

**NOT FOR PUBLICATION BY VIRTUE OF PARAGRAPH 1 OF PART 1 OF
SCHEDULE 12A OF THE LOCAL GOVERNMENT ACT 1972**



**29th EIFCA
Statutory Meeting**

To be held at:

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

**Wednesday
7th January 2017**

1100 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: 29th Eastern IFCA Meeting
Date: 7 June 2017
Time: 11:00 hrs full meeting
Venue: The Boathouse Business Centre,
1 Harbour Square, Nene Parade,
Wisbech, Cambridgeshire, PE13 3BH

10:00hrs – County Council appointees welcome and briefing – with Cllr Goldson,
CEO and Head of Finance & HR

11:00hrs – Statutory meeting commences

Agenda

- 1 Welcome - *Clerk*
- 2 Amendment to Constitution and Standing Orders - *Clerk*
- 3 Election of Chair of the Authority – *Clerk*
- 4 To accept apologies for absence - *Chair*
- 5 Declaration of Members' interests – *Chair*
- 6 Election of Vice-Chair of the Authority – *Chair*

Action items

- 7 To receive and approve as a true record, minutes of the 27th and 28th Eastern IFCA Meetings, held on 15 February and 22 March 2017 respectively - *Chair*
- 8 Matters arising (including actions from last meetings) – *Chair/Clerk*
- 9 To receive a report to consider Health and Safety risks and mitigation – *Hd Finance & HR*
- 10 To receive a report on a meeting of the Planning and Communications Sub-Committee held on 15 March 2017 – *CEO*
- 11 Review of the Eastern IFCA Constitution – *CEO*
- 12 Appointments to Sub-Committees - *CEO*
- 13 To receive and approve the Finance Officer's report on payments made and monies received during the period 1st January 2016 – 31st March 2017 – *Hd Finance & HR*
- 14 To receive and note the Finance Officer's Quarterly Management Accounts - *Hd Finance & HR*

- 15 Report on payment of Expenses to MMO Appointees – *Hd Finance & HR*
- 16 2017 Wash cockle fishery – *Senior Marine Science Officer/CEO*
- 17 MPA management update – *CEO/Senior Marine Science Officer*
- 18 MMO and IFCA Memorandum of Understanding – *CEO*
- 19 *To resolve that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for items 20 & 21 on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Schedule 12A of the Act*
- 20 Wash Fishery Order Licence applications
- 21 Disclosable pecuniary interest dispensations – *Senior IFCO/CEO*

Information items

- 22 Quarterly progress against Annual Plan priorities – *CEO*
- 23 HR update – *Hd Finance & HR*
- 24 Marine Protection Quarterly reports – *Senior IFCOs*
- 25 Marine Science Quarterly reports – *Senior MSOs*
- 26 Association of IFCA minutes – *CEO*
- 27 Emergency Bass Byelaw – Impact Assessment

Any other business

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

Any other business

J. Gregory
Chief Executive Officer
23 May 2017

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 2

29th Eastern Inshore Fisheries and Conservation Authority meeting

7 June 2017

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 recommend an amendment to the Constitution and Standing Orders to enable continuity in the role of Chair of the Authority.

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 and it has been the subject of annual review. The Constitution and Standing Orders represent the embodiment of the requirement for the Authority to ensure that it has sound governance.

The roles of Chair and Vice-Chair of the Authority must be filled by one of the seven members appointed by the three county councils. This was originally the case for Eastern Sea Fisheries Joint Committee and was carried over to Eastern IFCA on the basis that it had worked well, not least because of the demonstrable impartiality that Councillors brought to the role.

The Constitution and Standing orders currently provides that the Chair of the Authority is elected each year and may stand for re-election for a second year but will not be eligible for election to the post of Chair again for a period of two years following the end of their term of office (whether this is one or two years). It is understood that there may have been a desire to rotate the Chair between the County Councils, hence the time restriction.

In the case of the Vice Chair it provides that the Vice-Chair may be appointed for a further year and is eligible for appointment to the office of Chair on serving either one or two terms as Vice-Chair.

Report

Following the local authority elections in May 2017 only one County Council appointed member will return to the Authority, Cllr Tony Goldson, who is also the outgoing Chair of the Authority. Of the six new appointees one has previously served as a member for a short period.

