



**32nd EIFCA
Statutory Meeting**

To be held at:

**The Boathouse Business Centre
1 Harbour Square, Nene Parade, Wisbech, Cambs, PE13 3BH**

**Wednesday
25th April 2018**

1030 hours

Vision

The Eastern Inshore Fisheries and Conservation Authority will lead, champion and manage a sustainable marine environment and inshore fisheries, by successfully securing the right balance between social, environmental and economic benefits to ensure healthy seas, sustainable fisheries and a viable industry



Meeting: 32nd Eastern IFCA Meeting

Date: Wednesday 25th April 2018

Time: 10:30hrs

Venue: The Boathouse Business Centre,
1 Harbour Square, Nene Parade,
Wisbech, Cambridgeshire, PE13 3BH

Revised Agenda

- 1 Election of Chair of the Authority – *Clerk*
- 2 To accept apologies for absence - *Chair*
- 3 Declaration of Members' interests – *Chair*
- 4 Election of Vice-Chair of the Authority - *Chair*

Action items

- 5 To receive and approve as a true record, minutes of the 31st Eastern IFCA Meeting, held on 31st January 2018 - *Chair*
- 6 Matters arising (including actions from last meeting) – *Clerk*
- 7 Health and Safety risks and mitigation – *Hd of Operations*
- 8 Review of the Eastern IFCA Constitution & Standing Orders - *CEO*
- 9 Meeting of the Planning & Communication Sub-Committee 14th March 2018 – *CEO*
- 10 Electric pulse trawling – *Cefas*
- 11 Payments made and monies received during the period 1st January to 31st March 2018 – *Hd Finance & HR*
- 12 Quarterly management accounts – *Hd Fin & HR*
- 13 Payment of expenses to MMO appointees – *Hd Fin & HR*
- 14 Wash Fishery Order regulations - *Senior IFCO (Regulation)*

- 15 Wash shellfish survey methodology – *Senior MSO (Research)*
- 16 Wash cockle fishing method - *Senior MSO (Research)*
- 17 Wash shrimp fishery HRA – *Senior MSO (Environment)*
- 18 Accommodation – *Head of Finance and HR*
- 19 RV Three Counties replacement project - *Head of Finance and HR*
- 20 *To resolve that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for items 21, 22, 23 & 24 on the grounds that they involve the likely disclosure of exempt information as defined in sections 100(A) (2) and (3) or Paragraph 1 of Schedule 12A of the Act*
- 21 Inshore Vessel Monitoring System project - *CEO*
- 22 Operation Blake update - *CEO*
- 23 Fishing industry correspondence - *CEO*
- 24 Consideration of WFO applications – *Senior IFCO (Regulation)*

Information items

- 25 Quarterly progress against Annual Priorities – *CEO*
- 26 Marine Protection quarterly reports – *Senior IFCO (Regulation)*
- 27 Marine Science Quarterly Reports – *Senior MSO's*
- 28 Association of IFCA update – *CEO*

Any other business

- 29 To consider any other items, which the Chairman is of the opinion are Matters of Urgency by reason of special circumstances, which must be specified in advance.

J. Gregory
Chief Executive Officer
16th April 2018

31st Eastern IFCA Meeting

"Eastern IFCA will lead, champion and manage a sustainable marine environment and inshore fisheries, by successfully securing the right balance between social, environmental and economic benefits to ensure healthy seas, sustainable fisheries and a viable industry".



A meeting of the Eastern IFCA took place at The Green Britain Centre, Turbine Way, Swaffham, on 31st January 2018 at 1030 hours.

Members Present:

Cllr T Goldson	(Chair)	Suffolk County Council
Cllr Paul Skinner	(Vice Chair)	Lincolnshire County Council
Shane Bagley		MMO Appointee
Stephen Bolt		MMO Appointee
Roy Brewster		MMO Appointee
Cllr M Chenery of Horsburgh		Norfolk County Council
Cllr M Vigo di Gallidoro		Suffolk County Council
Paul Garnett		MMO Appointee
Charlie Moffat		Natural England Representative
Keith Shaul		MMO Appointee
Rob Spray		MMO Appointee
Steven Williamson		MMO Appointee
Stephen Worrall		MMO Appointee

Eastern IFCA (EIFCA) Officers Present:

Andrew Bakewell	Head of Finance and HR
Luke Godwin	Staff Officer
Julian Gregory	Chief Executive Officer (CEO) & Clerk
Samantha Hormbrey	Marine Science Officer
Ron Jessop	Senior Marine Science Officer
Elise Quinn	Marine Science Officer

Minute Taker:

Jodi Hammond

EIFCA18/01 Item 1: Welcome by the Clerk

The Chairman welcomed members to the meeting.

EIFCA8/02 Item 2: Apologies for Absence

Apologies for Absence were received from: Cllr Coupland (LCC), and Messrs Davies (MMO Appointee), Morgan (MMO Appointee) and Ms Dixon-Lack (MMO Representative).

EIFCA18/03 Item 3: Declarations of Members Interest

In addition to the Declarations already Mr Williamson advised there was an interest in Items 12, 13, 16, 18 & 19 on the agenda.

The Chair also advised he knew a lay holder but not in a fishing capacity.

IFCO Godwin advised there had been an issue regarding declaration of a business which Mr Brewster had been affiliated with however this business had now been dissolved therefore the issue no longer existed.

At this point the CEO advised there was an urgent item to be discussed as AOB but it would be considered under the Resolution to exclude the public.

EIFCA18/04 Item 4: Minutes of the 30th EIFCA Meeting, held on 25th October 2017

Members Resolved these were a correct record of the proceedings.

Proposed: Cllr Skinner

Seconded: Mr Worrall

All Agreed

EIFCA18/05 Item 5: Matters Arising

EIFCA17/65: The CEO advised members that the Annual Report had now been published and shared with Defra.

EIFCA17/66: Progress on work regarding MPAs had been updated in the Business Plan.

EIFCA17/67: MPA Byelaw was still with Defra

EIFCA17/69: the Vessel Procurement project had been started although other workstreams had taken priority. A third party was being sourced to manage the project.

REVISED MANAGEMENT PLAN/POLICIES: only the cost recovery element had moved forward which would be discussed later in the agenda. Other issues would go out to consultation during the year.

EIFCA17/77: it was agreed in principle to go down the route of IVMS, consultation was ongoing with Defra regarding a Statutory Instrument which would apply to all vessels. The CEO advised the industry would be contacted prior to regulation being in place. It was anticipated the units and installation would be covered by EMFF funding. There would be a choice of three manufacturers for the industry to choose from.

Mr Williamson advised there would still be a monthly operating cost for the industry to meet as well as an annual licence fee. The CEO did not believe IVMS required an annual licence, and it was his understanding the cost would be about £10 per month.

EIFCA18/06 Item 6: Health & Safety Risks

Two incidents had occurred during the previous quarter.

Following a blockage in the cooling system onboard Three Counties the engine room filled with smoke which activated the smoke alarm. The problem was rapidly identified and rectified. During the incident all crew members followed the correct fire procedures.

The second incident involved an officer banging, and bruising, his knee whilst onboard Sebastian Terrelinck. Due to the narrow opening there was no action that could be taken other than to advise caution.

NCC Health and Safety Team review the H&S Management system which EIFCA follow. Minor amendments had been made.

Members Agreed to Note the report.

EIFCA18/07 Item 7: Finance & Personnel sub-committees held on 17th January 2018

Members were advised the main items for discussion were the provisional budget for 2018/2019 and the preliminary forecast and expenditure for the following 5 years.

HR matters included discussion on the successful recruitment to the post of Head of Operations, and the progress of the disciplinary action which was being dealt with by Nplaw.

Two officers had also passed their probationary periods and the posts were confirmed on a permanent basis. One of them had subsequently had her dissertation paper for her Masters published, for which she was formally congratulated.

Members Agreed to note the content of the report.

EIFCA18/08 Item 8: Provisional budget for 2018/2019 and provisional forecast for 2018/2023

Members were advised the paper set out the anticipated budget requirements for the coming year. Of note was the 2% salary increase, which was largely affected by changes to the national living wage, as well as working with a full complement of staff following successful recruitment campaigns. Levies were to be increased by 2%. The affect this 2% increase would have on local authorities was between £8,000 and £10,000.

Having considered the paper Members Resolved to:

Approve the Budget for the period 1st April 2018 to 31st March 2019, and to

Note the Provisional Forecast of Estimates for the period 1st April 2019 to 31st March 2023.

Proposed: Dr Bolt

Seconded: Mr Spray

All Agreed

EIFCA18/09 Item 9: Payments made and monies received during the period October 2017 to January 2018

As expected the most significant outgoing was the payment for salaries & wages additionally there had been an asset replacement following the Sonde becoming ineffective and the discovery that the particular model was obsolete.

Members Agreed to note the content of the report.

EIFCA18/10 Item 10: Quarterly Management Accounts

This report represented Actual Expenditure figures compared to expected figures at this point.

There was an underspend in salaries and wages due to vacancies, and a saving was showing on vessel costs however this could soon be taken up by an engine fault.

There was also an outstanding asset purchase as the new RIB, which was partly being funded through a grant, leaving £40,000 to be paid by the Authority was expected to be delivered in the coming month. Allowance for this and the outstanding IT support payment had been made in the forecast.

Members Agreed to note the content of the report.

EIFCA18/11 Item 11: Electric Pulse Fishing

Members were advised that Cefas were unable to provide the expected presentation regarding the effects of electric pulse fishing in the District, due to unforeseen circumstances.

The CEO gave a brief background into the method of fishing, which essentially applies to fishing for demersal species. It was noted this method of trawling is very different to that employed by shrimp fishermen. The method of fishing is traditionally associated with high levels of bycatch and has raised concerns, with regard to the damage it may be causing to the seabed.

This method of fishing currently remains banned by EU Regulations, however the Netherlands took advantage of a loophole which allows 10% of the fleet to use the method for

experimental purposes, consequently the method is being used with the 6-12nm zone in the EIFCA District, which is causing concern. Following a debate by the EU parliament there was a vote in favour of upholding the ban on electric pulse trawling.

The paper was included to make sure members were aware of the situation. In order to be fully informed Mr Spray requested the CEFAS presentation be taken to the next Authority Meeting.

Members discussed the situation and it was evident there was concern about the use of electric pulse trawling within the district particularly as there were reports of grounds being left bare and fish being left with broken backs, burns or other adverse effects. There was also concern about the effect it was having on other marine species including microscopic organisms in the water, which are effectively the start of the food chain. Members felt action needed to be taken.

Members Resolved to :
Request that Dr Bolt raise the subject at the next Association of IFCA's meeting, &
The CEO would draft a letter from EIFCA to Defra, expressing concerns about local Electric Pulse Trawling.
Proposed: Mr Williamson
Seconded: Mr Shaul
All Agreed

EIFCA18/12 Item 12: Mussel Fishery 2018

The Senior Marine Science Officer presented a summary of the survey results which formed the background to the paper.

It was noted that with the exception of the Gat Sand there were signs of the stock increasing. Signs of mortality were not high but this could be due to previous poor spatfalls, The Senior MSO felt that once the 2016 stock reached three years in age there may be signs of significant mortality.

The stock levels were insufficient to support a harvestable fishery, however, there were sufficient juvenile stocks to support a seed mussel fishery to restock the lays. The suggested TAC for this being 1500 tonnes.

Members were also advised that the small fishery on Welland Bank, which by virtue of its position is very hard to strip bare, remained open by default, the CEO suggested this remained open.

Members discussed certain elements of the survey work, and whether or not it would be beneficial to open the Gat Sand to allow

some of the older barnacle encrusted mussels to be removed in the hope of promoting new growth. However, the Senior MSO felt the historic data or this bed suggested there was some other reason why there had been no mussel settlement in recent years. It was noted there had been a settlement of cockles on the sand so it may be prudent to leave the sand to support the cockle fishery.

Further discussion followed into historical die off of fisheries and the potential that a mussel bed has a lifespan after which it no longer attracts mussel.

Having considered the papers Ms Moffatt advised that subject to the HRA and Natural England advice, she could not see any major issues, obviously advice would be provided once the HRA had been received.

Members Resolved to:

Note the results of the 2017 Autumn surveys as set out in the paper,

Agree to open a re-laying fishery for the 2018 season with a maximum TAC of 1,350 tonnes for the dredge fishery and 150 tonnes for the hand-worked fishery,

Agree to open the beds identified in the table at Figure 4 to the 2018 relaying fishery with the maximum exploitation rates for each beds as set out in that table and the Blackshore beds being hand-worked only.

Proposed: Mr Worrall

Seconded: Cllr Chenery of Horsbrugh

All Agreed

Having agreed to open a seed relaying fishery the management measures were then considered. Members were advised that any agreed licence conditions would be subject to change as a result of the HRA. The CEO also advised that consultation had yet to take place with the industry regarding Management Measures.

Members discussed the proposed management measures including dredges and what had to be certified about them, whether the seed had to be contained in bags, boxes or bins, and whether there was a derogation on maximum dredge size to clear the mud off the lays. The CEO agreed to investigate further whether previously the dredge size had been varied to clear mud.

Proposed policies were also discussed involving size of mussels and catch restrictions.

Members Resolved to:

Agree that the operating times for a dredge fishery are determined according to the following principles:

- **Tide per day**
- **On tides of 6.8 metres or above**
- **On no more than 4 consecutive days per week**

Agree to delegate to the CEO in consultation with the Chair and Vice-Chair, the authority to open the dredge and hand-worked fisheries at appropriate dates and times following consultation with the industry.

Agree that the dredge and hand-worked relaying fisheries will close on 31st August 2018 or when the respective quotas are exhausted, whichever is the sooner.

Agree to delegate to the CEO, in consultation with the Chair and Vice-Chair, the authority to close the dredge and/or hand-worked relaying fisheries if it is judged necessary for the protection of the Marine Protected Area or for fisheries management purpose including the protection of the sustainability of the fishery.

Agree in principle to implement the Licence conditions as set out in Appendix 2 and 3 pending consultation with Licence Holders and Natural England.

Agree to delegate to the CEO, in consultation with the Chair and Vice-Chair, the authority to introduce, vary or revoke management measures and licence conditions in the following circumstances.

- **Following the aforementioned consultation with Licence Holders and Natural England; or**
- **Where if it is judged necessary for the protection of the Marine Protected Area or for fisheries management purposes including the protection of the sustainability of the fishery.**

Agree to implement the enforcement policy in relation to WFO Regulation 2 as set out in Appendix 4 to allow fishers to store mussel in vessel holds for the purpose of relaying mussels onto WFO Lays within The Wash.

Agree to implement the enforcement policy as set out in Appendix 5 to allow Licence Holders to remove mussel below the minimum size set out in WFO Regulation 8 for the purpose of the relaying fishery.

Proposed: Cllr Skinner
Seconded: Mr Worrall
All Agreed

EIFCA18/13 Item 13 – WFO 1992 Licence Fees

Members were reminded that previously, in February 2016, a decision had been made to enhance cost recovery via an increase in the price of the WFO licence fee. Consultation had taken place, with limited feedback.

It had since been realised that not all ancillary costs had been taken into account, or the fact that hand worked and dredge fisheries attracted different licence fees, there was therefore a need to reconsider proposals.

In addition, there was a query with regard to the propagation fund which had been established whilst the Authority was previously a Sea Fisheries Committee. Legal advice had been sought and it was established this fund now fell under the IFCA guidelines and could therefore be used to mitigate the cost recovery issues, although advice would still need to be sought from Defra before the full fund could be transferred to a general fund rather than propagation.

The CEO advised there was slight mitigation with the potential opening of a dredge relaying fishery as these licence fees would offset some of the costs.

It was questioned whether in the long-term vessels being fitted with IVMS would be cost saving in terms of enforcement, however, the CEO advised that whilst it would indicate a vessels' location it would not provide information regarding tonnage being landed, or damage to sands so it would still be necessary to have an enforcement presence. IVMS would allow enforcement to be more effective and more efficient.

Mr Williamson felt cost recovery should not come just from the industry, he felt it should come from the bodies who were constantly asking EIFCA to do more and more work. He felt bodies asking for information should be asked to pay for it.

The CEO advised that the requirement for cost recovery was becoming ever more evident and advised that there was a shift towards the MMO having this as their entire income source.

Mr Shaul questioned why the fishermen appeared to be the only ones being asked to pay up, to which the CEO advised this was partially why currently only 50% of the cost was looking to be recovered.

Ms Moffatt advised NE were not able to charge for Statutory Advice but they could charge for discretionary advice services.

Members discussed the position and expectations of various bodies and it was felt that Dr Bolt should take this matter up at the Association of IFCAs.

Mr Shaul remained unhappy about merging the propagation and administration elements of the fund and suggested it could be put to better use for educational purposes.

The CEO accepted the idea of education was important but advised that currently this fund could not be used for such a purpose, and the idea of merging would mitigate against an increase in licence fees.

Members Resolved to:

Note the amended costs associated with WFO fisheries management.

Agree to merge the propagation and administration elements of the fee with effect from April 2018.

Agree to postpone the incremental increase of WFO Licence Fees until April 2019.

Direct officers to undertake further review of potential mechanisms for achieving 50% cost recovery.

Proposed: Mr Worrall

Seconded: Dr Bolt

All Agreed with the exception of Mr Shaul who abstained in respect of amalgamating the propagation and administration funds.

EIFCA18/14 Item 14 – Association of IFCA Update

The paper provided members with an update on the progress being made towards collaborative working with the MMO. Dr Bolt advised that it was very much 'blue sky thinking' post Brexit, the original driver for joint working had been costs, however there was now thought going into how things should look in the future.

Dr Bolt advised that currently IFCAs support local decision making and local advisory panels, the Association were pushing for that model to continue but he felt there was likely to be change post Brexit.

Members were also advised that Devon & Severn IFCA had resigned from the Association and intended to deal directly with Defra, Dr Bolt advised the Association would try to encourage them back.

Members Agreed to note the report.

EIFCA18/15 Item 15 – EU Exit Update

Members were provided with background information setting out the possible scenarios for the fishing industry post Brexit.

Whilst it was not possible to predict the future it seemed highly likely there could be a requirement for EIFCA regulations to be extended out to 12nms. Whilst there may be no agreement for EU vessels to fish within the 6–12 nm belt it was possible there would be agreement for grandfather rights to enable continued fishing in this area.

Members Resolved to;

Note the content of the report

Agree to support the request from Defra and the Association of IFCAs policy statement on EU Exit.

Proposed: Mr Worrall

Seconded: Councillor Chenery of Horbrugh

All Agreed.

EIFCA18/16 Item 16: Cockle fishery 2017 update

Members were reminded that survey results indicated the 2017 fishery would potentially be a good year for those involved, consequently the daily quota had been varied from 2 tonnes per day to 3. In reality the fishery had not progressed as expected with most vessels getting a lot of small cockle and high quantities of shell.

Further investigation during the summer revealed there were some areas of extensive small cockles on the Gat Sand. It was felt some of these were in danger of being lost due to storms and the decision was taken to open some areas of the sand but close others. This decision had proved to be contentious.

There were concerns that by taking small cockle the population dynamic would be affected, although the SMSO felt that the 2017 cockle stocks could sustain this, but that it should not be ongoing.

Further investigations in November indicated areas of small cockle which could be affected by ridging out, the decision was taken to relax the code of practice to allow small cockle to be removed. This decision did not set a precedent but was considered to be an appropriate step for the particular year.

The fishery was closed on 21st December 2017. At this point the TAC had not been taken but whilst not entirely agreeing with NE regarding the HRA it was agreed that for the benefit of overwintering birds the fishery would remain closed from 21st December to 31st March. The issues with regard to overwintering birds remained an ongoing piece of work.

The CEO advised that with TAC remaining it was possible to open the fishery again at the beginning of April for a period of two weeks, prior to the annual surveys taking place, however he felt

the presence of so many small cockles suggested it would not be prudent to open it again.

It was also felt that looking forward it may be prudent to open a future fishery earlier than current meeting dates would permit, it was therefore suggested that decision making regarding Wash Fisheries could be transferred to the Marine Protected Areas sub-committee.

Mr Garnett acknowledged the fishery had had some challenges but he felt it had been a pretty good fishery. He did not believe overwintering birds were affected by fishing activity as many of them get very close to fishermen working on the sands. Nor did he think it necessary to close the fishery whilst surveys were taking place. However, on this occasion he did not think the fishery should be reopened in view of the small cockles.

The SMSO advised that by continuing to fish whilst surveys were taking place it would alter the stock basis the TAC was formed around. He also advised that whilst some birds will continue to feed on grounds that are being worked there are also the shyer species who do not, he advised that the HRA used scientific literature to help form the advice.

**Members Resolved to:
Note the content of the report**

Note the situation regarding landing small cockles.

Note the intention to address the issue of bird disturbance during prolonged periods of cold weather

Agree that the 2017 cockle fishery would not re-open prior to the 2018 cockle surveys

Agree that decision making for the 2018 cockle fishery reverts to the Marine Protected Areas sub-committee.

Proposed: Mr Worrall

Seconded: Mr Spray

All Agreed

EIFCA18/17 Item 17: Resolution

It was Resolved that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for items 18 &19 on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 12A of the Act.

Proposed: Mr Worrall

Seconded: Mr Spray

All Agreed

At this point Senior IFCO Godwin left the room

EIFCA18/1/ Item 18: Fishing Industry Correspondence

Summary in accordance with Section 100(C)(2) of the Local Government Act 1972

The CEO advised that during the previous 6 months, correspondence had been received that was critical of both the Authority and its Officers.

