal statutory consultation process. Internal comments were received back from NEIFCA legal advisors on 24 April 2023.

1.1.3 During this process the following adjustments have been made to the draft byelaw regulation:

- The scope of the byelaw has been widened to include, European green crab, mussel, common periwinkle, surf clam, Norway Lobster, razor clam and scallop. Particularly in relation to European green crab, mussel, common periwinkle and surf clam this was felt prudent and necessary to improve the active management of intertidal shore gathering by large ethnic groups which has become an increasing issue.
- An additional provision that would allow for varying of fees and charges subject to formal consultation.
- An additional provision to enable management by pot type, advised to members in June 2023.
- An additional provision clarifying that, in terms of Category 1 applications, first priority will be given to those vessels who held a permit on 1 December 2022 when the byelaw was made, advised to members in January 2023.
- The supporting Regulatory Impact Assessment has also been updated to include some additional information from the 2023 shellfish landings report and intertidal shore gathering.

1.1.4 A copy of the updated draft byelaw is attached as Appendix 1 for information.

1.2 *XXIX Humber Estuary Fishing Byelaw 2022*

1.2.1 At the Authority meeting held on 1 December 2022 members supported the making of a new byelaw XXIX Humber Estuary Fishing Byelaw 2022 (Minute Item 31 refers).

1.2.2 Whilst retaining all existing management measures in relation to fishing activities within the boundaries of the Humber Estuary the new byelaw includes a revision to the boundaries of an existing protected area to support the expansion of eel grass habitat. Although this draft byelaw has also been subject to both internal quality assurance and informal consultation, no changes or alterations have been made.

1.3 **Next Steps**

Officers commenced formal consultation on both byelaws on 15 August 2023 via publication on the NEIFCA website, emailed alerts to both commercial and recreational permit holders, engagement with the Angling Trust, circulation of notices at ports and landing points and publication in the Fishing News. Officers also facilitated a number of ‘dop in’ sessions at key ports including Hornsea, Bridlington, Scarborough, Whitby, Redcar and Hartlepool to facilitate further ‘face to face’ engagement with those affected by the byelaw proposal. Formal consultation was extended until Friday 27th October 2023 and officers are now in the process of collating all the feedback received during the consultation process.

2.0 **Emergency Beam Trawling Byelaw**

At the special Authority meeting held on 30 June 2023 members received a detailed verbal report from me relating to an emergent beam trawl fishery targeting king scallops. Presently, only the act of dredging for King scallop can be effectively managed under existing byelaw provisions via a restricted permitting scheme. Although a permit is required to trawl, providing operators meet basic vessel size criteria, no restrictions can be implemented in terms of the number of permits issued. Since January 2023 the number of vessels fishing for king scallop by beam trawl had risen to five, with other vessels indicating interest in joining and

over 57 tonnes of king scallop recorded taken by the fishery during what would normally be a closed spawning season. Given the unforeseen emergence of the fishery, alongside the potential for impacting stocks, members supported my recommendation that an emergency byelaw regulation should be immediately implemented, incorporating a dispensatory process to support further investigation into the fishery in collaboration with the affected industry. The proposed byelaw to remain in force for an initial period of twelve months pending the development of a new management framework (minute 67 refers).

2.1 Following further consultation with the Chair on the structure and content of a draft byelaw and supporting RIA an Emergency Byelaw was signed off on behalf of the Authority and statutory notifications submitted to the Secretary of State in Defra. The byelaw and supporting documentation were published on the NEIFCA website on 18 July 2023 and the affected fishing industry was informed. A copy of the byelaw and supporting RIA is attached to this report for members information.

2.2 **Next Steps**

Since the emergency byelaw was implemented six scientific dispensations have been issued to eligible vessel operators to support further investigation into the fishery. To date, two vessels have regularly engaged in the programme which will help to inform the development of a replacement byelaw regulation. This work will be guided by the Authority's Science Advisory Group. Further information can be accessed from the NEIFCA website.

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