The outgoing Chair, Cllr Goldson, has served for two years in the post and under current provisions is ineligible to stand. Given his extensive experience on the Authority and the desirability of continuity and some stability during a period of substantial change, it is recommended that the Constitution and Standing Orders are amended to enable the period for which a Chair and Vice-Chair can serve to be extended.

Recommended wording for the changes can be found at Appendix 1. The wording is intended to provide flexibility to cater for unforeseen circumstances that may arise in the future but subject to the checks and balances afforded by annual re-election.

Legal implications

NpLaw have been consulted and there are no legal restrictions to adopting the proposed changes.

Financial implications

There are no immediate financial implications to making the required amendments to the Constitution and Standing Orders. There will be charges for the advice drawn from NpLaw but these will not be significant.

Conclusion

Whilst wholesale change in county council appointed members is a possibility following an election it is unusual. As well as addressing the immediate issue the proposed changes will provide sufficient flexibility to cater for unforeseen circumstances in the future whilst maintaining the ability for the Authority to rotate the roles of Chair and Vice-Chair.

Appendices;

Appendix A – Proposed changes to the Constitution and Standing Orders

Background documents:

Eastern IFCA Constitution and Standing Orders

Minutes of Eastern IFCA 1st Transition meeting held on 11th October 2015

Appendix A

Chapter/para No.	Existing text	Proposed text	Rationale
Chapter 1, para 3.4	The Chair may stand for re-election for a second year but will not be eligible for election to the post of Chair again for a period of two years following the end of their term of office (whether this is one or two years).	The Chair may stand for re-election for further years and whilst their term in office will ordinarily be for a maximum of two years, this may be extended if re-elected.	To address the immediate requirement for continuity and to provide appropriate flexibility for the future.
Chapter 1, para 4.4	The Vice-Chair may be appointed for a further year	The Vice-Chair may stand for re-election for further years and whilst their term in office will ordinarily be for a maximum of two years, this may be extended if re-elected.	To align with the change relating to the Chair to provide appropriate flexibility for the future.
Chapter 1, para 4.5	The Vice-Chair is eligible for appointment to the office of Chair on serving either one or two terms as Vice-Chair.	Delete paragraph	To align with the change relating to the Chair to provide appropriate flexibility for the future.

28th 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 Hanse House, South Quay, King's Lynn, PE3- 5GN, on 22nd March 2017 at 0935 hours.

Members Present:

Cllr Tony Goldson	Chair	Suffolk County Council
Cllr Hilary Cox	Vice Chair	Norfolk County Council
Shane Bagley		MMO Appointee
Roy Brewster		MMO Appointee
Cllr Peter Byatt		Suffolk County Council
Emma Dixon-Lack		MMO Representative
Ceri Morgan		MMO Representative
Cllr Richard Fairman		Lincolnshire County Council
Paul Garnett		MMO Appointee
Rob Spray		MMO Appointee
Cllr Tony Turner MBE JP		Lincolnshire County Council
Steven Williamson		MMO Appointee
Stephen Worrall		MMO Appointee

Eastern IFCA (EIFCA) Officers Present:

Andrew Bakewell	Head of Finance
Luke Godwin	Staff Officer
Julian Gregory	Chief Executive Officer (ACEO)

Minute Taker:

Jodi Hammond

EIFCA17/25 Item 1: Welcome by the Chair

The Chair opened the meeting at 0935 hours.

EIFCA17/26 Item 2: Apologies for Absence

Apologies for absence were received from Cllrs Baker (NCC) & Wilkinson (NCC) and Messrs Bolt, Davies, Donnelly, Hirst, Pinborough, and Shaul.

EIFCA17/27 Item 3: Declarations of Members Interest.

In line with Declarations already recorded, Messrs Bagley, Brewster, Garnett and Williamson all declared an interest in item 5.

EIFCA17/28 Item 4: Resolution

Members Resolved that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for item 5, on the grounds that it involved the likely

disclosure of exempt information as defined in Paragraph 1 of Schedule 12A of the Act.

Proposed: Cllr Cox

Seconded: Mr Worrall

With 1 abstention, the motion was carried.

EIFCA17/29 Item 5: Consideration of applications for WFO licences

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

The CEO advised members that following this item being discussed at the previous Statutory Meeting additional legal advice had been sort.