There were three streams of correspondence, two from the same source (Correspondent 1) and one from a separate source (Correspondent 2). The two from Correspondent 1 were written in the name of a fisherman's association and related to management of the fisheries under the Wash Fishery Order 1992 (WFO 1992) and a vote of no confidence in one of the Authority's officers. It was noted that a third source (Correspondent 3) had also written, in the name of another fisherman's association, in relation to a vote of no confidence in the same officer. The third stream, from Correspondent 2, was a quasi-legal challenge from a commercial fishing group regarding the management of the 2017 cockle fishery.

The correspondence criticising the management of the Wash fisheries appeared to have come about following a face to face meeting between Correspondent 1 and officers in relation to the 2017 cockle fishery and the Authority's decision in principle for the cockle fishery to be a default hand work only fishery.

The vote of no confidence was directed at an Officer who works diligently on behalf of the Authority under the direction of the CEO. The Officer is not the instigator of work-streams or the decision maker on substantial issues. It appeared that it was a concerted attempt to undermine the officer, there being no substance to the matters complained of.

Regarding the challenge made around the 2017 cockle fishery none of the industry members spoken to by officers had known anything about it and it appeared that Correspondent 2 had done it of their own accord without consulting the membership of their organisation. Commercial fishing Members present agreed that this was the case.

The CEO had brought these matters to the attention of the Authority to ensure transparency because, in part, they effectively criticised his leadership. He felt it important that members saw what had been written, had the opportunity to form their own views and to take any action that they felt was appropriate.

Councillor Skinner said that he thought that the CEO should be congratulated for his transparency in bringing the correspondence to the Authority. He felt it was abhorrent for a mid-ranking officer to be subjected to what could be construed as bullying. Members agreed with these points.

Members observed that historically, similar correspondence had been received from Correspondent 1 regarding management of the Wash fisheries. It was noted that the previous CEO had stopped providing detailed responses when it became apparent that it simply created continuing correspondence.

Members were advised that Correspondent 1 had requested a meeting between themselves, their MP and the Eastern IFCA Chair and CEO. This was scheduled in February 2018. A similar meeting with the MP only had taken place some 12 months previously.

The Chairman advised that he hoped that during the meeting he would be able to convey to the MP that it is the Authority who make the decisions not the CEO or Officers. He felt the Authority should support their officers and not allow this harassment.

Members discussed the nature of the correspondence from Correspondent 1, the length of time it and similar correspondence had been going on for and the apparent motives behind it. It was felt that it was not constructive and that it should be construed as being vexatious.

Regarding Correspondent 3, it was noted that a response rebutting their organisations 'vote of no confidence' had been sent and that it had not been pursued any further by Correspondent 3. Some Members observed that there had not been a vote involving all the membership of that fisherman's association.

Members were very concerned by the tone of the correspondence from Correspondent 1 and felt that there should be no further response to any similar correspondence in relation to officers or fisheries management under the WFO 1992. It was suggested that Correspondent 1 and the fisherman's organisation under whose name they wrote should be regarded as vexatious correspondents.

Members Resolved to:

Note the content of correspondence from Correspondent 1 and the fisherman's association they represent regarding management of the Wash cockle fishery under the Wash Fishery Order 1992, and responses from the CEO.

Note the content of correspondence from Correspondent 1 and Correspondent 3 and their respective fishermen's associations regarding a serving Eastern IFCA officer, and the response from the CEO and Chair.

Note the challenge to the Authority's management of the 2017 cockle fishery under the Wash Fishery Order 1992 from Correspondent 2 and the commercial fishing group that they represent, and the response from the CEO.

**Proposed: Mr Shaul
Seconded: Mr Spray
All Agreed**

Members Resolved to Agree that:

- 1. Correspondent 1 and the association they are attributed to, should be considered vexatious correspondents;**
- 2. No further correspondence will be entered regarding the Authority's officers or fisheries management under the WFO 1992;**
- 3. The meeting with the local MP should take place with only the MP present and not Correspondent 1 or any other representatives from the fishing industry.**

**Proposed: Chairman
Seconded: Mr Worrall
All Agreed**

Following these discussions Members recorded a vote of confidence in all Eastern IFCA officers and the work that they do.

Commercial fishing Members present expressed a sense of embarrassment about the 'vote of no confidence' and offered an apology, on behalf of the fishing industry, to the officer concerned.

At this point Senior IFCO Godwin returned and Mr Brewster left the room

EIFCA18/19 Item 19 – Consideration of WFO Applications

Summary in accordance with Section 100(C)(2) of the Local Government Act 1972

Members were advised there were concerns about the amount of information regarding individual businesses that was being shared with all members, particularly as some members of the Authority were also potential competitors. It was therefore proposed that such matters now be considered by the CEO along with the Chair and Vice-Chair of the Authority with a report of any

decisions being made to the full Authority at the appropriate time. This mechanism would also enable decisions to be expedited.

Members considered requests from two individuals to have licence entitlement transferred from father to son and one application for a lay to be transferred from father to son. In all instances it was felt the transfer would ensure continuity of business models.

Actual ownership of one of the vessels was questioned but the Authority could only base their decision on the paperwork which was provided to them.

Members Resolved to:

Note the investigations into each application

Agree to consider further applications under the model set in Option 1, to delegate authority to the CEO in conjunction with the Chair and vice-Chair to make decisions relating to the issue of WFO 1992 Licences.

Agree to transfer the WFO (1992) Licence (Entitlement 9, licence 110) to the current owners' son, pending receipt of evidence of the transfer of ownership of the associated vessel. (Application 1a)

Agree to transfer the WFO (1992) Shellfish Lay (TO9) to the current owners' son (Application 1b)

Agree to transfer the WFO (1992) Licence (Entitlement 37, Licence 111) to the current owners' son, pending receipt of evidence of the transfer of ownership of the associated vessel, and on the condition that the current Entitlement holder formally surrender any 'entitlement' to a further WFO Licence. (Application 2)

Proposed: Cllr Chenery of Horsbrugh

Seconded: Mr Spray

All Agreed

Mr Brewster returned to the meeting.

EIFCA18/20 Any Other Business

Summary in accordance with Section 100(C)(2) of the Local Government Act 1972

PARALYTIC SHELLFISH POISONING: The CEO advised there had been two incidents of dogs dying as a result of PSP on local beaches.

Members were advised PSP traditionally occurs in filter feeders and there was official monitoring in place to routinely check for

PSP, there had been no indication of the toxin being present so the source was unknown.

Having kept a watching brief and enquired of CEFAS what the impact was on the human food chain, as there had been concern expressed with regard to crab and lobster, EIFCA had taken the lead with regard to running/co-ordinating strategic aims, which formed the basis for a press release.

The intention being to reassure and prevent panic as well as getting a mechanism in place to keep monitoring the local area. A sampling regime was developed to include key species which could be affected as well as the species which had already died.

Members queried whether sea birds had been affected, there had been dead birds included in lists of mortality but it was not known if PSP was the cause.

Defra were being kept informed.

EICA18/21 Item 20 – General Data Protection Regulation

Members were advised that GDPR effectively introduced new requirement for Data Protection which would come into force in 2018. Officers were actively investigating both current and historic practices to confirm compliance.

Members Agreed to note the report

EIFCA18/22 Item 21 – Quarterly progress against Annual Plans

The CEO updated members on progress which had been made, he advised members the biggest issue was management of the shrimp fishery in the Wash. Constructive, healthy dialogue was ongoing with NE, and whilst EIFCA and NE may not end up in the same place he wanted it noted that officers were working through difficult, complicated and tricky stuff. It was a professional debate working constructively forward.

Mr Bagley queried whether after Brexit sites would still be designated as SAC and SSSIs etc. The CEO advised that yes this would be the case as all legislation was carried across. It was possible that in future differently designated sites may be consolidated.

Members Agreed to note the report.

EIFCA18/23 Item 22 – Marine Protection quarterly reports

Members Agreed to note the content of the report.

EIFCA18/24 Item 23 – Marine Science Quarterly Reports

Members Agreed to note the content of the report.

There being no other business the meeting closed at 1335 hours.

Vision

The Eastern Inshore Fisheries and Conservation Authority will lead, champion and manage a sustainable marine environment and inshore fisheries, by successfully securing the right balance between social, environmental and economic benefits to ensure healthy seas, sustainable fisheries and a viable industry



Action Item 7

32nd Eastern Inshore Fisheries and Conservation Authority meeting

25th April 2018

Health and Safety update

Report by: Jon Butler, Head of Operations

Purpose of report

The purpose of this report is to update members on health and safety activity, risks and associated mitigation over the last reporting period

Recommendations

It is recommended that members:

- **Note** the contents of this report

Background

H&S law requires employers to assess and manage risks and, so far as is reasonably practicable, ensure the health, safety and welfare of all of its employees and others affected by workplace activities.

The Authority has declared its intent to promote and nurture an appropriate health and safety culture throughout the organisation.

Incidents

The following table summarises the incidents that have occurred from January to March 2018:

Date	Nature of incident	Injury / damage occurred	RIDDOR Y/N	Investigation complete Y/N	Name of investigating Officer	Follow-up action required Y/N. If Y then what?
12/01/18	Smoke in engine room	No injury	N	Y	Lee Torrice	N
15/01/18	Smoke in Engine Room	No injury	N	Y	Lee Torrice	N
23/03/18	Empty boat trailer fell of moving vehicle	No injury, no damage	N		Luke Godwin	Ensure trailers are maintained, appropriately equipped and records kept. Drivers of towing vehicles are familiar with correct operations of different trailers in use.

Risks

The project to develop a full suite of current risk assessments for all routine activity undertaken by employees, as reported last period, is well underway. Officers have completed the majority of the key assessments, which have been quality reviewed by our H&S partner at Norfolk County Council. Our H&S partner is planning to review two further operations including pot hauling and boarding vessels. A date is to be arranged for this to be carried out shortly.

Members would wish to be aware of the H & S risks at *Appendix 1*.

Eastern IFCA Health and Safety risks

Risk	Intervention	Residual Risk	Risk rating* (Current)	Risk rating* (Previous)
Failure to develop a full suite of risk assessments to cover the range of activity undertaken by Eastern IFCA officers	<ul style="list-style-type: none"> • Introduction of revised management system (policies and process) • Managers tasked to review and develop the suite of risk assessments • Training session on risk assessments for first line managers 	<ul style="list-style-type: none"> • New or unusual activities may be overlooked and not have a risk assessment in place 	Treat	Treat
Unreported incidents/unilateral decisions with little regard for safe working practices.	<ul style="list-style-type: none"> • Leadership • NCC H&S officer led review of policy and procedure • Training • Equipment • Management systems to capture incidents • Routine agenda items at all meetings at all levels of Authority 	<ul style="list-style-type: none"> • Injury to personnel as a result of failure to acknowledge or adhere to H&S direction and guidance 	Treat	Treat
Inappropriate conduct of vessels at sea	<ul style="list-style-type: none"> • Leadership • Briefings • Formal training and assessment • Periodic review of performance • Record of personal training inc. refreshers maintained 	<ul style="list-style-type: none"> • Death/injury of personnel/third parties through un-seamanlike operation of vessels at sea 	Treat	Treat
Whole Body Vibration	<ul style="list-style-type: none"> • Risk awareness training to manage impacts. 	<ul style="list-style-type: none"> • Personal injury from boat movement owing 	Treat	Treat

	<ul style="list-style-type: none"> Health monitoring process to be developed. 	to lower resilience as a result of individual physiology		
Lone working operations	<ul style="list-style-type: none"> Management scrutiny of any proposal for lone working. Introduction of electronic support means 	<ul style="list-style-type: none"> Failure of devices to give requisite support. Personnel interventions render devices unreliable or unworkable. 	Tolerate	Tolerate
Staff injury/long term absence through inappropriate posture at office work stations	<ul style="list-style-type: none"> Information. Training. Risk assessment. Provision of suitable bespoke equipment where reasonable. Access to NCC H&S team. Occupational health assessment KLWNBC H&S specialist advice 	<ul style="list-style-type: none"> Individual failure to adhere to guidance 	Tolerate	Tolerate
Staff stress through exposure to unacceptable behaviour of stakeholders	<ul style="list-style-type: none"> Introduction of Unacceptable Behaviour policy Stakeholder engagement plan and activity delivered in pursuit of corporate communications strategy. Dialogue with Stakeholders to ensure 	<ul style="list-style-type: none"> No change in behaviour of some stakeholders. Long term sickness caused by stakeholder hostility 	Tolerate	Tolerate

	<p>appropriate tone of communications</p> <ul style="list-style-type: none"> • Conflict resolution training for “front line” Officers 			
<p>Damage to vehicles, trailers and/or equipment through inappropriate operation.</p>	<ul style="list-style-type: none"> • Formal trailer training for unqualified officers • Refreshers for those with previous experience • Periodic vehicle maintenance checks training • In-house assessment for drivers using unfamiliar vehicles (crew transport, 4x4) 	<ul style="list-style-type: none"> • Failure to adhere to training • Mechanical failure of vehicle or trailer 	Treat	Tolerate
<p>Physical fitness of personnel to undertake arduous duty</p>	<ul style="list-style-type: none"> • Staff briefing • Management overview to ensure rostered duties are appropriate and achievable • Reasonable work adjustments • Routine periodic medical assessment (ML5) 	<ul style="list-style-type: none"> • Individual health fragilities • Individual lifestyle choice 	Tolerate	Tolerate

*

Risk Rating
High
Medium
Low

Risk Treatment	
Treat	Take positive action to mitigate risk
Tolerate	Acknowledge and actively monitor risk
Terminate	Risk no longer considered to be material to Eastern IFCA business
Transfer	Risk is outside Eastern IFCA ability to treat and is transferred to higher/external level

Vision

The Eastern Inshore Fisheries and Conservation Authority will lead, champion and manage a sustainable marine environment and inshore fisheries, by successfully securing the right balance between social, environmental and economic benefits to ensure healthy seas, sustainable fisheries and a viable industry



Action Item 8

32nd Eastern Inshore Fisheries and Conservation Authority meeting

25th April 2018

Review of Eastern Inshore Fisheries and Conservation Authority (IFCA) Constitution and Standing Orders

Report by: J. Gregory, CEO

Purpose of report

The purpose of this report is to report the outcome of the annual review of the Eastern IFCA constitution.

Recommendations

It is recommended that members:

- **Agree** to the proposed changes to the Constitution and Standing Orders

Background

Eastern IFCA adopted the current Constitution and Standing Orders on 31 October 2012 with a requirement for it to be reviewed annually. The Constitution and Standing Orders represent the embodiment of the requirement for the Authority to ensure that it has sound governance.

Report

A full review of the Constitution has been carried out with the assistance of NpLaw and proposed changes to the document are shown at Appendix A.

NpLaw have advised that there have not been any recent changes to public law governance and constitutional rules which would be applicable to EIFCA conduct and operations.

Financial implications

There are no immediate financial implications to making the required amendments to the document and the activity will be accommodated within existing staff resource. There will be charges for the assistance and advice drawn from NpLaw which will be reflected in due course in the quarterly accounts. Failure to update the Constitution may introduce legal and thereby financial risk.

Legal implications

It is a legal requirement for the Authority to keep abreast of revised legislation for the operation and conduct of public business. Failure to do so will introduce legal risk.

Conclusion

The Constitution and Standing Orders as adopted remain fit for purpose and require only the adjustments listed. The Clerk will continue to hold them under review and will bring any future changes to the Authority meeting in April annually unless there is a pressing need to make changes more urgently.

Appendices

Appendix A – Proposed changes to the Constitution and Standing Orders

Background documents

Eastern IFCA Constitution and Standing Orders

Appendix A

Chapter/para No.	Existing text	Proposed text	Rationale
Chapter 4, CEO delegations table item 16	Receiving and investigating complaints against non-elected members of the Authority and making recommendations to the appointing body. Referring complaints against elected members to the relevant county council Monitoring Officer.	Receiving and investigating complaints against non-elected members of the Authority (including instigating investigations into apparent breaches of the Code of Conduct and/or Terms and Conditions of Appointment for non-elected members) and making recommendations to the appointing body. Referring complaints against elected members to the relevant County Council Monitoring Officer.	Provide clarity on the role of the CEO / Clerk in dealing with possible breaches of the Code of Conduct and/or Terms and Conditions of Appointment for non-elected members i.e. ability to instigate investigations in the absence of a complaint from a third party

Vision

The Eastern Inshore Fisheries and Conservation Authority will lead, champion and manage a sustainable marine environment and inshore fisheries, by successfully securing the right balance between social, environmental and economic benefits to ensure healthy seas, sustainable fisheries and a viable industry



Action Item 9

32nd Eastern Inshore Fisheries and Conservation Authority meeting

25th April 2018

Report by: Julian Gregory, CEO

Meeting of the Planning and Communications Sub-Committee

Purpose of report

The purpose of this paper is to update members on the Planning and Communication sub-committee (P&C S-C) meeting held on 14th March 2018.

Recommendations

Members are asked to:

- **Note** the content of the report

Report

The P&C sub-committee met on 14th March to transact the following business:

- Consider the 2018 Strategic Assessment
- Approve the Business Plan 2018-2023

Outcomes

2018 Strategic Assessment

An annual assessment of Eastern IFCA fisheries is undertaken each year. The Strategic Assessment is used to identify the highest risk elements of all the fisheries in the district, including fisheries sustainability and viability and environmental impacts.

This assessment was introduced in 2014 and each iteration of the assessment has been subject to update and development to ensure outputs are relevant and take into account all the available evidence.

The Strategic Assessment draws on a data driven analysis (the initial assessment) and contextual knowledge of officers (the contextual assessment) to objectively identify potential work-streams and assign a priority based on the risk. This is used to inform the annual priorities set out in the rolling five-year Business Plan.

For the first-time industry viability was a contextual criterion this year and the outputs of the Community Voice Project were included for a second year.

The Strategic Assessment 2018 and associated priorities for the year were approved.

Business Plan 2018-23

The rolling five-year Business Plan provides the strategic framework within which Eastern IFCA operates and describes our ability to deliver against our vision and priorities. This is demonstrated by setting out factors such as effective leadership arrangements; the strength of the team in terms of experience, qualifications and skills; being appropriately equipped; operating effectively and; effective financial management.

The plan provides the strategic framework within which Eastern IFCA operates and describes our ability to deliver against our vision and priorities. This is demonstrated by setting out factors such as effective leadership arrangements; the strength of the team in terms of experience, qualifications and skills; being appropriately equipped; operating effectively and; effective financial management.

An important element of this approach is to demonstrate that the work of Eastern IFCA as an investment in the local marine environment and to develop a narrative that would lead contributing authorities to view funding in that context rather than simply being another demand on hard pressed finances.

The plan shows a clear linkage to Defra's vision and strategy and to the 25-year Environment Plan because, although IFCAs are not Defra bodies, they do deliver into the Defra remit and understanding the link demonstrates the wider awareness of Eastern IFCA. The Business Plan also incorporates the new Success Criterion and High-Level Objectives, which will guide the work of Eastern IFCA during the next four to five years.

The Communications and Engagement element of the plan has been substantially revised this year and is now predicated on the outputs of the Community Voice Project.

The Business Plan 2018-23, including the priorities and plans for 2018-19, was agreed by the sub-committee.

The overall priorities, and critical work streams for 2018-19 together with supplementary priorities can be found at Appendix A.

Appendices

Appendix A – Business Plan 2018-23 priorities, critical work streams and secondary priorities

Background Papers

- Strategic Assessment 2018
- Eastern IFCA Business Plan 2018-2023
- Unconfirmed minutes of the Planning and Communications sub-committee held on 14th March 2018

Appendix A

Eastern IFCA Priorities 2018-19

The table below sets out the work-streams which were identified as of high priority by the Strategic Assessment 2018. Whilst some will be completed within year the complexities involved, particularly where regulation is required, mean that some are intended to roll into 2019-20 and possibly beyond. Furthermore, some priorities for 2018-19 reflect priorities which have rolled over from previous years.

In addition, each work-stream has been assigned a supplementary priority. Where resource limitations call for work-streams to be re-prioritised, these are used to inform which work should be the focus of available resources.

	Priority
1. To ensure that the conservation objectives of Marine Protected Areas in the district are furthered by:	
a) Delivering fisheries management measures for the 'Red Risk' designated features in the Inner Dowsing, Race Bank and North Ridge SCI, and the Haisborough, Hammond & Winterton SCI (continued from 2017-18);	High
b) Delivering fisheries management measures for 'Amber and Green' designated features within European Marine Sites (EMS) including shrimp management in the Wash and North Norfolk Coast SAC (continued from 2017-18) and completion of 'Amber and Green' HRA suite;	High
c) Assessing the impact of fishing activities on the Cromer Shoal Chalk Beds tranche 2 Marine Conservation Zone and delivering management measures (if required).	High
d) Developing monitoring and control plans for highest risk MPAs as identified in the Strategic Assessment 2017;	Medium
e) Delivering mitigation to the risk of 'food availability' in the Wash and North Norfolk Coast SAC in relation to private aquaculture;	Medium

f) Introduction of measures to mitigate the risk of damage to the Wash and North Norfolk Coast SAC from 'unmanaged' bivalve fishing activity <u>if required</u> ;	High
g) Undertake gap analysis and initial assessment of fishing impacts within newly designated MPAs including the Harbour Porpoise candidate SAC (southern North Sea), the Greater Wash potential SPA and the extension to the Outer Thames Estuary SPA;	Low
2. To ensure that sea fisheries resources are exploited sustainably and in accordance with MSFD requirements by:	
a) Developing fishery sustainability management measures for the brown shrimp fishery in conjunction with priority 1(b) above (continued from 2016-17);	Medium
b) Developing fisheries management measures for crab and lobster (continued from 2016-17);	High
c) Monitor fisheries management of bass in the context of European and national fisheries management measures and contribute to the development of Bass Nursery Areas;	Low
d) Investigate the cause of mussel mortality within The Wash	Medium
3. To ensure that the marine environment is protected from the effect of exploitation by:	
a) Reviewing district wide bio-security measures including risk assessment of invasive, non-native species (roll over from 2017-18);	High
4. To develop management of the fisheries regulated under the WFO 1992 by:	
a) Reviewing the Wash Fishery Order (1992) policy notes (roll over from 2017-18);	High
b) Delivering updated Fisheries Management Plan, updated Regulations and partial cost recovery	High

'Business as Usual' – Critical Work-streams 2018-19

The Strategic Assessment 2018 indicates where risks in relation to a fishery or species are mitigated because of established work streams. The cessation of such work streams has the potential to increase risk associated with a fishery. Such identified work streams are set out below to provide context for the identified 'new' priorities identified through the Strategic Assessment.