The Staff Officer gave a brief recap of the background to allocation of WFO licences and changes that had taken place since the inception of the Order.

The current issue was that a WFO Entitlement Holder wished to sell his vessel to a pre-qualified skipper and was requesting that the Entitlement which was currently attached to this vessel could be passed to the person buying the vessel, under Policy note 12. Whilst this Policy Note had previously been amended, in 2008, the Entitlement Holder had stated he was not aware of the amendment.

Legal interpretation was that the Policy Note was clear and provided a legitimate expectation that the Entitlement would be passed to the party buying the vessel.

The Staff Officer advised that whichever route the Authority were to take there was a risk of damaging the Authority's reputation, there was an indication of serious angst amongst the industry with regard to the possibility of the waiting list being circumvented by passing over this Entitlement, however the legal advice was that the 'least worse case' would be to issue the licence.

Members questioned whether the fact that the current Entitlement holder had been sent a letter in 2008 explaining the changes to the Policy Note was not sufficient evidence that he was aware of the change, however legal advice had been sort on this point and the response was that it was not enough to absolve legal expectation.

There was also concern of a conflict of interest with regard to legal representation. On this point the CEO advised if there was any conflict it was with the solicitors not the Authority.

Ownership of the vessel was also questioned however, again legal advice was that there was a distinction between legal ownership and beneficial ownership and in this instance, there

had been no illegal practice, even if it as not in keeping with the ethos of the Order.

Whilst Mr Spray was sympathetic with the concerns of the industry he felt the legal advice didn't give EIFCA a fighting chance but what the Authority needed to do was mitigate against similar situations in the future.

It was questioned whether there were any other similar situations which could make similar requests retrospectively, the Staff Officer did not believe that by passing this Licence Entitlement on was setting a precedent for any others, particularly as interim measures had been put in place to close this loophole. Mr Morgan felt the whole Entitlement system had been a mess for quite some time and questioned what the timescale was for it being sorted out. The CEO advised it was a priority item carried forward from the previous years' Business Plan however reviewing the WFO and policy notes was no mean feat, the Order was due to expire in 2022. He felt that unfortunately in this case the Authority had been backed into a corner by previous Administrations.

After careful consideration of the information available members were asked to vote on the recommendations.

Members agreed to Note the assessment of the application and the risk inherent in relation to both options.

Members Resolved to Agree to grant a WFO licence on the condition that current Entitlement holder does not take out another licence and relevant evidence of the sale of the vessel was provided within three months of the date of this meeting.

Proposed: Mr Spray

Seconded: Cllr Cox

With 6 votes in favour, 0 votes against, and 2 abstentions the motion was carried.

Following the decision members requested that in future an item of this importance not be left until almost the end of long agenda, as it had been at the previous meeting, the CEO agreed to take this request on board.

The ability for the party buying the vessel to get on to the waiting list was questioned, however this party was not on the waiting list, this matter had allowed him to completely circumvent the waiting list as well as the moratorium on issuing licences which had been put in place in 2011.

There being no other items of business the meeting closed at 1030 hours.

Vision

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Action Item 9

29th Eastern Inshore Fisheries and Conservation Authority meeting

7 June 2017

Health and Safety update

Report by: Andrew Bakewell, Head of Finance & HR

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 table below summarises the incidents that have occurred from January to March 2017:

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?
16/3/2017	impact	Minor soft tissue	N	Y	S Howard	Y. Correct procedure for engaging clutch to be included in training

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.

The long-standing risk that arose from the material state of the old Sutton Bridge mooring has now been reviewed and removed from the risk register, as the new mooring facility at Sutton Bridge is now complete and in operation. The new facility has a full range of the up to date safety provisions that are to be expected from modern moorings.

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 			
Damage to vehicles, trailers and/or equipment through inappropriate operation.	<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 	Tolerate	Tolerate
Physical fitness of personnel to undertake arduous duty	<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

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Action Item 10

29th Eastern Inshore Fisheries and Conservation Authority meeting

7 June 2016

Report by: Julian Gregory, CEO

Meeting of the Planning and Communications Sub-Committee

Purpose of report

The purpose of this paper is to report the proceedings of the Planning and Communication sub-committee (P&C S-C) meeting held on 15 March 2017.

Recommendations

Members are asked to:

- **Note** the content of the report

Report

The P&C S-C met on 15 March to transact the following business:

- Consider the 2017-18 Strategic Assessment
- Approve the Business Plan 2017-2022

Outcomes

2017-18 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.

The Strategic Assessment 2017-18 and associated priorities for the year were approved.

Business Plan 2017-22

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 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 Business Plan 2017-22, including the priorities and plans for 2017-18, was agreed by the sub-committee.

The overall priorities, secondary priorities and critical work streams for 2017-18 can be found at Appendix A.

Appendices

Appendix A – Business Plan 2017-22 priorities, critical work streams and secondary priorities

Background Papers

- Strategic Assessment 2017-18
- Eastern IFCA Business Plan 2017-2022
- Unconfirmed minutes of the Planning and Communications sub-committee held on 15 March 2017

Appendix A

Eastern IFCA Priorities 2017-18

The table below sets out the work-streams which were identified as of high priority by the Strategic Assessment 2017. Whilst some will be completed within year the complexities involved, particularly where regulation is required, mean that some are intended to roll into 2018-19 and possibly beyond. Furthermore, some priorities for 2017-18 reflect priorities which have rolled over from 2016-17.

In addition, each work-stream has been assigned a supplementary priority (1 to 3 with 1 being the highest 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.

	Supplementary 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 2016-17);	1
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;	1
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;	1
d) Developing monitoring and control plans for highest risk MPAs as identified in the Strategic Assessment 2017;	2

- e) Delivering mitigation to the risk of 'food availability' in the Wash and North Norfolk Coast SAC in relation to private aquaculture; 2
 - f) Introduction of measures to mitigate the risk of damage to the Wash and North Norfolk Coast SAC from 'unmanaged' bivalve fishing activity if required; 1
 - 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; 3
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 form 2016-17); 2
 - b) Developing fisheries management measures for crab and lobster (continued from 2016-17); 1
 - 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; 3
 - d) Investigate the cause of mussel mortality within The Wash 2
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 2015-16); 1

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 2016-17); 1
 - b) Delivering updated Fisheries Management Plan, updated Regulations and partial cost recovery 1

‘Business as Usual’ – Critical Work-streams 2017-18

The Strategic Assessment 2017 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 2017 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.

Secondary Priorities 2017-18

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 2017 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) Development of mechanisms to capture data relating to fishing for Lesser Spotted Dogfish (including its use as a bait)
 - d) Further develop the mechanism to obtain voluntary data from commercial fishers

- e) Continue dialogue with MMO and other partner organisations to develop 'joined-up' approach to gathering fisheries data from fishers
 - f) Develop shrimp returns data in consultation with industry
 - g) 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)
 - b) Undertake a review of Regulatory Notices implemented under the Protected Areas Byelaw
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

29th Eastern Inshore Fisheries and Conservation Authority meeting

7 June 2017

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 support from NpLaw officers at Norfolk County Council. Proposed changes to the document are shown at Appendix A.

NpLaw advise that there are no 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 1, para 5.1	Meetings of the full Authority will take place quarterly in January, April, July and October each year.	Meetings of the full Authority will ordinarily take place quarterly in January, April, July and October each year. <u>Where circumstances require it, this may be varied by the Clerk in consultation with the Chair.</u>	Cater for appropriate variations where required e.g. local authority elections
Chapter 4, Table 'Matters which it is the responsibility of the full authority to discharge' item 8	Agreeing the Authority's strategic policy framework as follows: <ul style="list-style-type: none"> • Annual Report • Annual Plan • Research and Environment Plan • Communications and Engagement Strategy • Research Reports • Biosecurity Plan • Risk Management strategy • Derogations Policy 	Agreeing the Authority's strategic policy framework including: <ul style="list-style-type: none"> • Annual Report • <u>Business Plan</u> • Research Reports • Biosecurity Plan • Risk Management strategy • Derogations Policy 	Reflect changes in process (e.g. move to five-year Business Plan) and provide flexibility to include other items if required