Wash Fishery Order Surveys

Annual surveys of cockle and mussel stocks within The Wash are a significant undertaking. These surveys do however, provide a level of fisheries evidence which is not reflected in any other fishery within the district. The associated fisheries and their impact upon a heavily designated MPA are considered a low risk primarily because of our understanding of stock dynamics but also because of the mechanism in place for managing the fisheries (WFO 1992 and its associated tools, such as the Fisheries Management Plan etc.).

Whelk Management and Research

The risk associated with the Whelk fisheries was identified as being high by the 2015 Strategic Assessment. Subsequent development of management measures has significantly reduced the risk associated with the fishery.

Data collection and research projects associated with stock assessments are ongoing and are established work streams intended to continue over time. Work relating to the size at maturity (to inform an appropriate minimum landing size) and analysis of effort and landings data (to inform the appropriate number of pots per vessel) is required to mitigate residual risk associated with the fishery.

Crab and Lobster Research

Analysis of Monthly Shellfish Activity Reports (MSAR) data in relation to crustacean management is undertaken routinely. This data is augmented by 'bio-sampling' data which is also routinely collected by officers in the field. Whilst the current dataset relating to this requires development (as highlighted in the Strategic Assessment 2017) the continuation of the established processes is needed to prevent risk from increasing.

Database Maintenance and Development

Additional fisheries data forms have been issued over the past few years and the associated data entry burden has increased. Suitable databases are required to mitigate the cost in time of entering data and subsequent analysis. Further data is required going forward, not least

in relation to electronic monitoring devices. New systems will need to be developed which can store and analyse this new source of data including the logistics of obtaining it from partner organisations (e.g. the MMO).

Risk of Conflicts with Marine Users

The Strategic Assessment 2018 focusses on sustainability issues which are within Eastern IFCA's envelope of influence. Other marine users also compete for space and resource within the marine environment and such activity is increasing over time (the Southern North Sea being particularly important for offshore renewable energy and aggregate extraction industries). Marine Plans have been in place for the East Inshore and Offshore waters since 2014, and provide a framework for developers and regulators to consider ongoing activities and future opportunities. Eastern IFCA considers its own fisheries management decisions, and activities undertaken by other marine users, within the context of the Marine Plans.

Eastern IFCA is a primary advisor within the MMO's Marine Licencing System, and provides expert advice on fisheries and marine ecology on Marine Licence applications, as well as to help inform the Planning Inspectorate's determinations on significant infrastructure projects. Eastern IFCA's position as local fisheries managers enables potential conflicts between development and fisheries sustainability to be highlighted and ideally mitigated during early planning stages.

Enforcement

Enforcement activity is primarily driven through the Compliance Risk Register (an annual assessment of risk of non-compliance) and Tactical Coordinating Group meetings (which also considers intelligence and emerging issues). It is also influenced by the outputs of the Strategic Assessment as this identifies the fisheries most at risk of sustainability issues (and by extension, those potentially most vulnerable to negative impacts through non-compliance).

Authority Business

In addition to work relating to furthering the objectives of the IFCA, a significant resource is spent on general Authority business including preparation for meetings, community engagement and training.

Supplementary Priorities 2018-19

Given the finite resources available to the organisation it is necessary to prioritise work-streams. As such items that might be worthy of action but are of a lower priority will not be identified for action during a financial year. They may, though, receive attention if resources permit and may receive a higher priority in subsequent years, subject to the annual Strategic Assessment. These are referred to as secondary priorities and those identified by the Strategic Assessment 2018 are listed below.

1. Obtaining better fisheries data
 - a) Continue dialogue with MMO in relation to development of under 10m vessel reporting
 - b) Development of relationship with RSA to obtain more fisheries data
 - c) Further develop the mechanism to obtain voluntary data from commercial fishers
 - d) Continue dialogue with MMO and other partner organisations to develop 'joined-up' approach to gathering fisheries data from fishers in light of possible changes to important commercial species (reduced ability to depend on Bass and Cod).
 - e) Develop shrimp returns data in consultation with industry
 - f) Implementation of iVMS for all fisheries
2. Delivering fisheries management in relation to private fisheries in MPAs where necessary (e.g. private fishery in The Wash).
 - a) Undertake a gap analysis of available evidence in relation to private fisheries, collate required data, assess fisheries and develop management as required
3. Delivering fisheries management in relation to fisheries in MPAs where necessary
 - a) Complete HRAs in relation to 'unplanned' fisheries (e.g. sub-tidal seed mussel fisheries)

4. To ensure that sea fisheries resources are exploited sustainably and in accordance with MSFD requirements
 - a) Re-assess need to deliver 'unregulated netting' in the context of bass nursery areas
 - b) Review the Humber estuary cockle byelaw (inherited from North Eastern Sea Fisheries Committee)

Vision

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Action Item 11

32nd Eastern Inshore Fisheries and Conservation Authority meeting

Report by: Andrew Bakewell – Head of Finance & HR

Payments made and monies received during the period 1st January 2018 to 31st March 2018

Recommendations

Members are asked to:

Note the content of the paper

Background

It is an audit requirement that the Authority's receipts and payments are presented to Members on a quarterly basis. However due to the timing of the meeting only the receipts are available to the end of March, payments will continue to be processed for inclusion in the year end accounts.

The report on Payments made to date and monies received during the period 1st January to 31st March is attached.

The payments have been made in accordance with EIFCA's Financial Regulations and the necessary processes and approvals have been carried out.

Background documents

There are no background documents to this paper

Notes

Finance Officer's Report on Payments Made and Monies Received during the period
1st January 2018 to 31st March 2018

Payments made during the period 1st January 2018 to 31st March 2018

	Month 10	Month 11	Month 12	TOTAL
	£	£	£	£
Transfers to EIFCA Salaries Acct.	75,000.00	80,000.00	80,000.00	235,000.00
Rent, Rates & Service Charges	1,815.82	7,857.85	3,133.46	12,807.13
General Establishment	3,879.76	5,638.37	4,756.87	14,275.00
Legal Fees	56.00	19.80	1,000.00	1,075.80
Staff Travelling & Subsistence	871.53	2,520.58	2,365.02	5,757.13
Members' Allowances	196.60		313.46	510.06
Training	495.00	694.00	975.00	2,164.00
Moorings/Harbour Dues		50.00	3,130.79	3,180.79
Pisces III Operating Costs				
Three Counties Operating Costs	1,357.97	2,969.27	25,000.00	29,327.24
FPV JA & ST –Operating Costs	384.94	284.96	10,291.93	10,961.83
Vehicle Operating Costs	611.34	1,248.21	11,652.80	13,512.35
Communication and Development				
Research and Environment	1,086.03	164.75	1,250.00	2,500.78
Enforcement	96.04	2,066.42	1,447.33	3,609.79
Wash & Nth Norf. EMS Project	96.24	873.57		969.81
Wash Fishery Order		2,859.02		2,859.02
Assets	46,497.28	15,774.08		62,271.36
Bank charges	13.60	16.60	17.50	47.70
Petty Cash			200.00	200.00
VAT recoverable (Quarter)	10,907.29	7,070.46	3,843.14	21,820.89
TOTAL PAYMENTS MADE	143,365.44	130,107.94	149,377.30	422,850.68

Monies received during the period January 2018 to March 2018

	Month 10	Month 11	Month 12	TOTAL
	£	£	£	£
Levies		459,224.00	543,491.00	1,002,715.00
VAT			11,206.59	11,206.59
WFO – Licences				
WFO – Tolls				
Whelk licences	250.00	600.00	2,510.00	3,360.00
Wash & North Norfolk Coast EMS	2,700.00			2,700.00
Insurance excess		250.00		250.00
Fixed Penalty Fine				
EHO sampling				
Bank bonus	4.08	4.98	5.50	14.56
Miscellaneous		693.51		693.51
TOTAL MONIES RECEIVED	2,954.08	460,772.49	557,213.09	1,020,939.66

Details on larger payments

Purchase of new RIB (Seaspray) £59,370

Storage container Lowestoft £2,500.

Vision

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Action Item 12

32nd Eastern Inshore Fisheries and Conservation Authority meeting

25th April 2018

Report by: Andrew Bakewell – Head of Finance & HR

Report on the Management Accounts for the fourth quarter of the 2017/18 financial year

Purpose of report

To set out the Quarterly Management Accounts for members to note.

Recommendations:

Members are asked to:

- **Note** the Management Accounts

Detailed below are the management accounts for the fourth quarter of the 2017/18 financial year. Actual spend is compared with the budget with explanations of the significant variances provided.

Salaries – were £92k below budget as a result of recruitment delays, reduction in compliment (Hd of HR) and vacancy management.

General Expenditure – was £18k over budget mainly as a result of training to reinforce skippering skills and upskill new recruits. Insurance overspend relates to advance premiums for 18/19 of c.£4k

Operational areas (Communications, Enforcement and Marine Science) savings from reduced comms activity

Vessels- underspend is provisional at this stage pending final invoices for TC refit and JA engine repairs.

Vehicles – overspend reflects the extra vehicles retained for the busy season

The underspend of £163k excludes the asset purchases detailed below:

Vehicle replacements	40,700
Seaspray funding	59,370 this will be reduced by £35,000 EMFF
Sonde	11,753
Other £2.5k	6,016 IT equipment £3k, storage container

Estimated final movement in reserve for the year + £100k.

Management Accounts Financial Year 2017/2018

	ACTUAL	BUDGET	MEMO
	Year to Date	Year to	Budget
	Qtr 4	Date	For Year
	£	Qtr 4	£
	£	£	£
<u>SALARIES & WAGES</u>			
Staff Remuneration	689,425	757,803	757,803
Pension	144,898	161,058	161,058
National Insurance	69,197	76,542	76,542
TOTAL	903,520	995,403	995,403
<u>GENERAL EXPEND</u>			
Accommodation	60,140	64,255	64,255
Insurance	12,545	7,000	7,000
General Establishment	98,606	97,780	97,780
Officers' Expenses	18,473	16,250	16,250
Members' Travel	1,015	4,250	4,250
Training	28,994	12,000	12,000
TOTAL	219,773	201,535	201,535
Develop& Comms	357	4,000	4,000
Enforcement	16,783	17,500	17,500
Research & Environ	5,888	8,000	8,000
<u>VESSELS</u>			
Moorings/Harbour Dues	5,478	5,500	5,500
<u>Vessel Operating Costs</u>			
Three Counties	70,779	94,250	94,250
FPVs JA & ST	25,956	45,500	45,500
Pisces (inc hire)		10,500	10,500
TOTAL	102,213	155,750	155,750
<u>VEHICLES</u>			
Operating Costs	26,635	24,500	24,500
TOTAL	26,635	24,500	24,500
TOTAL EXPENDITURE	1,275,169	1,406,558	1,406,558
<u>INCOME</u>			
Bank Interest	42	10,000	10,000
Levies	1,391,070	1,391,070	1,391,070
WFO Licence Tolls	17,610	20,000	20,000
Whelk licences	2,850	6,500	6,500
Sale of assets	2,840	6,000	6,000
Fixed Penalties & costs	8,330	1,500	1,500
Surveys	4,000	4,000	4,000
EHO sampling	8,600	8,000	8,000
Lay rents	2,939	4,000	4,000
TOTAL INCOME	1,438,281	1,451,070	1,451,070
Reserve movement	163,112	44,512	44,512

Vision

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Action Item 13

32nd Eastern Inshore Fisheries and Conservation Authority meeting

25th April 2018

Report by: Andrew Bakewell, Head of Finance and HR

Payment of expenses to MMO appointees

Purpose of report

The purpose of this report is to make recommendations on the payment of expenses to members.

Recommendations

Members are recommended to:

Approve the payment of expenses to MMO appointees for a further year.

Background

It is considered advantageous to encourage a wide and diverse membership of the Authority, the modest cost of reimbursing out of pocket expenses is thought to be instrumental in achieving meaningful and constructive meetings. The budget for the coming year is £3,500 with actual expenditure for the year 2017/18 of £2015.

Comment and recommendations

The authority being mindful of its' financial duties will, whilst recognising the cost to the individual, continue to assess the affordability of the payment of expenses as standing orders require.

Expenditure at current levels is comfortably sustainable from existing funds without compromising achievement of the authority's targets.

Financial implications

The recommendation has no effect on the 2018/19 budget.

Proposal: That the authority resolves to continue payment of expenses until the next review at the equivalent meeting in 2019.

Vision

The Eastern Inshore Fisheries and Conservation Authority will lead, champion and manage a sustainable marine environment and inshore fisheries, by successfully securing the right balance between social, environmental and economic benefits to ensure healthy seas, sustainable fisheries and a viable industry



Action Item 14

32nd Eastern Inshore Fisheries and Conservation Authority meeting

25th April 2018

Wash Fishery Order 1992 Regulations

Report by: L. Godwin, Senior IFCO (Regulation)

Purpose of report

The purpose of this report is to report the outcome of the consultation regarding proposed WFO Regulations.

Recommendations

It is recommended that members:

- **Note** the responses to the consultation
- **Agree** to delegate to the CEO the authority to make minor amendments to the wording of the Regulations in line with legal advice including from Defra, which do not change the intended effects of the Regulations
- **Direct** Officers to submit the Regulations to the Minister for confirmation

Background

On the 15th February 2017 Members agreed to make new Wash Fishery Order (WFO) 1992 Regulations and directed officers to formally consult the industry.

The proposed Regulations reflected primarily administrative changes to the current regulations and 'new' regulations were primarily based on restrictions which had been in place as licence conditions for a number of years. The most significant proposal was in relation to the requirement for fishers to have on board inshore Vessel Monitoring System (iVMS).

Report

Amendments made to Regulations made 15th February 2018

The original proposal included wording for a requirement that vessels have a functioning iVMS onboard and it was highlighted that the wording of such would likely be subject to change.

Subsequently, a form or words has been consented in a separate IFCA's byelaw relating to the use of iVMS. This has been adapted for use in the WFO Regulations and represents a more final form of the wording. However, given that the requirements for iVMS are still relatively novel, there is the potential that the wording requires some minor amendments.

Some minor amendments have been made throughout although not to change the intended effects of the byelaw or its impact on the industry. The associated impact assessment has also been revised with the main amendment beings in relation to the newest template for the assessment. None of the impacts identified have changed.

The full proposed Regulations are set out in Appendix 1. The associated impact assessment is set out in Appendix 2.

Consultation

The formal consultation regarding the new Regulations started on the 13th March 2018 and ended on the 10th April 2018. It was intended that the consultation would be held after dialogue with Natural England regarding the 25-year WFO Habitats Regulations Assessment (HRA). This was to ensure that any issues raised by Natural England could be reflected in the Regulations before the consultation. Other workstreams, namely the shrimp fishing assessment, have however taken priority and as such the 25-year WFO HRA has not been progressed. So as not to delay the implementation of the proposed regulations, it was decided not to wait for the 25-year WFO HRA. If any 'new' or amended regulations are required in relation to that work they can be considered at a later date.

Response to the consultation was very limited with only 1 written and 1 verbal response received. This is likely a reflection of the primarily administrative nature of the changes to the current regulations. In addition, Eastern IFCA has been in dialogue with the industry for more than two years about iVMS and its implementation and as such, many will have been aware of this direction of travel.

iVMS costs

Both responses raised concerns about the ongoing running cost of iVMS. The concern was that the suppliers could increase costs in the future which would impact on smaller business models in particular.

Whilst the potential for increases to occur is acknowledged, it is unlikely to increase to the extent that there are impacts on business continuity. Such price increases may, for example, be in relation to fluctuations in the consumer price index. The current cost for iVMS is considered nominal (circa £100 to £150 per annum) and based on mobile phone telephony, the costs of which have been reducing over recent years. In addition, the market for iVMS is open to competition in as much as there are three companies to choose from. As such, market forces will likely keep the running costs down as no one company will have a monopoly.

iVMS on smaller vessels

One response raised a concern that some smaller vessels will not be able to operate iVMS as the vessels do not have an electrical system.

It is understood that none of the vessels within the 2017 cockle fishery are without electrical systems. One vessel without an electrical system is thought to have held a licence which expired in 2016.

The iVMS system is not capable of working on a vessel without an electrical system or power. The national project, including the pathfinder project, is investigating mechanisms to enable its use on such vessels and Eastern IFCA is participating in the pilot of solar powered iVMS units.

Southern IFCA are intending to explore the use of iVMS on unpowered vessels and other options are being explored.

Summary of the consultation

The main concerns raised relate to iVMS and have both been considered within the Impact Assessment for the measures. Costs associated with iVMS will represent an additional burden on fishers however, the actual financial burden is considered to be nominal.

Financial implications

The proposal to require iVMS for WFO vessels includes a funding stream for the cost of the iVMS unit and its installation. This is the subject of a separate paper (Action Item 17 Inshore Vessel Monitoring System project).

There is a cost associated with having obtained legal advice from Andrew Jackson Solicitors although this is considered to be nominal.

Save for the above, there are no financial implications identified.

Legal implications

Unlike in the case of IFCA Byelaws, the WFO Regulations are not quality assured by MMO colleagues. As such, Eastern IFCA has been in dialogue with our independent legal advisors, Andrew Jackson Solicitors to provide advice on the wording and legality of the Regulations.

Officers are awaiting formal advice from Andrew Jackson Solicitors but do not anticipate having to make significant changes. There is the potential that minor changes to the wording will be required but which have no effect on the impacts or the intended effects of the byelaw. As such, it is recommended that the CEO is delegated Authority to make such minor amendments in line with legal advice.

It is worth noting that Defra do not provide informal QA of Regulations, but it is likely that the Defra legal team will review the Regulations to inform a Ministerial decision. Minor changes may be required resultant of this consideration. It is therefore recommended also that the CEO is delegated authority to make any

such minor amendments to wording which do not change the intended effects of the byelaw.

Conclusion

Eastern IFCA has formally consulted on new WFO Regulations. The proposed regulations have not taken into account any of the conclusions of the long-term HRA for associated fisheries as this work has been delayed. Should the HRA indicate additional requirements these can be incorporated at a later date.

Responses to the consultation were limited although this is thought to be a reflection of the primarily administrative nature of the consultation. The concerns raised have related to the use of iVMS but are considered to have been mitigated through the planning of the iVMS project.

Eastern IFCA is awaiting formal legal advice from Andrew Jackson Solicitors and Defra's legal team may provide a view on the wording of the byelaw. Should minor changes be required to gain the consent of the Minister, it is recommended that the CEO is delegated authority to make such amendments as required which do not alter the intended effect of the byelaw.

Appendices

1. Proposed WFO Regulations
2. Impact Assessment for proposed WFO Regulations

Background documents

27th EIFCA Meeting (15/02/2017): Action Item 14c – WFO Regulations

Appendix 1 Item 14



Eastern Inshore Fisheries and Conservation Authority

Wash Fishery Order 1992

Wash Fishery Order 1992 Regulations

The Authority for the Eastern Inshore Fisheries and Conservation District in exercise of its powers under Article 7 of the Wash Fishery Order 1992 under the Sea Fisheries (Shellfish) Act 1967, as amended, has made the following regulations;

1. Interpretation

In these Regulations:

- 1) “the Order” means the Wash Fishery Order 1992;
- 2) “Regulated Fishery” means a fishery undertaken under the authority of a licence issued under Article 8(1) of the Order;
- 3) “Several Fishery” means fishing under the authority of a lease granted under Article 6(1) of the Order;
- 4) “prescribed species” means any of the species specified in the Wash Fishery Order 1992 as prescribed species.
- 5) “cockle” means any bivalve mollusc belonging to the genus *Cerastoderma*;
- 6) “mussel” means any of the species belonging to the genus *Mytilus*;

- 7) “harvestable mussel fishery” means a mussel fishery, the licence conditions for which, allow for mussels fished for, taken or removed from the fishery to be sold directly to a market;
- 8) “relaying mussel fishery” means a mussel fishery, the licence conditions for which do not allow mussels to be sold directly to market but instead, must be relayed for the purpose of aquaculture;
- 9) “licence” means a licence granted under Article 8(1) of Order;
- 10) “bottom-towed-gear” means any fishing gear designed to be towed, dragged or pushed through the water whilst in contact with the seabed;
- 11) “prop-washing” means the practice of turning a vessel in tight circles to aid the fishing of cockles;
- 12) “remotely accessed electronic reporting device” means one of the following devices that transmits the required information;
 - a) Blue Tracker I-VMS manufactured by AST Marine Services;
 - b) SC2 manufactured by Succorfish;
 - c) Watching Man Pro manufactured by Marine Instruments S.A;
 - d) VMS+ manufactured by AST Marine Services
- 13) “required information” means the following information;
 - a) a report flag to indicate that the report is the result of the Authority’s requirements and is not made under EU regulations;
 - b) the most recent geographical position of the fishing vessel to 5 decimal places (in WGS84);
 - c) date and time (in UTC) of the fixing of the most recent position;
 - d) the instant speed and course of the vessel (equivalent to 0.1 knots and course expressed in degrees (true not magnetic) to 0.1 degree) at the time of the report;
 - e) the unique serial number of transmitting device;

- f) a status code;
- g) a Geofence reference number.

2. Application

The following Regulations apply to persons fishing under the authority of a licence.

3. Bottom-towed-gear restrictions

- 1) A person must not fish for, take or remove from the fishery any of the prescribed species using bottom-towed-gear unless a written certificate of approval for that bottom-towed-gear has been provided by the Authority in accordance with Regulation 4.
- 2) A person must not fish for, take or remove from the fishery, cockles using;
 - a) more than one instrument of bottom-towed-gear; or
 - b) a hydraulic suction dredge with an aggregate dredge head width of more than 76cm.
- 3) Without written authorisation from the Authority, a person must not fish for, take or remove from the fishery, mussels using a mussel dredge with an inside opening of more than one meter in width.
- 4) A person must not fish for, take or remove from the fishery any of the prescribed species other than cockles using more than two instruments of bottom-towed-gear.

4. Bottom-towed-gear - Approval

- 1) A provisional certificate of approval may be issued which will be valid for one month.
- 2) A full certificate of approval may be issued, which will be valid until 31 December following the date the certification is issued, where bottom-towed-gear meets the following conditions:
 - a) The bottom-towed-gear does not result in more than 10% by weight of the target species being visibly damaged;
 - b) The Authority has been advised by scientists who appear to them to be suitably qualified that the

bottom-towed-gear does not cause unacceptable damage to habitats or species;

- c) Bottom-towed-gear and associated catch sorting equipment is of a specification required by the Authority for reasons relating to fisheries management or are pursuant of meeting 4(1)(a) and 4(1)(b) above.
- 3) For the purpose of this regulation, an organism is considered visibly damaged when on examination it is seen that there are visible cracks, chips or there is other damage to the shell. The damage rate will be determined using representative samples of shellfish retained and rejected by the operation of the bottom-towed-gear.

5. Vessel restrictions

- 1) A person must not use a vessel exceeding 14 meters in overall length to fish for, take or remove from the fishery any of the prescribed species unless authorised by the Authority in accordance with sub-paragraph 2.
- 2) The Authority may exempt vessels from sub-paragraph 1 where evidence is provided that the owner or skipper of the vessel has used the vessel to fish for, take or remove from the fishery any of the prescribed species from within the Regulated Fishery prior to the date of the advertisement of the Order.
- 3) Exemption in accordance with sub-paragraph 2 shall cease if the vessel changes ownership.

6. Vessel Monitoring System

- 1) A person must not use a vessel to fish for, take or remove from the fishery any of the prescribed species, enter the area of the Wash Fishery Order 1992 or leave a port within the area of the Wash Fishery Order 1992 unless a fully functioning, remotely accessed electronic reporting device is on board the vessel at all times and where the required information is transmitted every ten minutes.
- 2) If the remotely accessed electronic reporting device installed pursuant to sub-paragraph 1 (above), has failed to transmit the required information, for whatever reason, a person must;

- a) if at sea, immediately cease fishing and immediately return to port or leave the area of the Wash Fishery Order 1992;
 - b) if at port or outside the area of the Wash Fishery order 1992, remain there.
- 3) Where a remotely accessed electronic reporting device has been repaired or replaced the Licence Holder, Nominated Representative or Nominated deputy must provide a copy of the engineer's report to the Authority confirming that the equipment is fully operational before;
- a) leaving port;
 - b) entering the area of the Wash Fishery Order 1992; or
 - c) fishing for, taking or removing from the fishery any of the prescribed species.

7. Use of tenders

- 1) A person must not use a tender to a vessel unless:
- a) fishing for, taking or removing from the fishery mussels or cockles;
 - b) all catch placed on the tender is placed on the licenced vessel to which it is associated at the earliest opportunity;
 - c) the tender is six metres in overall length or less; and
 - d) the tender has an outboard engine with a power of ten horsepower or less.
- 2) A person must not use more than one tender or a tender which has an inboard engine.

8. Sorting of catch

Any material rejected through the sorting of catch of any of the prescribed species must be returned immediately to the sea or seabed, as nearly as possible to the place from which it was taken and spread thinly and evenly over that area.

9. Daily catch restrictions (cockles)

- 1) A person must not, in any one calendar day, fish for, take (save for doing so with the intention of riddling or otherwise sorting catch in accordance with regulation 8) or remove from the fishery more than the maximum weight of cockles specified in the licence conditions by hand.
- 2) A person must not, in any one calendar day, fish for or take (save for doing so with the intention of riddling or otherwise sorting catch in accordance with regulation 8) or remove from the fishery more than 4000 kilograms of cockles by dredge.
- 3) For the purpose of determining the weight of catch no allowance will be given for the weight of any containers or sand or other material.
- 4) A person must not fish for, take or remove from the fishery any cockles by hand if, during the same calendar day, that person has fished for, taken or removed any cockles by dredge.
- 5) A person must not fish for, take or remove from the fishery any cockles by dredge if, during the same calendar day, that person has fished for, taken or removed any cockles by hand.

10. Daily catch restrictions (mussels)

- 1) A person must not, in any one calendar day, fish for or take (save for doing so with the intention of riddling or otherwise sorting catch in accordance with regulation 8) or remove from the fishery:
 - a) More than 4000 kilograms of mussels during a harvestable mussel fishery; or
 - b) More than 8000 kilograms of mussels during a relaying mussel fishery.
- 2) For the purpose of determining the weight of catch no allowance will be given for the weight of any containers or sand or other material.
- 3) A person must not fish for, take or remove from the fishery any mussels from a harvestable mussel fishery if, during the same calendar day, that person has fished for, taken or removed from the fishery mussels from a relaying mussel fishery.
- 4) A person must not fish for, take or remove from the fishery any mussels from a relaying mussel fishery if, during the same

calendar day, that person has fished for, taken or removed from the fishery mussels from a harvestable mussel fishery.

11. Mussels (*Mytilus edulis*) minimum size

- 1) A person must not remove from the boundary of the Wash Fishery Order 1992 any mussel (*Mytilus edulis*) from within the Regulated Fishery which are less than 45mm in length but must return such immediately to the sea in accordance with sub-paragraph 2 (below) unless they are being fished for, taken or removed as part of a relaying mussel fishery.
- 2) Mussels and any material arising from the sorting of mussels must be returned immediately to the sea or seabed, as nearly as possible to the place from which it was taken and spread thinly and evenly over that area.

12. Seed movement

Without prejudice to the Article 12 of the Wash Fishery Order 1992, a person must not transport any shellfish under an authorisation granted by said article by road unless an application for such is completed which will require the following information:

- a) Destination of the shellfish; and
- b) The date of the proposed transport.

13. Weekly catch returns

An accurately completed weekly catch return form, supplied by Eastern IFCA, must be returned for each week of fishing, to Eastern IFCA offices by no later than Friday of the calendar week following any fishing activity.

14. Transshipping prohibition

A person must not tranship or otherwise relocate any of the prescribed species, or containers of any description containing any of the prescribed species, fished from the Regulated Fishery from one vessel to another unless moving catch from a tender to its associated vessel or vice versa.

15. Requirement to land (cockles)

- 1) A person fishing for cockles must:
 - a) take any cockles fished for from the Regulated fishery straight to port;

- b) land such cockles immediately; and
 - c) not leave cockles on the sand or deposited in the water in bags or any other container for later collection.
- 2) A person must not land cockles fished for from the Regulated fishery on more than one occasion during one calendar day.

16. Dual fishing prohibition

- 1) A person must not fish for, take or remove from the fishery any of the prescribed species from the Regulated Fishery on the same calendar day as fishing for, taking or removing from the fishery the same prescribed species from outside of the Regulated Fishery or from a Several Fishery.
- 2) A person must not have on board any bottom-towed-gear which could be used to fish for, take or remove from the fishery any of the prescribed species when fishing for, taking or removing from the fishery any of the prescribed species from a hand-work fishery.

17. Standard bags

A person must not land mussels or cockles fished from the Regulated Fishery unless such are contained in a bag which must:

- a) be of the following dimensions:
 - i. 120 centimetres or 60 centimetres in height;
 - ii. 97 centimetres in depth;
 - iii. 97 centimetres in width: and
- b) have the words 'Wash Fishery Order' written on at least two sides with lettering which is at least 10 centimetres tall.

18. Prop-washing

- 1) A person fishing for cockles must not:
 - a) use an anchor which affixes the vessel to the bottom of the seabed during the practice of prop-washing;
 - b) conduct prop-washing in such a manner as to cause more than one ring to be formed in the seabed;

- 2) A person must spread any cockles dislodged from prop-washing thinly and evenly over the ground, as nearly as possible to the area from which they were dislodged before leaving the bed.

Title: Wash Fishery Order 1992 Regulations IA No: EIFCA004 RPC Reference No: Lead department or agency: Eastern Inshore Fisheries and Conservation Authority Other departments or agencies:	Impact Assessment (IA)			
	Date: 13/03/2018			
	Stage: Development/Options			
	Source of intervention: Domestic			
	Type of measure: Other			
Contact for enquiries: Julian Gregory - CEO Eastern IFCA (01553 775321)				
Summary: Intervention and Options				RPC Opinion: Not Applicable

Cost of Preferred (or more likely) Option				
Total Net Present Value	Business Net Present Value	Net cost to business per year (EANDCB in 2014 prices)	One-In, Three-Out	Business Impact Target Status
£-66,710	£-66,710	£7,376	Not applicable	To be determined

What is the problem under consideration? Why is government intervention necessary?
 Eastern IFCA manages certain shellfish fisheries within The Wash through the Wash Fishery Order 1992 which enables EIFCA to implement regulations. The Regulations require amendments to ensure that the wording reflects modern legislative standards and to address the gaps identified. The Wash is one of the most heavily designated conservation sites in the UK and managing shellfish fisheries therein requires regulation to prevent damage to designated features. In addition, the cockle fishery is worth £1.15 million (first sale value) on average per annum with several local businesses dependant on the fishery. Regulation is required to prevent environmental and economic impacts as a result of market failures.

What are the policy objectives and the intended effects?
 Objectives: To manage long-term, sustainable shellfish fisheries within The Wash which do not have an impact on site integrity (in relation to the protected status of the site). To gather fisheries data to inform management decisions and contribute to the effective enforcement of WFO management measures.
 Intended effects: to remake regulations considered appropriate using wording which is transparent and understandable. All vessels operating within the fishery will have an electronic monitoring device to enable monitoring of activity within the fishery. To implement primarily administrative restrictions which reduce the risk of over-fishing, habitat damage and non-compliance with other regulations.

What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base)
 Option 0. Do nothing.
 Option 1. Wash Fishery Order Regulations
 The preferred option is option 1 – The proposed Regulations reflect modern legislative practices and improved clarity. The proposed Regulations also include measures which has previously been implemented as licence conditions and which are necessary to reduce the risk to site integrity (of the associated marine protected area) and fisheries sustainability.

Will the policy be reviewed? It will not be reviewed. If applicable, set review date: Month/Year				
Does implementation go beyond minimum EU requirements?			N/A	
Are any of these organisations in scope?			Micro Yes	Small Yes
			Medium Yes	Large Yes
What is the CO ₂ equivalent change in greenhouse gas emissions? (Million tonnes CO ₂ equivalent)			Traded: N/A	Non-traded: N/A

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

Signed by the responsible Chief Executive: _____ Date: _____

Summary: Analysis & Evidence

Policy Option 1

Description:

FULL ECONOMIC ASSESSMENT

Price Base Year	PV Base Year	Time Period Years	Net Benefit (Present Value (PV)) (£m)			
			Low: 0.0	High: 0.0	Best Estimate: 0.0	
COSTS (£m)	Total Transition (Constant Price) Years		Average Annual (excl. Transition) (Constant Price)		Total Cost (Present Value)	
Low	0.0		£6,200		£53,368	
High	0.0		£9,300		£85,152	
Best Estimate	0.0		£7,750		£66,710	
Description and scale of key monetised costs by 'main affected groups'						
The monetised costs relate to the running costs (i.e. the cost of the device sending reports) associated with electronic monitoring devices. Installation of units (inshore vessel monitoring system) for vessels less than 12m in overall length will be funded through a European Maritime and Fisheries Fund. Other vessels are required to devices fitted already. The scale of this cost is considered minimal in relation to the potential income generated from the fishery.						
Other key non-monetised costs by 'main affected groups'						
There are potentially costs associated with the requirement to sort catch over the area that it was taken although these are considered to be minimal.						
BENEFITS (£m)	Total Transition (Constant Price) Years		Average Annual (excl. Transition) (Constant Price)		Total Benefit (Present Value)	
Low	Unkown		Unkown		Unkown	
High	Unkown		Unkown		Unkown	
Best Estimate	n/a		n/a		n/a	
Description and scale of key monetised benefits by 'main affected groups'						
None identified						
Other key non-monetised benefits by 'main affected groups'						
Non-monetised benefits relate to the use of data generated from the use of electronic monitoring devices. This will help inform management measures of future fisheries and enable Eastern IFCA to use more intricate management measures (particularly in relation to the size of closed areas) to the benefit of the industry. With the exception of electronic monitoring devices, the proposed regulations are similar to existing regulations or licence conditions but re-worded so as to improve clarity.						
Key assumptions/sensitivities/risks					Discount rate	3.5%
The majority of the proposed Regulations reflect a re-wording of extant restrictions and the effect of the measures will not have changed. There is limited risk associated with the new proposed Regulations as they primarily reflect restrictions which have been introduced as Licence Conditions or are an expected behaviour as set out in the code of conduct for the Cockle Fishery. Costs associated with the 'air time' of electronic monitoring devices may be subject to change.						

BUSINESS ASSESSMENT (Option 1)

Direct impact on business (Equivalent Annual) £m:			Score for Business Impact Target (qualifying provisions only) £m:
Costs: 7,376	Benefits: 0.0	Net: -7,376	

Evidence Base

Problem under consideration

The Wash Fishery Order 1992 enables Eastern IFCA to introduce Regulations for managing certain shellfish fisheries within the Wash. Shellfish fisheries within The Wash are of national importance and is a designated Marine Protected Area (Wash and North Norfolk Coast Special Area of Conservation, The Wash Special Protection Area). Regulations are used, in addition to the licence conditions, to ensure that fishing is sustainable and does not have a significant impact on site integrity.

In recent years, the cockle fishery has been the dominant fishery generating an average first sale value of £1.15 million over the period 2010 to 2015 (inclusive – Marine Management Organisation landings data) and the recent 2016/17 fishery is estimated to have had a first sale value worth of £4 million (although this was an exceptional year).

In addition, three businesses within Eastern IFCA's district process the shellfish from these fisheries providing an important tertiary economic benefit in terms of related full-time jobs (engineers, factory workers, secretaries etc.).

The Wash shellfish fisheries have changed markedly since the introduction of the WFO. Cockle fisheries are more dynamic and have been affected by high levels of mortality and high levels of stock. New enforcement related issues have arisen which were not present or did not present as high a risk when the Order was first introduced which are currently addressed through the annual Licence Conditions as a temporary measure whilst new Regulations were developed. In addition, the wording of the regulations is archaic and lack transparency or clarity.

Rationale for intervention

New regulation is required to reflect the changes in shellfish fisheries and to provide a more consistent set of measures which also reflect modern legislative practices and increased transparency for those affected. Regulation is also required to require vessels to use electronic monitoring devices.

Policy objective

The policy objectives are as follows:

1. To ensure long-term, sustainable shellfish fisheries within The Wash;
2. To ensure fishing activity does not have a significant impact on site integrity within the MPA;
3. To gather fisheries data to better inform management measures and aid enforcement of WFO measures;
4. To provide management which is transparent and clear.

The intended effects of the measures (which represent additional requirements from the original measures) are as follows:

1. To dynamically set daily catch restrictions in relation to hand-work cockles fisheries to better reflect the needs of any given fishery;
2. To require vessels to use an electronic monitoring device;
3. To require fishers to return and material rejected as a result of sorting, as nearly as possible to where they were taken;
4. To provide weekly catch data,
5. To prohibit transshipping of cockles gathered by hand;
6. To require fishers to land cockles as soon as possible and not leave cockles on the sands or in rivers for later collection;
7. To prohibit fishing in any other fishery within the same calendar day as having fished within a WFO fishery;
8. To require fishers to use a bag of a specified description to land shellfish;
9. To prohibit the methods of 'prop-washing' which are likely to damage the environment;
10. To increase compliance with measures through increased transparency of measures.

Description of options considered (including status-quo);

Option 0 (do nothing) – Status Quo

The do-nothing option would not provide an appropriate regulatory framework in the context of contemporary Wash Fishery Order fisheries and would fail to provide appropriate transparency of the requirements placed on fishers.

Option 1 (preferred option) – Proposed amendments to Wash Fishery Order Regulations

New Wash Fishery Order 1992 Regulations are introduced which reflect modern legislative standards, are clear and transparent and reflect the needs of the fishery in the context of its presence in a heavily designated marine protected area.

Monetised and non-monetised costs and benefits

Costs have only been considered for Option 1.

Proposed Regulations which reflect only a change in the wording of existing Regulations, rather than a change in their effect are not considered

in this analysis as their inclusion in the current proposal does not represent an additional impact. This is the case for proposed regulations 3, 4, 5, 7, 10, 11, and 12.

Additional restrictions within the proposed Regulations have been assessed below.

Electronic monitoring devices (proposed Regulation 6)

iVMS and VMS+ installation costs – Eastern IFCA intends to implement the requirement to install iVMS alongside a funding bid to cover the cost of iVMS installation. It is intended that the cost of requiring additional units will be mitigated entirely through a combination of EMFF funding and Eastern IFCA funding support. The ‘low’, ‘high’ and ‘best’ estimate for this requirement (transitional cost) is therefore £0.

Vessels over 12m in length will not require installation of electronic monitoring devices under this regulation as VMS+ devices are already required by the MMO.

iVMS and VMS+ reporting costs – The cost of reporting via iVMS is currently commercially sensitive therefore costs are estimated based on VMS+ billing rates using the General Packet Radio Service (GPRS). A VMS+ report is currently charged at £0.02 but can also be paid for as part of a monthly or yearly contract which could reduce the associated costs. Informal dialogue with the MMO has indicated that the annual cost of a subscription is between £100 and £150. The ‘low’ estimate of this cost takes into account all 62 potential licence holder paying £100 per annum for the subscription (£6,200 per year) and the ‘high’ cost is based on all vessel having a £150 per annum subscription (£9,300 per year). The ‘best’ estimate is the average between the ‘high’ and ‘low’ estimates which is £7,750.

Sorting of catch (proposed Regulation 8)

There is unlikely to be a cost associated with this measure. The Regulation may require vessels to spend more time sorting catch over the area which had been fished instead of doing so whilst steaming home, which will potentially have a low cost in terms of the fisher’s time (and potentially a knock-on effect to wages based on an hourly rate). Many fishers already undertake the sorting of catch as prescribed above and the requirement is a reflection of a licence condition which has been in place for two consecutive fisheries (2016 and 2017 fisheries).

However, this Regulation is considered an important measure in relation to preventing the spread of any diseases found on particular shellfish beds. The Wash cockle fisheries currently suffer high levels of mortality (known as ‘atypical mortality’), the cause of which is not confirmed. The effects of

this mortality are currently limited to certain areas within The Wash but could spread throughout without suitable biosecurity measures.

Whilst the benefits of the measure cannot be accurately reflected in monetary value, prevention of the spread of 'atypical mortality' reduces the likelihood of economic losses through large scale mortality events.

Daily Catch restrictions: cockles (proposed Regulation 9)

The proposed Regulation reflects the original restriction which restricts the amount of cockle which can be landed in each calendar day except that it does not specify the amount allowed. This is proposed as a 'flexible' Regulation to allow the daily catch restriction to be varied to best reflect the needs of each fishery and ultimately in-line with the Wash Fishery Order Management Plan (which is presently in draft).

Weekly catch returns (proposed Regulation 13)

This is already an established requirement on fishers which has previously been reflected as a licence condition. Whilst there is a burden on fishers time in completing such, Eastern IFCA does provide pre-paid envelopes to mitigate the cost of postage.

The fishery is managed through a 'total allowable catch' – the removal of which is monitored through the analysis of data provided by the fishers. Accurate and timely catch returns are therefore crucial to the management of the fishery. However, compliance with this measure is relatively poor and the inclusion of this measure as a Regulation rather than a licence condition increases the deterrent to non-compliance as it will have a higher associated 'penalty level' (and higher associated fines for non-compliance).

Transshipping prohibition, requirement to land (cockles) and dual fishing prohibition (proposed Regulations 14, 15 and 16 respectively)

No costs are anticipated with these proposed regulations which are primarily 'administrative' in their nature. In addition, these regulations were also implemented as licence conditions in previous years.

Standard Bags (proposed Regulation 17)

There is a cost associated with the procurement of 'bags' of the required specification however, this is already an established requirement on fishers which has previously been reflected as a licence condition.

Prop washing (proposed Regulation 18)

No additional costs are anticipated as a result of this Regulation as it effectively 'relaxes' the original regulation which prohibited 'prop-washing' using any equipment. This enables fishers to employ a fishing method which is more effective and less time-consuming than 'traditional' hand-

raking alone. As such it is likely to have a beneficial economic impact although this cannot be accurately reflected as a monetary value.

Rationale and evidence that justify the level of analysis used in the IA (proportionality approach)

The proposed Regulations reflect primarily administrative changes or requirements which are already in place through different mechanisms and the scale of the costs associated with the use of electronic monitoring devices are considered to be low.

Risks and assumptions

The majority of the proposed Regulations reflect only a re-wording of extant Regulations and the effect will not have changed. There is limited risk associated with the new proposed Regulations as they primarily reflect restrictions which have been introduced as Licence conditions or are an expected behaviour as set out in the code of conduct for the Cockle Fishery.