Chapter/para No.	Existing text	Proposed text	Rationale
Chapter 4, Table 'Matters which it is the responsibility of the full authority to discharge' item 11	Agreeing and signing Memoranda of Understanding and other partnership initiatives.	Approving Memoranda of Understanding and other partnership initiatives agreed in principle by the CEO and Chair.	Linked to amendment in CEO delegations (item 24) to enable work to progress at an appropriate pace
Chapter 4, Table 'Matters which it is the responsibility of the full authority to discharge' item 17	Acting as a consultee for planning proposals and other issues that may affect or impact on fisheries resources or the marine environment within the Authority's District.	Removed and put under CEO's delegated powers	The volume of consultations and the timing of Authority meetings means that it is not realistic for this to be a function of the full Authority
Chapter 4, Table 'Matters which it is the responsibility of the Chief Executive Officer to discharge' item 9	No previous text	Acting as a consultee for planning proposals and other issues that may affect or impact on fisheries resources or the marine environment within the Authority's District.	As above
Chapter 4, Table 'Matters which it is the responsibility of the Chief Executive Officer to discharge' item 24	No previous text	Agreeing in principle Memoranda of Understanding and other partnership initiatives, including work streams under the Association of IFCAs, in consultation with the Chair.	Linked to amendment in full Authority delegations (item 11) to enable work to progress at an appropriate pace

Chapter/para No.	Existing text	Proposed text	Rationale
Chapter 4, Table 'Matters which it is the responsibility of the Chief Executive Officer to discharge' item 26	Where, in the opinion of the CEO (or <i>their DCEO</i> in their absence) a decision which is within the powers of the Authority, but is not within the CEO's delegated powers, is urgently required by the Eastern IFCA, and cannot be delayed until an Authority or relevant Sub-Committee meeting is convened, the CEO may take the decision, having first consulted the Chairman and the Vice-Chairman of the Authority and, where relevant, the Sub-Committee Chair and Vice-Chair. All such decisions must be reported to the next meeting of the Authority and the relevant Sub-Committee.	Where, in the opinion of the CEO (or their <i>nominated deputy</i> in their absence) a decision which is within the powers of the Authority, but is not within the CEO's delegated powers, is urgently required by the Eastern IFCA, and cannot be delayed until an Authority or relevant Sub-Committee meeting is convened, the CEO may take the decision, having first consulted the Chairman and the Vice-Chairman of the Authority and, where relevant, the Sub-Committee Chair and Vice-Chair. All such decisions must be reported to the next meeting of the Authority and the relevant Sub-Committee.	Reflect changes in roles/titles
Chapter 5, para 4.1	All accounting procedures and financial records of the Authority shall be determined by the RFO as required by the Accounts and Audit Regulations 1996 and the Accounts and Audit (England) Regulations 2011.	All accounting procedures and financial records of the Authority shall be determined by the RFO as required by the <i>Accounts and Audit Regulations 2015/234</i> .	Reflect changes to relevant regulations

Chapter/para No.	Existing text	Proposed text	Rationale
Chapter 6, para 5	<p><u>Executive Officers</u> The <u>CEO, Deputy CEO, Head of Finance and Head of HR</u> are responsible for:</p> <ul style="list-style-type: none"> • identifying the fraud, corruption and bribery risks involved in their respective operational area; 	<p><u>Executive Officers</u> The <u>CEO, Head of Operations and Head of Finance & HR</u> are responsible for:</p> <ul style="list-style-type: none"> • identifying the fraud, corruption and bribery risks involved in their respective operational area; 	Reflects changes in roles/titles

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 12

29th Eastern Inshore Fisheries and Conservation Authority meeting

07 June 2017

Appointment of Members to Authority Sub-Committees

Report by: J. Gregory, Chief Executive Officer

Purpose of report

The purpose of this report is to make a recommendation for the appointment of new Local Authority members to sub-committees.

Recommendations

Members are recommended to:

- **Agree** the proposed composition of the sub committees at Appendix 1.

Background

At the 10th Authority meeting on 28th July 2013 it was agreed to revise the process for appointing members to sub-committees. Previously members had been appointed by calling for individuals in open session at an Authority meeting to propose themselves as candidates and for other members to approve them accordingly. It was agreed that this system lacked the requisite scrutiny and rigour. In order to ensure the successful delivery of the right decisions it was considered essential that the skillsets of individuals were considered when making appointments to individual sub-committees to ensure a sufficient blend of professional qualification and experience is achieved.