Costs associated with the 'air time' of electronic monitoring devices is subject to change at the discretion of the service provider.

Summary and preferred option with description of implementation plan

A review of the Wash Fishery Order (1992) Regulations required amending. The intended effects of the amendments are to provide additional clarity to fishers through use of plain English and to incorporate the lessons learnt from recent, contemporary fisheries. Requiring vessels to use an electronic monitoring device will be of benefit to the fishery as it will provide additional information to better inform management measures.

The proposed Regulations are unlikely to have a significant economic impact on fishers given that i) the majority of the Regulations reflect only a re-wording of the originals and ii) 'new' regulations reflect measures which have been introduced either as licence conditions or are an expected behaviour of the Code of Conduct (cockle fishery). In addition, the cost associated with the requirement to have an electronic monitoring device will be mitigated through the use of EMFF funding and ongoing costs are considered to be low.

Vision

The Eastern Inshore Fisheries and Conservation Authority will lead, champion and manage a sustainable marine environment and inshore fisheries, by successfully securing the right balance between social, environmental and economic benefits to ensure healthy seas, sustainable fisheries and a viable industry



Action Item 15

32nd Eastern Inshore Fisheries and Conservation Authority meeting

25 April 2018

Wash shellfish survey methodology

Report by: R. Jessop (SMSO)

Purpose of report

The purpose of this report is to advise members of the survey regime under the Wash Fishery Order 1992 and associated costs and to seek agreement for officers to conduct a review of the cockle and mussel surveys with a view to identifying opportunities for improved cost efficiency.

Recommendations

It is recommended that members:

- **Note** the contents of the paper;
- **Direct** officers to undertake a review of the WFO cockle and mussel surveys and to report back their findings.

Background

Eastern IFCA commits significant resources to regulating the mussel and cockle fisheries within the WFO. These costs include conducting the cockle and mussel surveys, completing impact assessments and enforcing management measures - all of which are necessary to enable a fishery that takes place entirely within a heavily designated Marine Protected Area (MPA).

During 2015, officers conducted a review of the cockle survey methodology to determine if the time taken to conduct them could be shortened. Various options were presented to the members at the Full Authority meeting held on 3rd June 2015. Each option carried an associated risk and members ultimately agreed that the existing methodology should be maintained.

At the Full Authority meeting held on 15th February 2017, members agreed to achieving 50% cost recovery from the industry for regulating the WFO cockle and mussel fisheries. At the 31st Authority meeting in January 2018 it was agreed to postpone the increase in fees pending further work to refine the proposal. As there will now be a significant cost to the industry participating in these fisheries, officers propose they conduct a further review of the cockle and

mussel surveys to determine if and where costs can be reduced and to identify associated benefits and risks of doing so.

Report

Regulating the Wash Fishery Order cockle and mussel fisheries is currently estimated to cost £171,412. Of this, approximately £48,000 is used to conduct the cockle surveys (including data analysis and reporting) and £58,815 to conduct the intertidal mussel surveys. A high proportion of these costs are associated with conducting the surveys at sea, utilising the Authority's research vessel *RV Three Counties*¹.

Cockle surveys

The cockle surveys currently involve collecting samples from approximately 1,250 stations over 22 beds. Sampling is conducted using a regular grid pattern in which sample stations are either 370m x 340m apart or 280m x 340m apart. The same positions are repeated each year, providing a strong historic data set.

The data provided by the current regime provides the following information.:

- Total stock – The data are used to calculate the total stocks of adult (≥ 14 mm width) cockles, juvenile (< 14 mm width) cockles and Year-0 juvenile cockles. Because approximately 1,250 stations are used to calculate the stock, there is high confidence in the results. The Total Allowable Catch (TAC) is calculated as being 33% of the adult (≥ 14 mm width) stock.
- Stock on individual beds – The adult, juvenile and Year-0 stocks are calculated for each of the 22 beds surveyed. On the larger beds, which support 80+ sample stations, confidence is quite high. On the smaller beds, which have 23-50 stations, confidence is lower.
- Cockle distribution – Regular grid survey patterns, as used in the current surveys, are ideal for mapping stock distribution models. The resolution of these models is determined by the size of the survey grids, which in the case of our surveys are either 370m x 340m or 280m x 340m. The charts we produce show the distributions of adult, juvenile and Year-0 cockles, which can be used by the industry to highlight the best fishing opportunities, and in a conservation capacity to protect juvenile stocks. In addition to determining the accuracy of the charts, the resolution of the sampling also determines the finest resolution that can be utilised for management measures. Using our current resolution, protecting an area of Year-0 juvenile cockles that were found at a single sample location would require a closure of approximately 10 hectares. Reducing the resolution would result in larger closures, and/or the risk of missing patches of juvenile stock.
- Cockle size and age frequencies – The cockles in all of the samples are measured and aged. This provides information on size distributions of

¹ Typically, the cockle surveys involve 15 days at sea and 20 days for the mussel surveys; both at a cost of approximately £2,895/day.

cockles in each area and their ages. When coupled with the distribution information, this data can provide evidence of where the best fishing opportunities are, and also where high mortality is likely to occur through ridging-out or atypical mortality. This information can be used to help management by directing fisheries towards the better fishing opportunities and developing contingency measures to reduce mortality.

- Historic data set – By comparing annual survey data from the data set we have been able to learn a great deal of information about trends that occur with the cockle stocks. This provides useful information from which predictions can be made, including when new settlements on each bed may reach harvestable size, how well cockles grow in certain areas, and where and when they are more likely to be lost. This has been particularly important since 2008, when atypical mortality was first noticed in The Wash, because we were able to study the data set to determine where these losses were the greatest and learn a great deal about trends and dynamics of the problem. Although large losses have still occurred, this information has enabled us to make management decisions that have enabled greater exploitation to occur where losses have been predicted, both benefiting the fishery with additional TAC and reducing losses.
- Confidence in conservation advice – The data currently collected is used to inform the Habitats Regulations Assessments (HRAs) conducted for the annual cockle fisheries. This is of particular importance when providing mitigation to reduce the risk of the fishery depleting stocks below conservation target thresholds. The current survey regime collects all the data required to inform the HRA. Care would need to be taken when considering potential changes, to ensure sufficient evidence was still collected to inform the HRA process.

Mussel surveys

The Wash inter-tidal mussel surveys collect data annually from each of the inter-tidal beds (usually 19-22 beds, plus the Welland Bank). These surveys are conducted at low water on foot but accessing most of these beds requires drying the research vessel, *RV Three Counties*, near to each one. Although some of the beds are close enough to each other for two teams to survey two beds on the same day, most are too far apart to allow more than one bed to be surveyed on any one occasion. This limitation means it takes about 20 days to complete the mussel surveys.

The mussel surveys provide data on the location and extent of the mussel beds, and the mussel biomass within them. Size frequency data is also collected. Together, this information informs management decisions on the size of potential harvestable and relaying seed fisheries and which beds can be safely harvested without causing over-exploitation. As with the cockle surveys, the data from the mussel surveys also informs the HRA process and ensures the fishery does not deplete stocks below conservation target thresholds. Since 2010, the surveys have also provided evidence of a widespread die-off among younger mussels that is not attributable to fishing activity.

Risks associated with change to survey regime

In a previous review conducted in 2015, several options were considered that could reduce the length of time taken to conduct the cockle surveys. That review found the surveys could be reduced by two or three days by sampling fewer stations. However, each option carried an associated risk due to loss of information or the reduction in resolution of the sampling density.

Because the surveys and management of the fishery have developed together over the years, the current management measures at our disposal are informed by specific information which the current survey regime provides. It is likely, therefore, that any changes in survey regime that causes the loss of information would possibly also require a change in the management and regulation (for example, if the surveys could no longer chart the distribution of juvenile cockles with sufficient accuracy to satisfy conservation measures, it might be necessary to introduce a minimal landing size on cockles to offer them alternative protection).

In the context of the fishery being entirely within a heavily designated MPA it is also possible that having less information upon which to base management decisions may not be acceptable because there will be insufficient evidence to underpin them. An illustration of this is that the decisions taken in recent years to allow effective increases to the TAC may not be possible in an environment where there is a lesser understanding of stock levels on individual beds.

Potential benefits with change to survey regime

The obvious benefits to a reduction in survey activity would be cost savings for both the industry and the Authority. There would also be resource savings as officers could be deployed to other work-streams, which in the context of a demanding Business Plan would be beneficial.

Another potential benefit would be the simplification of the fisheries management regime i.e. the application of a TAC supported by measures to avoid juvenile cockles to be landed (e.g. minimum landing size, use of riddles) would avoid the issue of closed areas and enable fishers to choose where to fish.

Review methodology

It is proposed to include both the cockle and the mussel surveys and to explore options for reducing activity that would provide savings whilst still enabling the Authority to manage the fisheries effectively. External support may be engaged to ensure that the review is objective and able to withstand scrutiny.

The review would include consultation with both the industry and Natural England regarding any options and their associated risks.

Financial implications

Conducting a review of the survey regime will carry no cost other than officer time. Depending on the outcome of the review, however, significant savings could potentially be made to both the Authority and WFO 1992 licence holders.

Legal implications

As per our duties set under Marine and Coastal Access Act 2009, Eastern IFCA has a duty to maintain the viability of the industry. This is balanced against our duty to provide value for money with regards to use of tax payer's money. There is an inherent risk of legal challenge with regards to the recent decision to increase licence fees to help cost recover the management of the WFO 1992 fisheries. It is incumbent on Eastern IFCA, therefore, to ensure that the cost of the surveys and management is cost effective. The conservation features of the site will still need appropriate protection, so new legislation may need to be introduced if new survey regimes can no longer provide confident mitigation.

Conclusion

The decision to increase WFO 1992 licence fees to help recover a greater proportion of the cost of regulating the cockle and mussel fisheries has prompted the need to again review the method of the cockle and mussel fisheries for their cost effectiveness.

Some potential risks and benefits to changes in survey methods have been identified but these will not be fully identified and understood until a review has been undertaken.

Whilst both sets of surveys currently provide excellent data, capable of providing answers to support our fishery and conservation management, it is possible that a lesser standard would be acceptable.

Vision

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Action Item 16

32nd Eastern Inshore Fisheries and Conservation Authority meeting

25 April 2018

Wash cockle fishing method

Report by: R. Jessop (SMSO)

Purpose of report

The purpose of this report is to advise members of the historic and current situation regarding the use of hydraulic suction dredges in The Wash cockle fishery and to seek agreement for officers to conduct a literature review to study their environmental impact.

Recommendations

It is recommended that members:

- **Note** the contents of the paper;
- **Direct** officers to undertake a literature review of the environmental impacts of hydraulic suction dredges and to report back the findings to the Authority.

Background

Hydraulic suction dredges were first introduced into The Wash for harvesting cockles in 1986. Prior to that, the cockle fisheries were entirely hand-worked, albeit facilitated with the practice of “blowing-out”.

Dredges are very efficient at harvesting cockles, allowing lower densities of cockles to be fished than is economically viable for the hand-work fishery. Whilst this ability to target such stocks has some benefits, such as fishing stocks of large cockles that would otherwise be lost, there are concerns over this efficiency. From a sustainability perspective, their ability to effectively fish low densities of cockles can easily result in over-fishing. There is also an environmental concern regarding this type of gear, particularly on more stable, muddy habitats.

When suction dredging was first introduced in 1986, the management of the fishery used daily vessel quotas rather than an annual Total Allowable Catch (TAC) to restrict the fishery. Although daily quotas had been an effective mechanism to maintain sustainability of the hand-work fishery, it proved to be ineffective with the dredge fishery. Within two years of their introduction, cockle

stocks had declined to densities that were too low for a hand-worked fishery to operate commercially alongside, and after an initial three years in which landings exceeded 7,000 tonnes per year, they fell to 1,202 tonnes in 1989. Until the introduction of the TAC as a control mechanism in 1998, the following decade saw the fishery follow a “boom and bust” pattern, with a peak of 8,910 tonnes being landed in 1991 and the total closure of the fishery during 1997.

The introduction of an annual quota in the form of a TAC, whereby the fishers can take one third of the adult stocks², did bring more stability. Under the TAC system, however, the average length of the fishing season was only about six weeks compared to four or five months for hand-worked fisheries prior to the introduction of dredges. Many of the fishers were dissatisfied with this situation and following a particularly short season of three weeks in 2004, became more vocal about banning the use of dredges. In 2005 support for the hand-work fishery increased when stocks were too low to open a dredge fishery but the subsequent hand-work fishery of just 468 tonnes lasted most of the summer and provided a good income for the participating fishers.

Following the success of the 2005 hand-worked fishery, efforts were made to enable this fishery to operate more successfully. Whereas previously only 10% of the TAC had been set aside for the hand-worked fishery, a third was set aside between 2006 and 2008. In addition, whilst previously the hand-work fishery had been expected to operate on the same beds as the dredge fishery, between 2006 and 2008 the dredge fisheries were restricted to operating within the Friskney and Holbeach bombing ranges. Support for the hand-work fishery, and opposition towards dredging grew further during this period, to the extent that there has not been a dredge fishery since 2008 on the regulated beds.

Although only hand-worked fisheries have operated since 2009, officers continued to present management options to the Authority members that included dredge and mixed fisheries. Because the production of these options was time-consuming, the future use of hydraulic suction dredges was raised and discussed at a Full Authority meeting on 27th April 2016. The outcome of that discussion was a decision from the members that, while future fisheries would by default be hand-worked, the option of using hydraulic suction dredges should be retained in case exceptional circumstances require their use. Therefore, a dredge fishery was not considered as an option for 2017.

Report

The default hand-worked fishery with dredge as a contingency in exceptional circumstances has been included in the draft Management Plan for the Wash fisheries, which has been agreed in principle by the Authority subject to consultation with the industry. The consultation has yet to take place.

The conditions of “exceptional circumstances” are not defined but could potentially include situations in which significant cockle stocks were present in Holbeach bombing range³ or when large amounts of cockle stock are

² Based on the biomass of cockles ≥ 14 mm width at the time of the spring surveys.

³ The former Friskney/Wainfleet bombing range is now no longer being operated by the MoD so is, therefore, accessible to the fishery.

anticipated to be lost due to “atypical” mortality. The difficulty with such definitions, however, is that both of these conditions have occurred in recent years, but the majority of the fishermen have still strongly opposed the use of dredges. These occasions have also been highlighted by fishermen supporting the use of dredges, who have vigorously raised their own concerns over the amount of cockle stock that has been lost.

Although the use of dredges would make the cockle stocks in Holbeach more accessible and enable more rapid harvesting of cockles considered vulnerable to atypical mortality, the situation is not quite that simple. Our understanding of the dynamics of atypical mortality is such that we can predict where the highest die-offs will occur, but not with 100% certainty. Also, the mortalities do not occur in isolated places that could be targeted by dredges but tend to be widespread and scattered among healthy stocks. Using dredges to prevent losses would, therefore, require increasing harvest rates of healthy cockles and more than likely an increase in TAC to achieve this. Following this approach would not be sustainable and unlikely to get consent.

Setting to one side the various viewpoints of the fishermen regarding the use of dredges, there are also environmental and sustainability concerns about their use. The Thames cockle fishery has demonstrated that dredge cockle fisheries can be operated sustainably, but there are significant differences between The Wash and Thames fisheries. The primary differences are the number of vessels that are licenced to operate in each and the Thames not operating a commercial hand-worked fishery alongside their dredge fishery.

Most of the fishermen opposed to dredging are fearful of a return to fisheries that are dominated by dredges, in which seasons are short and the hand-work fishery is unable to successfully compete with the efficiency of dredges. To manage a successful mixed fishery, management would need to strictly restrict which areas could be opened to dredges and determine which would need to remain hand-worked only. If dredging was limited to specific beds, cockle densities elsewhere should remain viable for hand-working. However, barring possibly Holbeach, which is mostly inaccessible to the hand-work fishery, few fishermen currently opposed to dredge fisheries would willingly surrender beds they currently fish. Additionally, there are fears from many that prices would fall if dredge fisheries were operating.

Some fishermen who were unwilling to even allow dredging in Holbeach raised concerns that poaching would occur elsewhere if dredges could operate on this sand. Past enforcement of dredge fisheries was difficult and a large drain on resources. The imminent introduction of iVMS would make enforcement easier, particularly if supported with rigorous management measures, but would still require a responsive presence to be maintained while the fishery was open.

There is still the concern of what environmental impacts hydraulic suction dredges may have. The Wash is a heavily designated Marine Protected Area, and although dredge fisheries have passed Habitats Regulations Assessments in the past, the environmental impacts of fisheries have come under far greater scrutiny since the last dredge fishery was consented in 2008.

Gaining consent for the fishery would now require the Authority to demonstrate that the proposed fishery would not have a damaging impact on the site's environmental features with a higher degree of certainty than previously. This would require detailed information of the impacts hydraulic suction dredges have on all the conservation features and taxa likely to be disturbed by the fishery. Having taken over two years to conduct a similar assessment for the Wash shrimp fishery has shown this to be a lengthy process. Should there be a need to open a dredge fishery, the time taken to conduct this assessment could delay the opening too long and lose the opportunity.

It is proposed, therefore, that officers conduct a desk-based literature review of the environmental impact of hydraulic suction dredging now, so that should the need arise for a dredge fishery, much of the ground work will have been completed.

Financial implications

Conducting the proposed literature review will carry no cost other than officer time. Time invested now on this review would save time in the future should the members agree to open a dredge a fishery in the future.

Legal implications

As per our duties set under Marine and Coastal Access Act 2009, Eastern IFCA has a duty to maintain the viability of the industry and to consider all business models fairly. There is an inherent risk of legal challenge if any business models are not treated fairly or are discriminated against. There would also be risk of legal challenge if the Authority were to open a dredge fishery without sufficient mitigation, if that fishery was subsequently found to be environmentally damaging.

Conclusion

No dredge cockle fisheries have operated on The Wash regulated beds since 2008. The subject of their usage is highly emotive, and although the majority of the fishermen involved in the fishery are currently opposed to their use, others are equally vocal in support of them. Irrespective of these views, before any future dredge fisheries could be opened, it would need to be demonstrated that they were not going to cause an adverse impact to the site's conservation features.

Because the last study conducted by the Authority on suction dredges was over ten years ago, it is proposed officers undertake a new literature review on the environmental impacts of their use, incorporating any new scientific reports that have become available in the interim. This will improve our understanding of what impacts hydraulic suction dredges have on the conservation features identified in The Wash.

Vision

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Action Item 17

32nd Eastern Inshore Fisheries and Conservation Authority meeting

25th April 2018

Report by: Judith Stoutt, Senior Marine Science Officer (Environment)

Shrimp fishery Habitats Regulations Assessment

Purpose of report

The purpose of this paper is to advise members of the status of Eastern IFCA's assessment of the brown shrimp fishery, to outline its findings, and to request members' agreement to progress work to introduce regulation to mitigate against impacts on protected habitats caused by this fishery within the district.

Recommendations

Members are asked to:

- **Note** the content of the report;
- **Agree** to progress work to introduce regulation to manage shrimp fishing in the Eastern IFCA district.

Background

Fisheries regulators have a duty to manage all commercial fisheries in marine protected areas in line with the conservation targets of those areas. Eastern IFCA officers have been assessing fisheries throughout the many protected areas in the Eastern IFCA district over the past four years, under a Defra process referred to as the "*Revised Approach to Fisheries Management in Marine Protected Areas*". The assessment of the shrimp fishery has been protracted because of several complicating factors, as set out below, but its completion has been a priority for the Authority.

Report

Eastern IFCA's shrimp fishery assessment: key points

- Assessment of impacts of brown shrimp fishery on designated habitats and species within The Wash & North Norfolk Coast Special Area of Conservation;
- Part of national assessment of commercial fisheries in marine protected areas, required to ensure fisheries are managed in accordance with the UK Habitats Regulations (as amended) 2017;
- Requirement to restrict or prohibit activity if it cannot be proved that activity is not adversely affecting site integrity;
- Complex assessment because of:
 - scientific uncertainty (lack of published data on impacts of this fishery)
 - incomplete evidence on location and intensity of fishing activity
 - incomplete evidence of location and condition of habitats and species
 - updated conservation advice issued in 2017;
- Key findings:
 - Overall, habitats in The Wash & North Norfolk Coast appear to be in good condition despite shrimp fishing happening;
 - Cannot prove “no adverse effect” for some areas; that is, shrimp fishing could be causing damage to certain sensitive habitats;
 - Mitigation is required in the form of restrictions on shrimp fishing.

Eastern IFCA Shrimp Fishery assessment - approach

Eastern IFCA's Marine Science Officers completed the assessment of the impacts of the shrimp fishery in the Wash and North Norfolk Coast in February 2018. This follows the original assessment (and proposed mitigation in the form of proposed closed areas and a shrimp permitting byelaw to enable effort to be managed) in December 2016. However, Natural England had advised in January 2017 that the assessment was not sufficiently robust or precautionary, and therefore the proposed management measures might not be appropriate. Since then, the assessment has been reviewed and updated, applying new conservation advice for the site (March 2017), information on the spatial distribution of shrimp fishing effort (from VMS and shrimp returns), and new information on feature distribution and condition. It has been particularly useful to include fishing effort data so that spatial patterns in the fishery could be considered.

The assessment examined evidence for impacts across site features at the broad (site-wide) scale, as well as considering pressures from the fishery on individual species and groups of species typically found in the protected habitats. Most published scientific reports relating to beam trawl impacts focus on larger and heavier finfish beam trawls rather than smaller, more basic trawl gear used in the local shrimp fishery. It was therefore necessary to understand

the relevance of published literature, and apply expert judgement based on local knowledge of the site and the shrimp fishery, to deliver a fit-for-purpose assessment.

It was decided to deliver the assessment of the impacts of the shrimp fishery to Natural England for advice before incorporating proposed mitigation into the assessment. Previously (January 2017) Natural England had questioned the assessment, which underpinned the proposed mitigation. At time of writing, Natural England's feedback is awaited. Notwithstanding this, it is recommended that mitigation is drafted as soon as possible, to avoid further delays to the management of the shrimp fishery in line with conservation targets.

Eastern IFCA shrimp Fishery assessment - findings

The assessment used best available evidence, but as there were some gaps in that evidence, a precautionary approach was needed in our conclusions about the impacts of the fishery. Whilst confident that most of the protected habitats and species can withstand the disturbance caused by recent levels of shrimp beam trawling, the assessment showed there are some more sensitive areas where damage cannot be ruled out.

Therefore, management is needed in the shrimp fishery to protect the more sensitive areas, to ensure the fishery does not prevent conservation targets being met. It is important that measures meet the conservation requirements (as set out in the Habitats Regulations 2017), but they must also be proportionate to the risk of damage – that is, so long as the conservation needs are met, the Authority should aim to minimise the level of restriction on the fishery. The Authority will be required to demonstrate how Natural England's advice is taken into account when developing management measures.

Shrimp fishery accreditation

Eastern IFCA officers are working with the Shrimp Fishery Accreditation Working Group, with the aim of the shrimp fishery achieving "sustainable fishery" status (please see <http://www.washshrimp.co.uk/> for further information). The accreditation is partially dependent on the fishery being able to demonstrate it is compatible with the area's conservation targets. This means the development of management measures for conservation purposes supports the accreditation of the shrimp fishery.

Shrimp stock sustainability and bycatch

Eastern IFCA is also currently reviewing the sustainability of commercial fisheries in the district in relation to stock levels. This is to ensure that fisheries operate within "safe biological limits", as required by the Marine Strategy Framework Directive. An independent review of the sustainability of the shrimp

fishery was recently completed to support the accreditation bid – to avoid duplicating effort, this work will be used to inform the Eastern IFCA review. Bycatch will also be considered in the review; officers will continue to liaise with Cefas (Centre for Environment, Fisheries & Aquaculture Science) who are currently monitoring bycatch in some Wash shrimping vessels. Stock sustainability and bycatch are key considerations in the accreditation process.

Shrimp beam trawl impact study

A shrimp beam trawl impact study had been planned, to investigate the innovative “Seewing” beam trawl and to provide site-specific, empirical evidence to inform future management of this fishery. Eastern IFCA had successfully secured EMFF (European Maritime & Fisheries Fund) funding for this collaborative project, involving Eastern IFCA, local shrimp fishery stakeholders, academic advisors, MMO, Cefas and Natural England. Unfortunately, a feasibility assessment identified that the project would not deliver sufficient data to differentiate between impacts from shrimp fishing, and natural changes in biological communities. A significantly greater number of samples would be required, which could not be achieved within the project budget. A full report was delivered to the Eastern IFCA Planning and Communication Sub-Committee, reported at Agenda Item 9.

Financial Implications

Further officer resource will be required to consider Natural England’s advice on the assessment, and to develop mitigation measures – likely to be an amendment to the existing Marine Protected Areas byelaw and a new Shrimp Permitting byelaw. An Impact Assessment will be completed as required to accompany proposed new regulation, to be informed by consultation with shrimp fishery stakeholders. Although measures are yet to be determined, it is anticipated that the restrictions to be applied to the shrimp fishery following this assessment are likely to result in some financial consequences for fishers.

Background Documents

1. Eastern IFCA’s Habitats Regulations Assessment: commercial beam trawling for brown shrimp (*Crangon* spp.) and pink shrimp (*Pandalus montagui*) in The Wash and North Norfolk Coast Special Area of Conservation. (Fishery impact assessment section only).

The following links provide further information on matters in this paper:

<p>Revised approach to management of commercial fisheries in marine protected areas</p>	<p>This sets out why IFCA’s and MMO are assessing the impacts of commercial fisheries</p> <p>https://www.gov.uk/government/publications/revised-approach-to-the-management-of-commercial-</p>
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	fisheries-in-european-marine-sites-overarching-policy-and-delivery
Accreditation of The Wash brown shrimp fishery	<p>Accreditation (certification) is recognition of a sustainable fishery. The scheme is run by the Marine Stewardship Council.</p> <p>More info on fisheries certification in general: https://www.msc.org/get-certified/fisheries</p> <p>Specific info on certification of The Wash brown shrimp fishery: http://www.washshrimp.co.uk/</p>

Vision

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Action Item 18

32nd Eastern Inshore Fisheries and Conservation Authority meeting

Office Accommodation

Report by: Andrew Bakewell, Head of Finance & HR

Purpose of report

To advise members of the current situation regarding office accommodation and to discuss potential alternative solutions post December 2018 when the current lease expires.

Recommendations

It is recommended that members:

- **Note** the content of the paper
- **Direct** officers to secure an extension to the current lease at best possible terms to include regular “break out” points.
- **Direct** officers to explore options to increase available office space
- **Delegate** authority to the CEO, in consultation with the Chair, Vice-Chair and the Chair of the Finance & Personnel sub-committee, to take decisions on appropriate accommodation options to facilitate immediate action if required.

Background

EIFCA currently occupy offices in North Lynn Business Village under a 25-year lease which ends in December 2018. A storage unit situated nearby is subject to a different lease.

The location was originally chosen because of its proximity to the Wash and the fisheries therein, particularly those regulated and managed under the Wash Fishery Order. The operating model at that time included area-based officers to provide coverage of the whole of the Authority’s district.

During the course of EIFCAs occupation several changes have been made to better adapt the accommodation to meet organisational needs. However, it is probably fair to say that we could find a better solution with a combined office/storage facility offering more space and convenience.

The Authority is phasing out the area-based officer model in favour of team-based approach to marine protection across the district. In support of this a second office facility has been established in the southern part of its’ district in

a shared accommodation arrangement with the MMO within the Cefas building in Lowestoft. The patrol vessel *FPV Sebastian Terelinck* is also moored in Lowestoft.

Report

The organisation currently needs to provide office accommodation for 21 EIFCA plus 3 MMO staff. A proportion of current need is catered for by way of “hot desking” for IFCOs whose main duties are performed around the district. Space is certainly at a premium when all staff are required to be in the office.

Given the uncertainty surrounding the EU exit on the future for fisheries management and conservation, Officers have moderated their approach to changing accommodation arrangements, pending decisions to be made post our EU exit.

The current landlord has been approached concerning the potential for a short-term extension to our current lease with break out options. If a suitable lease cannot be agreed we have the option to move location, however this would itself need to be on a short-term basis and would inevitably disrupt operations. Currently available premises would potentially be far from ideal as at this point in time the majority of available lets are steel framed industrial units, many located on the estate we currently occupy.

Accommodation requirements are:

Offices:

- Single storey (ideally)
- Accessible
- Modern
- More space (current 2,000 sq ft over two floors)
- Parking
- Meeting space
- KL area?
- Eco-friendly
- Wi-fi
- Cycle storage
- Break-out space
- Growth space
- Exercise facilities?

Storage:

- Same site/building
- Secure
- Accessible
- Parking
- Eco-friendly
- Workshop facilities

Budget

Current rents:

Office	25,625
Storage unit	9,040
Meeting room hire	1,500
Total	36,165 per annum

Options for further investigation

1. Remain in current location(s) long term

Advantages

- Disruption deferred?
- Continue to benefit from modifications and adaptations
- Administration effort minimised (Address change, stationery etc,)
- Cost of move delayed including re-instatement, re-decoration.
- Breathing space pending decisions on the future

Disadvantages

- Continued pressure on space
- Rent of meeting rooms continues
- Additional storage space rent continues
- Efficiency and cost saving opportunities delayed
- Staff welfare not enhanced

2. Relocation

Advantages

- Increased space and improved layout
- Combine office and storage on one site
- Potential to accommodate all meetings
- Staff welfare enhanced
- Eco-friendly
- More accessible location

Disadvantages

- Disruption
- Administration effort to change address, stationery etc,
- Cost of repair and re-decoration
- Cost of modifications and adaptations
- Short-term solution potentially not ideal necessitating further moves
- Time scale to source alternative

3. Source additional space adjacent to current location

Advantages

- Increased space and improved layout
- Disruption deferred?
- Continue to benefit from modifications and adaptations
- Administration effort minimised (Address change, stationery etc,)
- Cost of move delayed including re-instatement, re-decoration.
- Breathing space pending decisions on the future

Disadvantages

- Rent of meeting rooms continues
- Additional storage space rent continues
- Efficiency and cost saving opportunities delayed
- Short-term solution potentially not ideal necessitating further moves

Unit 5, which is adjacent to our current office, is on the market for £185,000, however it is currently under offer. I have indicated that we would possibly be interested if the sale did not complete.

Vision

The Eastern Inshore Fisheries and Conservation Authority will lead, champion and manage a sustainable marine environment and inshore fisheries, by successfully securing the right balance between social, environmental and economic benefits to ensure healthy seas, sustainable fisheries and a viable industry



Action Item 19

32nd Eastern Inshore Fisheries and Conservation Authority meeting

25th April 2018

Report by: Julian Gregory, CEO

Three Counties Replacement Project

Purpose of report

The purpose of this report is to seek delegated authority to select a supplier to design and supervise the build of a new vessel to replace *RV Three Counties*.

Recommendations

Members are recommended to:

Agree to the appointment of appropriate professional support to the vessel replacement project

Approve expenditure to the levels estimated in this report

Delegate the selection of a preferred supplier for managing the total design and build process to the CEO.

Background

Approval was given at the Full Authority meeting held on the 25th October 2017 to procure a replacement for the Research Vessel Three Counties. It was agreed that the CEO would Chair a Project Board to deal with all elements of the replacement vessel including specification, design, procurement and delivery. Recognising the workload associated with such a project it was also agreed that options would be explored to secure professional support (e.g. Naval Architect or Surveyor) to deal with some or all elements of the process.

Oversight of the process was delegated at that meeting to the Finance and Personnel sub-committee. Given the need to move forward on this initial stage officers have opted to seek the expedient solution of approval by the Full Authority.

Report

Officers have undertaken some preliminary work to identify key requirements for the new vessel and have explored options for the provision of specialist support for design, procurement and build oversight. Five potential suppliers have been identified and they have provided indicative estimates for their services, which are all in the range of £80,000 -£100,000. Given that this project will likely cost c£1.5 million the cost to involve the appropriate level of expertise and extra resource would seem to be proportionate and it would ensure that expenditure on the new vessel achieves what is intended. The organisation does not have the capability or the capacity that such an important project warrants and an internally managed process would, at best, be a risky compromise.

It is suggested that officers engage with potential suppliers with a view to identifying the most appropriate that would meet our needs. It is likely that this would involve inviting potential suppliers to provide a detailed presentation of their proposal. To enable the project to make progress it is also suggested that authority to award the contract is delegated to the CEO.

Financial implications

It appears that the cost of such services is typically in the region of 7%, which equates to circa £100k if the overall build cost is £1.4m. Professional fees may be met from either revenue or reserve budgets depending upon revenue spend profiles over the lifetime of the project.

Vision

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Information Item 25

32nd Eastern Inshore Fisheries and Conservation Authority Meeting

25th April 2018

Report by: J. Gregory, Chief Executive Officer

Quarterly Progress Against Annual Priorities 2017-18

Purpose of report

The purpose of this report is to update members on progress against the objectives established in the Business plan as priorities for 2017/18.

Recommendations

Members are recommended to:

- **Note** the contents of this report

Background

Eastern Inshore Fisheries and Conservation Authority is mandated to produce an annual plan each year to lay out the expected business outputs for the year ahead.

At the Planning and Communication Sub-Committee on 24 February 2016 it was agreed to follow a new model for business planning. The Strategic Assessment and new high-level objectives proposed by Defra were incorporated into the planning process and a 5-year rolling Business Plan was agreed. The move to a 5-year business plan reflects the need to engage in longer term planning in the context of high levels of demand and the need to be flexible with priorities to reflect the dynamic nature of inshore fisheries, the marine environment and the policy landscape.

At the Planning and Communications Sub-Committee (15th March 2017) priorities for 2017/18 as set out in the 5-year Business Plan were agreed.

Report

The tables at the Appendix detail the progress against the key priorities for 2017-18, as set in the Business plan for 2017-22.

Risk

Significant complexities regarding the development of Shrimp management measures within the Wash and North Norfolk Coast MPAs has resulted in ongoing delays to delivering this workstream. Resource allocated to other projects has, to an extent been subverted to work on the associated Habitats Regulation Assessment with 'knock-on' effects on other work.

Since a significant loss in staff as reported at the 29th EIFCA Meeting, new staff have been taken on and are contributing to the delivery of priorities. That said, there has been and will be a period of 'bedding in' for the new starters which, in the context of complicated and large workloads may also influence delivery.

During this quarter, Eastern IFCA has also allocated resource to the coordination of Operation Blake. Operation Blake was established in response to two widely reported dog deaths as a consequence of PSP poisoning and Eastern IFCA's involvement is a reflection of the potential impacts on the industry. Resource has also been allocated to undertaking work associated with the new General Data Protection Regulations and a spill of ammonia into the river Witham, Boston.

Conclusion

Authority officers are committed to delivering success across the breadth of our remit. Whilst some significant changes in staff had the potential to adversely affect progress the reallocation of priorities and careful planning has partially mitigated against the risk of not meeting the objectives set in the 5-year Business Plan.

As per Appendix 1, priority workstreams are all underway but have for the most part been significantly delayed due to unforeseen complexities. There are ongoing protracted discussions with Natural England on the nature and extent of management measures required in red and amber risk MPAs which has meant that workstreams have gone well beyond anticipated completion dates. This has had a 'knock-on' effect on other work-streams, as has "business as usual" HRAs (mussel fishery, intertidal activities, cockle survey) during Q4, which has impacted upon other MPA work (including completing the Cromer Shoal MCZ assessment) during the quarter.

Background documents

Eastern Inshore Fisheries and Conservation Authority Business Plan 2016-21.

Appendices

1. Report on priorities set for 2017-18

APPENDIX 1

Eastern Inshore Fisheries and Conservation Authority

25 October 2017

Quarterly Progress against Annual Priorities – Quarters 1 and 2

4 key priorities are established for 2017-18.

Financial Year 2017-18		
Priorities 2017-18	Progress	Comment
<p>1. To ensure that the conservation objectives of Marine Protected Areas in the district are furthered by:</p> <p>a. Delivering fisheries management measures for the 'Red Risk' designated features in the Inner Dowsing, Race Bank and North Ridge SCI, and the Haisborough, Hammond & Winterton SCI (continued from 2016-17);</p> <p>b. Delivering fisheries management measures for 'Amber and Green' designated features within European Marine Sites (EMS) including shrimp management in the Wash and North Norfolk Coast SAC (continued from 2015-16) and completion of 'Amber and Green' HRA suite;</p>		<p>1a. Ongoing for Haisborough, Hammond & Winterton: development of management measures on hold to enable focus on shrimp assessment/management in Wash & North Norfolk Coast SAC. Work re-commenced Q4 2017/18: officers in discussion with Natural England and offshore wind farm developer Vattenfall in relation to <i>Sabellaria</i> feature evidence.</p> <p>Inner Dowsing, Race Bank & North Ridge: Work delayed to enable focus on shrimp assessment/management. Work to recommence following Haisborough, Hammond & Winterton, and to align with Wash shrimp management and review of regulatory notices (now under Marine Protected Areas byelaw).</p> <p>1b. Ongoing. Updated shrimp assessment completed and submitted to Natural England February 2018. Fishery and conservation stakeholders informed of findings. Initial drafting of mitigation measures complete. Final measures will depend on Natural England advice on assessment (requested March 2018).</p> <p>1c. Ongoing. Draft assessment has been completed for potting (main fishing activity in site); assessment of netting and trawling</p>

<ul style="list-style-type: none"> c. Assessing the impact of fishing activities on the Cromer Shoal Chalk Beds tranche 2 Marine Conservation Zone and delivering management measures (if required) by December 2017; d. Developing monitoring and control plans for highest risk MPAs as identified in the Strategic Assessment 2017; e. Delivering mitigation to the risk of 'food availability' in the Wash and North Norfolk Coast SAC in relation to private aquaculture; f. Introduction of measures to mitigate the risk of damage to the Wash and North Norfolk Coast SAC from 'unmanaged' bivalve fishing activity <u>if required</u>; g. Undertake gap analysis and initial assessment of fishing impacts within newly designated MPAs including the Harbour Porpoise candidate SAC (southern North Sea), the Greater Wash potential SPA and the extension to the Outer Thames 		<p>commenced March 2018. If required, management measures to be developed in line with crab and lobster stock sustainability measures (2b, below).</p> <p>1d. Ongoing. As the fisheries assessments are completed, monitoring and control plans will be developed to demonstrate how fishing activities and site condition will be monitored. Officers have reviewed monitoring and control plans created by other IFCAs/MMO and developed a draft template to apply in this district. New Marine Science officer in post leading on this work; liaison with other IFCAs is ongoing.</p> <p>1e. Ongoing. The project originally involved a combination of sampling techniques including testing meat yields of mussels, Chlorophyll RFU sampling with YSI sondes and analysis of chlorophyll, salinity and nutrients in water samples. The latter were conducted jointly with Cefas under the umbrella of their smart buoy programme. In 2016 Cefas lost their funding for this project and as a result could no longer analyse our water samples. Other partners were sought to assist with this aspect of the project, and the potential for using different methods such as satellite imagery explored. No other partners were found and exploration of the potential to use satellite imagery identified the method would only be suitable for detecting high concentrations of algae, such as are present in blooms, not the lower levels being monitored by ourselves. The in-situ buoy sonde was serviced and planned to be redeployed in January. Before it could be deployed, however, the buoy required servicing and defouling. This has been planned four times, but on each occasion so far, poor weather has prevented the buoy from being lifted out of the water. King's Lynn Conservancy Board have offered to lift the buoy for us, so we are currently awaiting a suitable</p>
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<p>Estuary SPA.</p>		<p>opportunity. Unfortunately, these delays mean we have possibly missed the opportunity to record the spring plankton bloom. A new spot sonde was purchased to replace the old one which had been discontinued. This has been tested and will now be used on a monthly basis starting April to collect data from sites in The Wash.</p> <p>1.f Ongoing - No action required at present – pending agreement between Le Strange Estate and Fishers.</p> <p>1.g Ongoing. Initial discussions have been held with MMO to consider respective responsibilities for the newly designated marine protected areas. Awaiting MMO fishing activity information and NE/JNCC guidance in relation to visual disturbance (a key issue in Special Protection Areas). When responsibility for site assessments has been confirmed, designated Marine Science Officers will lead on respective evidence gap analysis and fisheries assessments. Classification of Greater Wash Special Protection Area was confirmed in April 2018.</p>
<p>2. To ensure that sea fisheries resources are exploited sustainably and in accordance with MSFD requirements by:</p> <p>a. Developing fishery sustainability management measures for the brown shrimp fishery in conjunction with priority 1(b) above (continued from 2016-17);</p>		<p>2a. Ongoing – Management measures to be informed by Marine Stewardship Council Fisheries Management Plan and Marine Science project. New Marine Science Officer working alongside the industry-led steering group. Officers in dialogue with industry to put together a proposal regarding Eastern IFCA’s involvement in monitoring compliance with voluntary measures. In addition, Officers are participating in an MSC inspection in May of 2018.</p> <p>2b. Ongoing – The start of the informal consultation has been delayed pending completion of the Cromer Shoal MCZ assessment (for potting) including formal advice from Natural England. Officers have undertaken an informal consultation throughout the district with</p>

<ul style="list-style-type: none"> b. Developing fisheries management measures for crab and lobster (continued from 2016-17); c. Monitor fisheries management of bass in the context of European and national fisheries management measures and contribute to the development of Bass Nursery Areas; d. Investigate the cause of mussel mortality within The Wash. 		<p>crab / lobster fishers to inform an engagement plan for this workstream.</p> <p>2c. Complete – no further action required. Enforcement activity targeted at fishery in accordance with risk. Eastern IFCA attended a meeting with local fishers to discuss bass management proposals set out by the industry and has sought to influence national / international discussions as appropriate. It should be noted that Eastern IFCA has limited influence on these. The 2018 bass measures are considered sufficiently robust to have the intended protective effect on the fishery however, the national workstream relating to Bass Nursery Areas has not progressed. Whilst there is still a risk associated with fishing activity within nursery areas, the EU bass regulations mitigate this to an extent.</p> <p>2d. Previous sampling in 2010 indicated the parasitic copepod, <i>Mytilicola intestinalis</i>, is potentially the cause of the die-offs. A joint research project with Hull University commenced in September 2017 to study this parasite and the pea crab closer, to determine if they are causal factors in the recent high mortalities. Mussel samples were collected off each mussel bed during the course of the recent mussel surveys for dissection and analysis by two MSc students at Hull. Dissections are currently in progress. Some samples were also retained which members of the science team have been dissecting to increase the dataset.</p>
<ul style="list-style-type: none"> 3. To ensure that the marine environment is protected from the effect of exploitation by; <ul style="list-style-type: none"> a. Reviewing district wide bio-security measures including risk assessment 		<p>Ongoing – A project plan has been developed and agreed. An updated biosecurity plan is in draft specifically dealing with the risk posed by the aquaculture in The Wash based on advice received from the Fish Health Inspectorate. A district wide approach is in development which will identify areas of highest risk, focus on engagement and education and will seek to utilise mechanisms and</p>

<p>of invasive, non-native species (roll over from 2015-16);</p>		<p>programmes set up by partner organisations. Measures specifically aimed at addressing risk in The Wash are underway including awareness raising and the implementation of new lease conditions (pending legal advice). Support has been offered towards a new Cefas project that aims to map the occurrence of Invasive Non-Native Species in English waters using eDNA biomolecular techniques. Our involvement in this project will be to collect “scrape” samples from ports and marinas that we regularly visit during the course of our other duties.</p>
<p>4. To develop management of the fisheries regulated under the WFO 1992 by:</p> <ul style="list-style-type: none"> a. Reviewing the Wash Fishery Order (1992) policy notes (roll over from 2016-17); b. Delivering updated Fisheries Management Plan, updated Regulations and partial cost recovery 		<p>4a. Ongoing – Informal dialogue with industry underway. Policies to be developed taking into account consultation and lessons learnt from initial review. The Policy review is to incorporate both the ‘Regulated’ and the ‘Several’ elements of the Order. A formal consultation on new policies has been postponed pending completion of the WFO Regulations consultation. These two elements were to be consulted on at the same time but were subsequently separated for clarity.</p> <p>4.b Ongoing – Formal consultation on Licence fees has been completed and given cause to review the implementation before additional fee increases. Consultation regarding the Fisheries Management Plan and Regulations was delayed pending formal advice from Natural England regarding the ‘long-term’ HRA for the Wash cockle fishery. Subsequently, consultation on WFO regulations were brought forward to progress this workstream. Whilst there is an inherent risk that the Regulations will not be sufficient to cover all aspects of the long-term HRA (which is still pending completion) it was preferable to implement the new Regulations which include a requirement to use an electronic monitoring device.</p>

Key:

	Complete
	In progress
	No progress

Vision

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Information Item 26

32nd Eastern Inshore Fisheries and Conservation Authority meeting

25th April 2018

Report by: Simon Lee – Senior IFCO (Compliance)
Luke Godwin – Senior IFCO (Regulation)

Marine Protection Quarter 4 report

Purpose of report

To provide members with an overview of the work carried out by the Marine Protection team during the period January, February and March 2018.