The new process involves a paper to the Authority proposing the composition of sub-committees. The following rationale was used to propose the membership for each sub-committee:

- **Finance and Personnel** – funding is drawn via levy from the constituent Councils so it is considered appropriate for all Councillors to be members so that they are enabled to be fully engaged with financial and personnel matters. Other appointments have been suggested to reflect either professional expertise in the public sector to assure the requisite transparency and accountability of IFCA business or routine connectivity to national level bodies including Defra.

- **Planning and Communications** – mindful that this sub-committee formulates and agrees the business of Eastern IFCA into the future, it is considered appropriate that the membership reflects the breadth of IFCA work. The intention with the proposed appointments is to assure that all sectors are represented and that the correct balance is struck between fisheries and conservation objectives throughout the district.
- **Marine Protected Areas** – this sub-committee has, to date, predominantly dealt with the management of the Wash Fishery. With the advent of requirement to regulate fisheries activity in European Marine sites and the emergent need to do similar for Marine Conservation Zones, it is considered essential that this sub-committee is enabled to make the right decisions for the benefit of the district and to deliver national and international legislative expectations. The proposed membership aims to include representatives of all stakeholder groups in order to reflect the breadth of the issues at hand cognisant of the competing requirements and vested interests that surround the nature of its business.
- **Regulatory and Compliance** – charged with the formulation and delivery of regulation to ensure that Eastern IFCA meets the national and international fisheries management and conservation objectives, the Regulatory and Compliance sub-committee is empowered to make byelaws. The proposed membership reflects the significance of the business at hand and draws upon those members who have routine professional exposure to regulation and enforcement to assure that Eastern IFCA regulatory measures are proportionate and deliver the essential balance between healthy seas, sustainable fisheries and a viable industry.

The Chair and Vice Chair of the Authority are *ex officio* members of all sub committees and it was agreed that the General Member¹ representing the Marine Management Organisation and the Additional Members² representing Natural England and the Environment Agency would be members of all sub committees except Finance and Personnel to reflect the need for routine communications and influence between the bodies.

It was also agreed that the decision-making powers for matters relating to the Wash Fishery Order to be returned from the MPA sub-committee to the full authority, which necessitated an additional meeting in June of each year. Whilst initially intended as a trial for one year this has remained in place and the MPA sub-committee has not met since October 2014.

Report

¹ SI 2010 No.2189 Para 5(2)(b)

² SI 2010 No.2189 Para 5(2)(c) & Para 5(4)

The local authority elections and associated changes have resulted in six of the seven elected Authority Members changing and as such it is necessary to appoint new members to the sub-committees.

The composition of the sub-committees was last reviewed at the 18th Authority meeting on 29th April 2015 following changes in MMO appointees to the Authority. The rationale underpinning the appointment of non-elected members to sub-committees still stands and it is suggested that current membership remains appropriate.

The proposed appointment of elected Members to sub-committees is set out in Appendix 1. This may be the subject of change at the meeting following the election of the Chair and Vice-Chair.

It is noteworthy that the MPA sub-committee has not met for some time and that the direction of travel in relation to the Wash cockle fishery is for decisions by officers within the parameters of a Management Plan agreed by the Authority. This being the case it is suggested that an overall review of the sub-committee and associated meeting structure may be helpful to ensure that they remain relevant and effective. This will enable the membership a chance to comment on the processes and workload and will also provide an opportunity for a review of delegations to ensure that any emergent demands on the IFCA, both national and international, are acknowledged and suitably positioned within the sub-committee structure to assure delivery of the expected outputs.

Legal implications

There are no legal implications with the methodology adopted to appoint members to sub committees. There are distinct legal risks with any failure to deliver IFCA duties and responsibilities in an auditable, transparent and rational manner.

Appendices

Appendix 1 – Proposed Eastern IFCA Sub-Committee Membership 2017

Background documents

Statutory Instrument 2010 No 2189 – The Eastern Inshore Fisheries and Conservation Order 2010

Eastern IFCA Constitution and Standing Orders

Minutes of 10th Eastern IFCA meeting held on 28 July 2013

Minutes of 18th Eastern IFCA meeting held on 29 April 2015

Appendix 1

Finance & Personnel		
Cllr Goldson	Cllr Grant	Cllr Vigo Di Gallidoro
Cllr Chenery	Cllr Coupland	Mr. S Worrall
Cllr Collis	Cllr Skinner	Dr S Bolt