Recommendations

Members are asked to:

- **Note** the content of the report

Report

Enforcement and engagement priorities throughout district - overview

Risk associated with this quarter is low as weather and environmental conditions limit fishing opportunities. The quarter was characterised by more severe than usual winter storms that reduced activity, damaged gear and has decreased water temperature. Risk and Intelligence has primarily been in relation to whelk and crustacean fisheries and this has influenced activity and resource allocation.

January

Priorities in January included recreational angling compliance, through continued focus on education and engagement. Regular port visits were the focus for engagement with the commercial sector. Whelk compliance inspections were made a priority throughout the month, alongside visits to new vessels to the district (in line with enforcement policy).

February

Whelk compliance inspections were made a priority throughout February again based on a high-risk score and intelligence received. Other priorities in February were around recreational angling compliance, through continued focus on education and engagement.

March

Through March priorities stayed the same as February due to risk scores being similar and intelligence received. In addition, officers were tasked with the education and engagement of vessels that operate recreationally within the district.

District overview of commercial fishing trends

Throughout the reporting period activity remained low, with the focus broadly being on Whelks and Brown shrimp, in the context of low landings of finfish and closures of other fisheries. The Whelk fishery continues to be of importance, with many fishers increasingly exploring the option to turn to the fishery.

District overview of recreational fishing trends

Activity has been low throughout the district and has been hampered by inclement weather. Several fishing matches have taken place and officers have been in attendance. Beach fishing has continued particularly along the North Norfolk coast and Suffolk and officers have included regular visits to key beaches to continue engagement.

EMS monitoring

Monitoring of 'restricted areas' under the Marine Protected Areas Byelaw 2016 was carried out throughout the reporting period. The following monitoring occurred:

4 patrols carried out from vessels monitoring areas: B, C and D

0 patrols carried out from vessels monitoring areas A, BC, BP, SF, EH, SH,H, G, F,

0 patrols carried out from shore monitoring EH, 1 patrol from shore monitoring area K.

No activity was observed during patrols.

Area 1 West-North (Hail Sand Fort to Gibraltar Point)

Fishing Trends

January

Activity was very low, with a decrease in the whelk fishery as vessels switched across to potting for crab and lobster and as a consequence there was a slight increase in crab and lobster potting activity during the month.

February

Vessels in the area moved over to crab and lobster fishing, however catches were low. A new vessel targeting whelk entered the district and was subsequently engaged and inspected. Whelk landings increased. Recreational anglers' catch of finfish was reported as low.

March

The catches of crab and lobster remained stable, with much of the gear used lost and/or damaged at sea. The cold-water temperature delayed the start of expected increases in contrast to historical trends. The prices for crab was average and lobster remained at a high price. Whelk landings decreased due to issues with gear and breakdowns of vessels that target the fishery along this part of the coast. Catches of both Skate and Cod area increased, with the preferred method being long lining.

Metrics

Enforcement metric	Number completed
Shore Patrols	8
Port visits	29
Catch inspections (landings observed)	1
Catch Inspections (landing not observed)	0
Vehicle Inspections	1
Premises inspections	2
Enforcement actions/Offences	0
Intelligence reports submitted	13
Fishers engaged	21
Vessel Patrols	0
Boardings	0
Gear Inspections	0

Engagement

Many vessels along this part of the coast were undergoing refit as is the trend for this period. One new vessel entered the whelk fishery on this part of the coast, officers have had good engagement with both the skipper and the owner. One new vessel is entering the crustacean fishery, believed to be operated by a skipper/owner that already fishes within the district. There have been discussions around the use of escape gaps in pots, with many fishers being in favour of them. Fishers believe they will have a positive effect as it will stop the pots getting filled with weed and smaller animals. Fishers experienced severe problems with gear being lost and tangled at sea following the storms and easterly gales. This has reduced both effort (days at sea) and catch rates as more time than average has been spent sorting and resetting pots.

Area 2 West-South (The Wash and North Norfolk Coast (to Brancaster))

Fishing Trends

January

Whelk activity increased as of the start of the month, with landings steadily increasing throughout the month. Brown shrimp activity followed the same trend

as whelks, with activity being low at the start of the month but slowly increased. Mussel fishing activity stayed steady, with activity primarily focused on the lays. Representations were received regarding the re-opening of the cockle fishery, however the appetite for it to open was low.

February

Activity increased across all species throughout this month. Vessels participating in the Shrimp fishery increased throughout the month and were reporting average catches with a good price. Mussels remained stable, with activity focused on the lays. Fishers reported the seed mussel taken from Titchwell had grown on well.

March

As with the previous two months, the majority of fishing activity focussed on shrimp, whelk and working mussel lays. The landings of shrimp reduced due to changes with the weather (easterly gales) and issues with weed. A high price for shrimp resulted in fishers continuing to target the species. Whelk landings showed a decreasing trend, with one vessel known to remove gear from the water. Activity on the lays continued and it is known that fishers removed some mussels to go to market in France.

Enforcement metric	Number completed
Shore Patrols	12
Port visits	12
Catch Inspected (landings observed)	8
Catch Inspections (landing not observed)	4
Vehicle Inspections	0
Premises inspections	2
Enforcement actions/Offences	2 Verbal Warnings
Intelligence reports submitted	9
Fishers engaged	39
Vessel Patrols	10
Boardings	0
Gear Inspections	0

Engagement

Several fishers indicated that they would like to have a way of submitting their returns forms (cockles and mussels) electronically. Concerns were raised again concerning last year's cockle fishery and the issues caused by having a 3 tonne daily quota and that this caused people to focus on getting the 3 tonnes rather than 2 tonnes of larger cockles.

Many vessels have been targeting shrimp and gaining the best results whilst fishing through the night. Most vessels had been undertaking 24-hour trips.

Many fishers have reiterated the importance of this fishery, as the fishers rely on it when others are closed or unproductive. Many fishers experienced problems with getting a lot of weed in their nets and the bad weather caused the shrimp to bury themselves into the ground. During a period when catches were reported as low several fishers indicated intentions to turn to whelk fishing.

The whelk fishery has been productive throughout the period. With several vessels going and one new entry to the fishery, although there has been an element of disruption caused by the severe winter storms. The price has been reported as good throughout the period.

Area 3 East-North (Brancaster to Great Yarmouth)

Fishing Trends

January

Broadly all species reported as average for time of year. Slight increase in Cod (up from previous months, but down on annual average). Demand for Dover Sole reduced. Fishers were still targeting crab and lobster as the price has been favourable.

February

Broadly all species reported as average for time of year. Only a small amount of Cod was caught but this was an increase on last month. The quantity of herring caught reduced but so did effort into the fishery, this was largely due to the low price paid. Landings of skate and ray reduced but the price increased. Landings of whelk have stayed static with considerable amounts being landed into Wells. Landings of Crab and Lobster were down, even for the time of year.

March

Landings and effort in the crab and lobster fisheries increased, although low water temperatures mean that landings were lower than is the trend for this time of year. Whelk landing remained static from previous months in line with the expected annual trend. Recreational anglers reported catching primarily Dab and Whiting. Levels of Skate and Ray being caught dropped.

Enforcement metric	Number completed
Shore Patrols	33
Port visits	129
Catch inspected (landings observed)	21
Catch Inspections (landing not observed)	3
Vehicle Inspections	0
Premises inspections	5
Enforcement actions/Offences	0

Intelligence reports submitted	19
Fishers engaged	126
Vessel Patrols	2
Boardings	0
Gear Inspections	0

Engagement

The storms were reported to have damaged Lowestoft Pontoon, which reduced capacity for the fleet to expand in the future. Officers attended a Lowestoft Sea anglers match with much of the discussion being the issue of bass restrictions. Anglers often reported that the restrictions are unfair on recreational fishers and favour commercial fishers who can still catch large quantities of bass. Engagement has shown that there is still a large quantity of recreational fishers that are not aware of the bass measures. Recreational anglers have asked if there can be an incident number set up for them to call when witnessing the taking of undersize fish.

Throughout the period Crab and Lobster fishers reported that it has been a very slow start to the year and possibly the latest start to the season in 30 years. Largely due to severe storms and reduced water temperature. This caused catch rates to be low as more time has been spent sorting and resetting gear and few pots being hauled. Much of the gear left out over the winter has been damaged/lost. Certain fishers in the area have shown themselves as strong advocates of escape gaps. Beach launched fishers along the coast have reported issues with access to the sea following the storms.

Crab and Lobster fishermen have been very concerned around Paralytic Shellfish Poisoning (PSP) incidents and the risk this has posed to the industry. Fishers have been frustrated with the lack of engagement/involvement from certain authorities but have been pleased by Eastern IFCA's proactive approach and generally complimentary.

Concerns have been raised around the Eastern IFCA Whelk Permit, with certain fishers believing it will increase effort, due to fishers wanting to establish a track record. Fishers have also indicated that the permit has changed the fishery, as traditionally fishers worked inshore during the summer and offshore over winter. Now the fishery operates year-round and the stocks are given no seasonal breaks from fishing pressure.

Area 4 East-South (Great Yarmouth to Harwich)

Fishing Trends

January

Activity levels were low throughout the period due to poor weather. Bass landings increased with fishers reporting high numbers of bass inshore, many

just below minimum conservation reference size (MCRS). Cod landings improved with some skippers reporting small amounts of catches from long lining. Catches of Skate and Ray reduced, but it is thought that this is due to reduced demand following Christmas. Large amounts of Spurdog were caught by longlining which is subject to a landing prohibition so all catch was discarded to sea. Edible Crab catches improved.

February

Cod catches were reported as very poor. A lot of Bass (both below MCRS and big spawning bass) and Spurdog were reported as being seen on the ground but fishers were unable to land either species due to restrictions in place. Herring catches declined. Large quantities of Sprat were available but there was a lack of market demand for the species. Whelk landings were reported as good with certain fishers looking to purchase gear to partake in the fishery.

March

Cod catches reported as very poor. Skate and Ray were steady although large numbers present just to the south of the district. Catch of Sole was poor due to weather restrictions. Herring quantity is high, but demand and price low. Recreational anglers were catching whiting, with some large whiting (42 to 46cm) caught off angling boats. Large quantities of Spurdog in the sea (prohibition on landing). Crab and lobster catches have been very poor for the time of year due to water temperature and pot damage. Whelk landings static and were starting to reduce towards the end of the month as fishers began to bring pots ashore and target different fisheries.

Enforcement metric	Number completed
Shore Patrols	60
Port visits	113
Catch inspected (landings observed)	15
Catch Inspections (landing not observed)	78
Vehicle Inspections	4
Premises inspections	39
Enforcement actions/Offences	1
Intelligence reports submitted	15
Fishers engaged	298
Vessel Patrols	0
Boardings	0
Gear Inspections	0

Engagement

Generally, commercial and recreational fishers wished to speak about the lack of Cod in the area, and the subsequent issues this has caused. There have been many theories from the fishers surrounding the cause of lack of cod, including: impacts of windfarms, impacts of pulse trawling and climate change.

Fishers have indicated that authorities from EU level down to IFCA's have not responded to the changes and challenges on managing finfish.

Within the recreational angling sector, the engagement has been much the same as area 3 with fishers reporting that they feel the bass measures are not proportionate and favour commercial fishers. Commercial fishers reported that the prohibition on landing during February and March should be for one month only and not two.

Many fishers reported concerns about impacts from the offshore wind industry and associated cable laying activity in conjunction with aggregate extraction and the cumulative impacts these activities are having on fisheries. Of concern is a new dredge spoil area proposed off the coast of Felixstowe. Representatives of the Eastern IFCA science team have responded to consultations and attended a meeting on the matter.

Many fishers had concerns regarding the perceived high levels of Spurdog that were being caught whilst longlining. Fishers were unable to land them, and the process of removing them from hooks made long lining unviable.

Other workstreams

Throughout the period various other duties were carried out by officers to support other business critical workstreams, including cockle surveys, refit of *RV Three Counties* and repair works to *FPV John Allen*. An additional unforeseen workstream was the collection of samples and coordination of Operation Blake.

Vision

The Eastern Inshore Fisheries and Conservation Authority will lead, champion and manage a sustainable marine environment and inshore fisheries, by successfully securing the right balance between social, environmental and economic benefits to ensure healthy seas, sustainable fisheries and a viable industry



Information Item 27

32nd Eastern Inshore Fisheries and Conservation Authority meeting

25 April 2018

Reports by:

- a) Ron Jessop, Senior Marine Science Officer (Research)
- b) Judith Stoutt, Senior Marine Science Officer (Environment)

Marine Science Quarterly Reports

Purpose of report

The Authority runs a year-round programme of research projects and environmental work. This paper informs Members of key activities undertaken by the Authority's Marine Science team during the previous quarter, January to March 2018, any issues that have arisen (through internal or external drivers), and an indication of up-coming developments that could require future actions.

Recommendations

Members are asked to:

Note the report.

Background

The former Research and Environment teams underwent significant changes during 2017. This included the merging of the two teams into a single Marine Science team in April, and the recruitment of four new members of staff to fill existing vacancies. Now that everyone has settled into their new roles, the new structure provides greater adaptivity and resilience than was formerly possible. This has been of benefit by allowing greater resources to be directed when needed at the production of Habitat Regulations Assessments or specific surveys, and has allowed individual team members to participate in a broader spectrum of activities than was formerly the case.

Research

With the opportunity for vessel-based activities being limited in winter, the science team have focused their efforts on conducting Habitat Regulations

Assessments for the ongoing shrimp fishery, the forthcoming seed mussel fishery and for our own inter-tidal survey activities. Data collected during ongoing projects from 2017 have also been analysed and reports written for them. These include reports from the 2017 cockle and mussel surveys, crab and lobster monitoring, EHO and SWEEP sampling and the annual survey monitoring the presence of invasive Pacific oysters and slipper limpets on the Gat sand. These reports are all available on the Eastern-IFCA website at <http://www.eastern-ifca.gov.uk/research-environment-plans-strategies-reports/>.

In May 2014, the Authority introduced Regulatory Notices under the Protected Area Byelaw to protect “red risk” *Sabellaria* reef sites in The Wash. Under the conditions of the byelaw, these notices required reviewing by March 2017. This has involved conducting habitat mapping surveys of the sites between 2015 and 2017 and comparing the data with surveys conducted prior to the introduction of the closures. Although the Protected Area Byelaw was subsequently replaced with the Marine Protected Areas Byelaw, which does not have the condition requiring the review, because the surveys had already been completed by the time of its introduction, the analysis and reporting is still being conducted. This has been a lengthy process due to the large size of the dataset, and the lowering of the priority for completing the project, but it is hoped to be completed shortly. The work will be used to inform the development of any new measures to protect seabed habitats from fisheries impacts, to support a holistic approach rather than the piecemeal development of measures for protection of different habitats.

Further whelk dissections have been conducted to contribute towards the whelk size of maturity study, but the recent low numbers of crabs and lobsters being landed has resulted in us temporarily postponing crab and lobster biosampling until landings pick up again. This is usual for the time of year, so will not impact on the long-term goals of the project. Dissections have also been conducted on samples of mussels collected during the autumn mussel surveys, to study the incidence of the parasitic copepod, *Mytilicola intestinalis*. This project is being conducted jointly with Hull University, who have also been supplied with mussel samples. It is hoped this project will help us to understand whether the presence of *Mytilicola* is responsible for the recent high levels of mussel mortality witnessed on the intertidal beds in The Wash.

The annual spring cockle surveys in The Wash commenced on March 21st. By the end of March, surveys had been completed on the Daseley's, Thief, Blackguard, Styleman's, Peter Black, Pandora, Gat, Mare Tail and Holbeach beds. Surveys on the remaining beds will be conducted during the latter half of April. So far, the surveys have found the stocks to be dominated by Year-1

cockles, most of which are in a size range of 10-14mm width. Some of these are present in high densities, particularly in areas that were protected with closures last year. There are also some less dense pockets of larger Year-3 cockles on some of the beds, but very few Year-0 juveniles.

At the last Planning and Communication sub-committee held on March 14th, the members were informed that the ongoing Shrimp Gear Impact trial was going to be discontinued. It was originally hoped that this planned two-year project would help to provide greater understanding of the impacts beam trawls of the type used in The Wash have on Wash-specific conservation features. The project was successful in its bid for EMFF funding, and although extensive work was undertaken by officers to establish the project, it was determined due to a combination of factors that it was no longer feasible to undertake the study. A report detailing the reasoning for this decision was provided to the sub-committee.

Environment

Assessment and management of commercial fishing in Marine Protected Areas (“Revised Approach” work)

This work has remained the key priority for the Marine Science team. It directly supports the Authority’s fulfilment of obligations relating to marine protected areas, and has been subject to strict timelines set out by Defra. There are six priority marine protected area projects currently ongoing (see Table 1); during this quarter officers have focused resource primarily on the most complex of these, the shrimp beam trawling assessment. Developments and progress with this work are set out below, and summarised in Item 24, Quarterly progress against Annual Plans.

The top priority for the Marine Science team during this quarter has been to complete the assessment of impacts of the shrimp beam trawl fishery on the Wash & North Norfolk Coast Special Area of Conservation. The assessment was completed and submitted to Natural England in February 2018. Having concluded that “adverse effect on site integrity” cannot be ruled out, mitigation will be required in the form of restrictions on the shrimp fishery. This will be developed following feedback from Natural England on the assessment. Further information is provided at Agenda Item 18.

Table 1. Commercial fishing interactions in marine protected areas requiring (or potentially requiring) Eastern IFCA intervention

Site name	Interaction and matrix risk level	Assessment conclusion	Next steps
The Wash & North Norfolk Coast Special Area of Conservation	Beam trawling (shrimp)/subtidal sandbanks (subtidal mixed sediment and subtidal mud) Amber risk	Concluded adverse effect cannot be confidently ruled out: mitigation likely to be required to reduce impact and research required to improve evidence around light beam trawl impacts	Priority work area. Assessment submitted to Natural England for review (Feb 2018). At time of writing, awaiting feedback from Natural England on assessment conclusions. Mitigation to be developed in form of fishery management measures.
The Wash & North Norfolk Coast Special Area of Conservation	Potting/ <i>Sabellaria spinulosa</i> reef; Potting/subtidal stony reef Amber risk	No adverse effect at current levels of activity (based on improved activity data and Defra potting impacts report)	Finalise conclusion and sign off with NE – in progress. Has been on hold to enable team to focus on and finish shrimp assessment.
Inner Dowsing, Race Bank & North Ridge Special Area of Conservation	Potting/ <i>Sabellaria spinulosa</i> reef Amber risk	Not yet assessed (straddling site latterly transferred to EIFCA)	Review updated NE feature advice; undertake assessment – delayed to enable focus on Wash shrimp assessment

Site name	Interaction and matrix risk level	Assessment conclusion	Next steps
Inner Dowsing, Race Bank & North Ridge Special Area of Conservation	Towed demersal fisheries/ <i>Sabellaria spinulosa</i> reef Red risk	High-risk interaction (red risk on matrix) so no assessment required	Agree updated core reef approach with NE - ongoing; Intention is to apply closed areas in future iteration of Marine Protected Areas byelaw. Work on this site to resume after HHW management progressed (see row below).
Haisborough, Hammond & Winterton Special Area of Conservation	Towed demersal fisheries/ <i>Sabellaria spinulosa</i> reef Red risk	High-risk interaction (red risk on matrix) so no fishery impact assessment required	Closed areas agreed by Authority Dec 2016 (Marine Protected Areas Byelaw) but on hold pending agreement with Natural England on rationale for closed areas. Recent conservation advice (March 2018) to be reviewed to inform re-design of closed areas.
Cromer Shoal Chalk Beds Marine Conservation Zone	All commercial fishing within site on all designated features All risk levels	Assessment in progress.	First draft of potting fisheries assessment completed; fishing intensity evidence undergoing internal QA. Liaison to be undertaken with Natural England. Should management measures be required, EIFCA to engage with local fishermen and other stakeholders. Commenced assessment of other fisheries within site in April 2018.