MATTERS WHICH IT IS THE RESPONSIBILITY OF THE FINANCE & PERSONNEL SUB-COMMITTEE TO DISCHARGE
Function
1. Decision making powers concerning strategic financial matters and approving the annual Statement of Accounts, transfers between accounts, appointment of the Auditor and amendments to the Financial Regulations, but not the setting of the levy, approval of quarterly accounts and statements and approval of bank signatories, all of which are reserved to the full Authority.
1. Decision making powers in developing the Human Resources strategy for the organisation including staff structure and employment policy to include personal development, training and appraisal strategies to assure adherence to relevant UK employment law and other mandated public sector initiatives.
2. Decision making powers regarding policy on the recruitment, remuneration and retention of personnel.
3. Decision making powers to approve standing interview procedures and the appointment of interview panels for the recruitment of the Chief Executive Officer and Executive ³ personnel including Consultants. Authority members of interview panels will be drawn from this Sub-Committee and panels will also include appropriate Authority senior officers; panels will normally be chaired by the Chair of this Sub-Committee; panels will carry out all processes leading to the selection of the successful candidate who will be appointed by the Sub-Committee.
4. Decision making powers to conduct Disciplinary/Grievance appeals panels.
5. The Sub-Committee may delegate any of its powers to an individual member of the Sub-Committee or to the CEO except where the power falls to be discharged by a panel.
6. The Chair of the Sub-Committee, or the CEO in consultation with the Chair, may refer any of the matters set out above to the full Authority for determination where this is in the Authority's interests.

Planning & Communication Sub-Committee		
Mr S Worrall (Chair)	Mr S Bagley	Mr C Donnelly
Dr S Bolt (Vice Chair)	Mr P Garnett	Ms E Dixon-Lack

Cllr Chenery	Mr T Pinborough	Mr R Spray
Mr K Shaul	Dr I Hirst	

MATTERS WHICH IT IS THE RESPONSIBILITY OF THE PLANNING AND COMMUNICATIONS SUB-COMMITTEE TO DISCHARGE
Function
1. Developing the Authority's vision and strategic planning to deliver the DEFRA success criteria.
2. Preparing the Authority's Business Plan, Annual update and Annual Report.
3. Approving the Authority's Business Plan to meet DEFRA deadlines.
4. Formulating the replacement strategy for Authority capital assets for recommendation to the full Authority.
5. The Sub-Committee may delegate any of its powers to an individual member of the Sub-Committee or to the CEO.
6. The Chair of the Sub-Committee, or the CEO in consultation with the Chair, may refer any of the matters set out above to the full Authority for determination where this is in the Authority's interests.

Marine Protected Areas		
Mr R Spray (Chair)	Mr R Brewster	Mr T Pinborough
Mr C Morgan (Vice Chair)	Mr J Davies	Ms E Dixon-Lack
Cllr Collis	Mr K Shaul	Mr C Donnelly
Cllr Coupland	Mr P Garnett	Dr I Hirst

MATTERS WHICH IT IS THE RESPONSIBILITY OF THE MARINE PROTECTED AREAS SUB-COMMITTEE TO DISCHARGE
Function
<p>1. Decision-making powers in relation to the following provisions of the WFO 1992:</p> <ul style="list-style-type: none"> • Opening fisheries for the prescribed shellfish species in the area of the Wash covered by the WFO 1992 • Management measures for fisheries in the relevant area of the Wash including approving any underpinning research initiatives • Granting and revoking licences • Approving and reviewing the Derogation process
<p>2. Decision making powers in relation to European Marine Site (EMS) responsibilities including:</p> <ul style="list-style-type: none"> • Establishing the policy framework to enable accommodation of developing EMS initiatives material to Authority outputs.
<p>3. Making recommendations to the full Authority in relation to the management and administration of all Marine Protected Areas in the district.</p>
<p>4. The Sub-Committee may delegate any of its powers to an individual member of the Sub-Committee or to the CEO.</p>
<p>5. The Chair of the Sub-Committee, or the CEO in consultation with the Chair, may refer any of the matters set out above to the full Authority for determination where this is in the Authority's interests.</p>

Regulation & Compliance		
Mr T Pinborough (Chair)	Mr R Brewster	Mr P Garnett
Mr C Morgan (Vice Chair)	Mr J Davies	Mr C Donnelly
Cllr Grant	Mr S Williamson	Dr I Hirst
Cllr Skinner	Mr R Spray	Ms E Dixon-Lack