Work has continued on the assessment of impacts of fisheries in the Cromer Shoal Chalk Beds Marine Conservation Zone. The main fishing activity in this site is potting for crab and lobster, and to some extent for whelk. The potting fishery assessment is close to completion, and the review of all other fishing activities in the site has been commenced in April 2018. Delays in completing this assessment have caused frustration within local fishing communities, because of the uncertainty over whether new management measures will be required as a result of the designation. Officers are endeavouring to complete this work promptly, and to ensure that any mitigation that might be required for conservation purposes will be complementary to stock management measures currently under consideration for the local crab and lobster fishery. The importance of meaningful engagement with local people was clearly demonstrated in the 2016-17 Community Voice project; officers have welcomed the “Agents of Change” project which aims to promote the benefits of the Cromer Shoal Chalk Beds Marine Conservation Zone to local stakeholders, especially fishermen.

“Business as usual” Habitats Regulations Assessments

Aside from the “Revised approach” work, three additional assessments have been undertaken during the quarter to enable Wash Fishery Order fisheries and the Authority’s own intertidal activities in the Wash & North Norfolk Coast. The proposed mussel relaying fishery (agreed by the Authority in January 2018, subject to the habitats regulations assessment) was assessed in relation to its impacts on the site. The assessment was submitted to Natural England in early March 2018; Natural England were content that the Authority’s comprehensive management (i.e. restrictions and conditions applied to this fishery) would provide suitable mitigation to prevent adverse effects on the site. The advice from Natural England on this matter was swift and constructive.

Liaison with Natural England is still ongoing in relation to the assessment of Eastern IFCA’s intertidal activities. Officers applied for a five-year consent (required under the Wildlife and Countryside Act, because of the site’s designation as a Site of Special Scientific Interest). At time of writing, most aspects have been suitably addressed but final agreement is required in relation to limiting disturbance to birds during prolonged periods of severe weather, and consideration of aggregations of birds at sea and using intertidal areas.

To progress the 2018 spring cockle surveys, this element of the Authority’s intertidal activities was assessed separately from the full assessment. The main issue with intertidal activities related to potential disturbance of birds using intertidal areas for resting or feeding. The assessment identified that Eastern IFCA’s cockle surveys will not have a significant adverse effect on site integrity, primarily because of the slow and quiet nature of the activities, and their limited extent compared with the total intertidal area within the designated site. Natural England provided advice and mitigation was agreed in time for the surveys to commence in late March 2018.

Stakeholder engagement

Eastern IFCA officers continue to participate in the local Marine Protected Area management groups for the Wash and North Norfolk Coast, and for the Stour & Orwell Estuaries. These groups support relationships between relevant authorities, local site managers and stakeholders, which are invaluable in identifying relevant feature and activity evidence to inform assessments. Local advisory groups (stakeholder groups) are also attended by marine science officers when possible, as they present additional opportunities to engage with local fishermen and wider community members, enabling Authority officers to learn more about local sites and issues, listen to stakeholder views and to provide updates on fisheries and conservation matters.

During the quarter, Marine Science officers presented the findings of the shrimp fishery assessment to conservation and fishery stakeholders. In January 2018, a summary was presented to members of the Wildlife Trusts, Marine Conservation Society and Client Earth during the Coastal Futures conference in London. In March, after the assessment had been submitted to Natural England, an opportunity was taken to present its findings to local Wildlife Trust officers and representatives of the National Federation of Fishermen's Organisations. Marine Science Officer, Stephen Thompson, also participated in the Marine Conservation Society's "Marine Protected Area – reality checker" webinar in March 2018.

Also in March, Stephen Thompson attended a "Sustainable Fisheries" workshop organised by Fishing into the Future (<http://www.fishingintothefuture.co.uk/>). The aim was to provide clarity to fishermen on the use of fisheries data in developing fisheries management, and to promote engagement between fishers and scientists. The event aligned well with the actions highlighted through the Authority/Marine Conservation Society "Community Voice" project and provided a useful insight into opportunities for inshore fisheries such as the "Fresh from the Boat" project (<http://www.freshfromtheboat.co.uk/>).

During the quarter, officers have participated in meetings of the King's Lynn and North Norfolk Advisory Groups for the Wash & North Norfolk Marine Partnership; the Suffolk Saltmarsh Steering Group, a "Saltmarsh benefits" workshop at Gibraltar Point, Lincolnshire (in association with the Wash & North Norfolk Marine Partnership and the University of Hull), and the Holbeach Conservation Group. These groups enable Authority officers to collaborate and develop partnership working amongst authorities and NGOs on regional and local conservation matters. Participation in these groups also increases recognition for Eastern IFCA's work and helps improve wider understanding of inshore fisheries and conservation issues. Officers also participated in meetings relating to a national bass tagging project and an elasmobranch (sharks, skates and rays) steering group.

Eastern IFCA input to consultations on marine developments

The Eastern IFCA district is subject to multiple marine and coastal activities that are regulated through the issuing of consents by authorities such as the Marine Management Organisation, Environment Agency, Defra and the

Authority itself. The impact of such activities is considered by Authority officers through the consultation process.

In the period January to March 2018, the Eastern IFCA Marine Science team processed 12 consultations. Figure 1 shows the categories of development or policy that these consultations fit within. Once again, consultations relating to offshore renewable energy featured heavily, reflecting the large number of offshore wind farms currently in the planning, construction or operational stages around the Eastern IFCA district. Coastal defence and infrastructure projects were also significant categories.

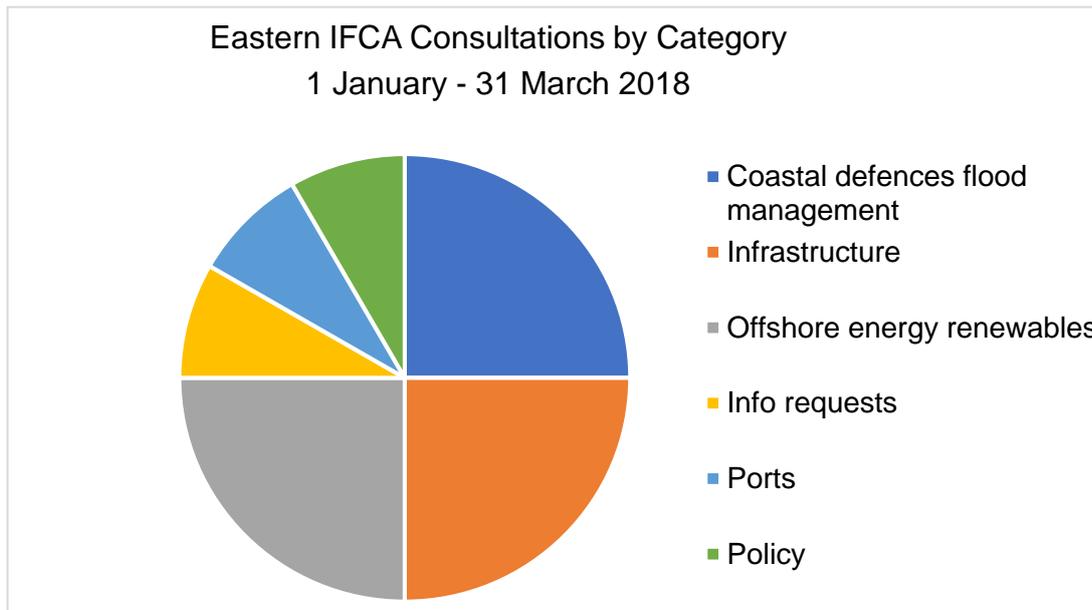


Figure 1 Consultations by category, January to March 2018.

Examples of consultations processed during this period include:

- Lowestoft Flood Risk Management Project (Waveney District Council): a consultation on the Preliminary Environmental Information Report (PEIR) for the installation of a tidal barrier in the River Waveney, close to the Suffolk Yacht Harbour. Document reviewed to ensure inclusion of all aspects of environmental and fishing viability. Additional mention given to aspects relating to migratory anadromous fish species that frequent the river for spawning and nurseury purposes.
- Boston Barrier Fish refuge plan (Environment Agency)
After a lengthy planning period and multiple consultations, construction work for the Boston Barrier coastal defence system started in November 2017. Officers had previously highlighted potential impacts from installation

of sheet piling, and associated noise and vibration pollution on migratory fish in the river; subsequently soft piling techniques were introduced. Mitigation against effects of increased water velocity from channel narrowing was agreed in the form of fish refuges, to help minimise the impact on spawning and nursery functioning. An air bubble curtain to further reduce noise pollution and potentially eliminate the need for rotational days off to allow fish to pass the works site was proposed but not deemed feasible for this location.

- New offshore disposal site off Felixstowe (Harwich Haven Authority)
Officers have continued discussions with the developer and marine licence manager (Marine Management Organisation) to support the development of a local fishery monitoring scheme. The scheme is required as a condition of the marine licence, to provide evidence to enable assessment of impacts of the new disposal site on productivity in the crab and lobster fishery. The scheme is reliant on collaboration with local fishermen.

Derogations from Eastern IFCA byelaws

In addition to providing responses to consultations on offshore and coastal developments, the marine science team processes requests for derogations from Eastern IFCA byelaws. These typically relate to retention of undersized fish or shellfish, and/or operation of vessels within restricted areas for shellfish relaying or for scientific survey purposes. Quantities of fish/shellfish involved are usually *de minimis*, but consideration must also be made of potential impacts on designated features if the activity will occur in a designated site; this also involves liaison with Natural England.

Table 2. Derogations processed January to March 2018

Applicant	Activity	Derogation granted
Cefas	Removal of berried or soft-shelled brown crabs for larval survivability study in relation to power station cooling water system	Yes
Ministry of Transport & Public Works, Holland	North Sea plaice and sole stock assessment using beam trawl survey	Not required (outside of EIFCA district)
Ministry of Transport &	North Sea herring and sprat survey using pelagic trawl	Under consideration – location details required

Public Works, Holland		
Cefas	Scientific trawl survey of fish stocks in ICES Area IVc	Under consideration – vessel details required
Cefas	Beam trawl survey, southern North Sea	Under consideration – further details requested

Financial implications

No new proposal is contained in this report – it is an information paper.

Publicity

No publicity is planned relating to this paper, other than reference to the Authority’s marine science work on the Authority’s website and newsletter.

Ron Jessop, Senior Marine Science Officer (Research)

Judith Stoutt, Senior Marine Science Officer (Environment)

Background papers

1. The Conservation of Habitats and Species Regulations 2017 (available at: <http://www.legislation.gov.uk/uksi/2010/490/contents/made>).

Vision

The Eastern Inshore Fisheries and Conservation Authority will lead, champion and manage a sustainable marine environment and inshore fisheries, by successfully securing the right balance between social, environmental and economic benefits to ensure healthy seas, sustainable fisheries and a viable industry



Action Item 28

32nd Eastern Inshore Fisheries and Conservation Authority meeting

25th April 2018

Report by: Julian Gregory, CEO

Association of IFCA Minutes

Purpose of report

The purpose of this paper update members on an Association of IFCA and MMO Board collaboration workshop held on 8th November 2017 and the quarterly meeting of the Association of IFCA held on 6th March 2018.

Recommendations

Members are asked to:

- **Note** the content of the report

Background

The aim of the Association of IFCA is to assist and promote the regional IFCAs to ensure that the Authorities develop a leading and effective national role in fisheries and conservation management in line with the IFCA vision.

The Association is not a statutory body but was borne out of the previous Association of Sea Fisheries Committees and has ten Members (the ten IFCAs) plus two associate members, Guernsey and the Isle of Man. The Association has been set up as a private limited company and is governed by Articles of Association, which are periodically reviewed. The Association is governed by thirteen Directors, ten Chief Officers from the IFCAs, plus the Chairman, the Vice Chairman and the Chief Executive Officer of the Association, which meet quarterly. The Association holds quarterly member's forum meetings at which the 10 IFCA Chairs and Chief Officers as well as representatives from associate members attend and are predominantly held in London. The Association is funded primarily by its membership with each IFCA making a £13,000 annual contribution and the associate members making a £750 contribution per year.

Report

A quarterly meeting of the member's forum was held on 6th March 2017 and a copy of the draft minutes can be found at Appendix A.

Appendices

Appendix A – Unconfirmed minutes of the meeting of the Association of IFCA held on 6th March 2018

Appendix A

**The Association of IFCAs
Members Forum Meeting
6th March 2018
To be followed by the
Association Directors Meeting
10:30 – 14:30**

Defra Nobel House, Room 613

Draft Minutes

Attendance for the meeting

Chair: John Lamb
CEO: Stephen Bolt

Attendance: Andy Guy, Paul Skinner, Greg Morel, Tom Hooper, John Humphreys, Julian Gregory, Les Weller, Mike Hardy, Paul Williams, Robert Clark, Samantha Davis, Stephen Atkins, Stewart Harper, Tim Dapling, Tony Tomlinson, Will Wright, Stephen Axford

Defra: Anne Freeman
Minister: George Eustice

Minutes: Sally Standing

Apologies for absence: David McCandless, Tony Goldson, Councillor Chris Matthews,

Due to the Minister attending the meeting, Anne Freeman was asked to give her update. John Lamb explained to Anne that he is stepping down as Chairman of the Association and thanked her for her contribution to the members meetings.

Anne thanked John in return for his help. Anne gave a brief outline of what has been happening and suggested we use this time to ask questions of her. She confirmed that everything is being put in place for the fisheries bill at present with lots going on. SD asked if it was possible to have a time line on the publication of the fisheries bill. Anne confirmed that plans are in place to publish the white paper soon, but at this stage it is still in negotiation. However, she also confirmed that the fisheries bill will be introduced shortly after, so we only have a short space of time for consultation.

JL asked Anne to share the information through SB and / or COG as an early heads up will be beneficial. Anne will also try to do some engagement around the white paper.

SA asked Anne if the Defra Transformation Programme has been put on hold due to changes to structure. AF confirmed that Defra Transformation Programme was put in place before EU Exit, but it's being done in a slightly different way and driving it through Exit Leads.

SD stated that she has the next round of quarterly meetings and wanted to ask if we have clear expectations for Day 1 Readiness to pass to her members. AF asked all members to be patient as she was unsure as to when Day 1 will be. SB commented that a position statement had been sent but will redistribute. **Action 1: SB to circulate the position statement to all members.**

JL thanked Anne Freeman for her input and offered her and the MMO help from the IFCA's so this can be a success for everyone.

1. Election of Chair & Vice Chair of the Association

John Lamb explained that he is standing down as the Chair of the Association. He has enjoyed his time as the Chair and feels that a great deal has been achieved over the last 7 years that he has been in the position however; a lot of work still needs to be done. He confirmed that he has put forward his nominees Tony Tomlinson for Chair and John Humphreys as Vice Chair. Both Tony and John accepted and were voted unanimously.

For the record Tony thanked John on a personal level for his hard work. He also confirmed that we all owe John a great deal of gratitude. He will be sorely missed but everyone wished him well for the future. However, John stated that he will be remaining as Chair of Kent and Essex IFCA and will therefore still be involved in the Association work.

- Questions for the Minister

The members offered up their concerns that they wished to ask the Minister through the Chairman. Fairer funding and the Defra new burdens monies was a top priority and TT was asked to push the Minister hard on this.

2. Minutes from last meeting – 5th December 2017

- Actions from the minutes
Byelaws – from previous meeting IFCA's were asked to think about the framework and how to make it work more efficiently.

- SB to draft funding paper to Defra regarding New Burdens – **Action 2: Item to note**
- Association to invite Chris Williams to our next meeting in March 2018 – **Defer due to Minister attending however, will invite to the next meeting in June.**
- D&S IFCA letter – SB to circulate to the members – **On the agenda**
- SB will recirculate final policy paper and send out to MMO and Defra and publish on the website – **SB sent this out, but will recirculate**

3. Finance and Resources

- SB explained that the format has changed in line with the IFCA model. He has included two graphs this quarter to show the actual spend but confirmed the insurance claim has now been settled so we will be back in budget (2nd graph). He also confirmed that he had invoiced D&S for £3600 but they have failed to settle the amount. He also confirmed that venues continue to be of a concern as the costs may take the Association over budget.

4. Minister – 11:30 am

- The Minister mentioned that the White Paper is getting finishing touches and looking likely to be published at the end of the month or in April 2018. There will be a short consultation period to get it through Parliament before the summer break.
- Defra are continuing business as usual and are preparing for all scenarios with a continued close working arrangement with partners.
- The UK will be classed as an independent coastal state; however, there is a lot of shared interest in the shortest part of the channel.
- 3rd Tranche - The Minister confirmed that Therese Coffey is working on the consultation, formal consultation on the proposed sites will probably take place this summer with designation in the summer of 2019.

TT then asked several questions on behalf of the IFCA's as outlined in the agenda.

The Minister made several key points:

- Regarding sustainable funding the Minister suggested
 - Continued engagement with councilors regarding the fairer funding review. He could not guarantee central funding beyond 2020 but recognized the challenge this brings to the IFCA's

- With regards to iVMS funding beyond 2020 the Minister stated that the IFCA's could plan for the long term assuming ongoing funding and that we would be here for the long term.
- Regarding 6-12 – it is anticipated that UK would negotiate as an independent coastal state and that it is likely that there would be some EU member states vessels allowed in but that it would be predominantly UK vessels. The matter of IFCA extension of jurisdiction to 12 miles may be considered in the future.
- John Humphrey stated that the IFCA model was strongly supported in the 25 year environment plan and we are in a good place to deliver some of the aspirations. The minister acknowledged the support given by the IFCA's.

3. Finance Cont..

SB confirmed that venues continue to be an anomaly with increasing costs. Greg Morel from Jersey has offered their meeting room at Westminster in lieu of the Associate membership fee. This was welcomed by the Association.

Matters for noting:

4 a: Update on MPA project – SB confirmed that he is now working closely with SolFCA and confirmed that Simon Pengelly will provide one day a week working on the project. SB also confirmed that the Defra project of £45k involves all ten IFCA's, including D&S. The project was supposed to have been completed in March 2017. The project should be up and running by 1st April 2018. He continued that a project officer has been appointed and will be in touch with all IFCA's for their input. There will be a formal approach from the MPA team which will start by contacting the Chief Officer. He is anticipating that all IFCA's will support this.

4 b: Future Funding Issues:

Discussions followed to highlight some of the issues raised by the Minister on fairer funding. It has been suggested that a response from the AIFCA is required for the current consultation. However, we need to be mindful of how to respond to both the white and green paper. **Action 3: AIFCA to respond to the fairer funding consultation**

Regarding the white paper due shortly as suggested by the Minister, there should have a working group through the Association and COG that is endorsed by the wider members to ensure IFCA views are voiced. **Action 4: AIFCA to review white paper once published and work with COG to draft a response.**

Matters for Decision:

5 a: Devon & Severn Membership

SB confirmed that since the Association had received the last letter from D&S the Directors have had a dial in to discuss the matter further and would like to raise the issue with the members on how to reengage with D&S and in particular to discuss the issues that were raised. JL stated that he would like to see D&S back in the AIFCA, however, there were several untruths to their letter. He continued that it would appear that D&S never wanted the Association in the first place. SB confirmed that he has had a discussion with Neil Hornby who indicated that Defra would continue to use the Association as the main point of contact and would not be seeking to go directly to D&S. JH and TT has offered to go to D&S to discuss.

Action 1: Tony Tomlinson, John Humphreys and Paul Williams to visit D&S to discuss their issues

Matters for noting cont....

5 c: CEO Meeting log

SB confirmed that some of his meetings are still classed as confidential but if there are any questions to ask him directly, please do so.

SD asked specifically about the aquaculture (SDAAC) meeting and SB gave an update. SD thanked SB for the update.

5 d: Paper on iVMS – Julian Gregory update

iVMS has been a joint project with ourselves and MMO for the last 3-4 years. EMFF is joint project looking to make progress. JG confirmed that there is a Pathfinder in D&S which is making good ground. He continued that the roll out is planned based on vessel size. Consultation on SI is due in July 2018. JG has asked if we can bring this to COG at the next meeting on 18th April. **Action 5: Item for noting – This will be coming to the project board to find a solution. It will then come back to IFCAs so that we can move forward on this. There should be a paper and briefing note for COG.**

AOB – HR Group recommendations

WW gave an update. He confirmed that running the group has been difficult and proposed to put this back to the Chair.

Following earlier election of Chair and Vice Chair all agreed. It has also been agreed that Tom Hooper of IOS becomes a director – All agreed.

John Humphreys' will be elected as a director of the Association – All agreed.

Date of next meeting – Tuesday 5th June 2018

Actions from meeting 6th March 2018

Items for Decision:

Action Number	Action	By Whom
1.	D&SIFCA - Tony Tomlinson, John Humphreys and Paul Williams to visit D&S to reengage with them and to discuss their issues	TT, JH & PW

Items for noting:

Action Number	Action	By Whom
1	Defra update position paper - SB to circulate the position statement to all members.	SB
2	SB to draft funding paper to Defra regarding New Burdens	SB
From previous meeting	Association to invite Chris Williams to our next meeting in March 2018 – Defer due to Minister attending however, will invite to the next meeting in June.	SB to invite Chris Williams to next meeting in June
From previous meeting	SB will recirculate final policy paper and send out to MMO and Defra	SB

	and publish on the website – SB sent this out, but will recirculate	
3	Fairer Funding – SB to respond to fairer funding consultation	SB
4	AIFCA to review White Paper draft once published and respond in conjunction with COG	SB/COG
5	iVMS – for noting This will be coming to the project board to find a solution. It will then come back to IFCAs so that we can move forward on this. There should be a paper and briefing note for COG.	COG