MATTERS WHICH IT IS THE RESPONSIBILITY OF THE REGULATORY AND COMPLIANCE SUB-COMMITTEE TO DISCHARGE
Function
1. Making, amending, revoking, re-enacting or adopting byelaws.
2. Reviewing enforcement strategy assuring adherence to UK Law, other legal precedents and mandated public service protocols.
3. Developing a risk-based enforcement strategy suitable for Authority purposes.
4. The Sub-Committee may delegate any of its powers to an individual member of the Sub-Committee or to the CEO.
5. The Chair of the Sub-Committee, or the CEO in consultation with the Chair, may refer any of the matters set out above to the full Authority for determination where this is in the Authority's interests.

Vision

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Action Item 13

29th Eastern Inshore Fisheries and Conservation Authority meeting

Report by: Andrew Bakewell – Head of Finance

Payments made and monies received during the period 1st January 2017 to 31st March 2017

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.

The report on Payments made 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

Finance Officer's Report on Payments Made and Monies Received during the period
1st January 2017 to 31st March 2017

Payments made during the period 1st January 2017 to 31st March 2017

	Month 10	Month 11	Month 12	TOTAL
	£	£	£	£
Transfers to EIFCA Salaries Acct.		80,000.00	70,000.00	150,000.00
Rent, Rates & Service Charges	2,829.92	2,282.46	7,913.64	13,026.02
General Establishment	5,877.53	3,423.21	21,067.01	30,367.75
Legal Fees				
Staff Travelling & Subsistence	2,076.99	2,213.72	3,629.24	7,919.95
Members' Allowances	124.40	533.45	332.55	990.40
Training	1,250.00	1,729.25	1,649.25	4,628.50
Moorings/Harbour Dues	899.19	223.19	2,169.50	3,291.88
Pisces III Operating Costs				
Hire of rib	3,468.93		910.42	4,379.35
Three Counties Operating Costs	4,841.58	4,596.71	25,832.42	35,270.71
FPV JA & ST –Operating Costs	2,376.87	2,298.10	4,870.33	9,545.30
Vehicle Operating Costs	1,213.77	406.52	9,684.37	11,304.66
Communication and Development		60.00	95.00	155.00
Research and Environment	36.22	1,002.89		1,039.11
Enforcement	194.92	116.98	439.20	751.10
Wash & Nth Norf. EMS Project	291.25	16.66	4,263.00	4,570.91
Wash Fishery Order			100.00	100.00
Assets	5,000.00	1,960.00		6,960.00
IT Project				
Petty Cash		200.00		200.00
VAT recoverable (Quarter)	4,542.38	2,594.10	8,521.29	15,657.77
TOTAL PAYMENTS MADE	35,023.95	103,657.24	161,477.22	300,158.41

Monies received during the period January 2017 to March 2017

	Month 10	Month 11	Month 12	TOTAL
	£	£	£	£
WFO – Licences	301.25			301.25
WFO – Tolls	150.00			150.00
Whelk licences	425.00	15.00	1,812.50	2,252.50
Wash & North Norfolk Coast EMS	2,700.00		4,000.00	6,700.00
Sale of equipment	3,011.99	2,410.00	876.00	6,297.99
Fixed Penalty Fine				
EHO sampling				
MMO- CEO costs		52,118.87		52,118.87
Miscellaneous	5.19	2.04	14.69	21.92
TOTAL MONIES RECEIVED	6,593.43	54,545.91	6,703.19	67,842.53

Details on larger payments

TC refit (Mth 12) £21,881, Vehicles (Mth 12) incs 17/18 insurance £7,419, Gen. Establishment (Mth 12) incs. AIFCA subs 17/18 £12,000 and Skyguard subs. 17/18 £1,927 and 2 months insurance, Annual licence renewals £1,023. Assets purchased – Temporary replacement rib £5,000 (cost offset by hire cost saving) and a trailer for transporting bulky items (seized pots) £1,960.

Receipts – Sale of equipment – Pisces outboards £3,012 and Pisces trailer £2,410 (both surplus to requirements) and confiscated wheelk pots £876.

Vision

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Action Item 14

29th Eastern Inshore Fisheries and Conservation Authority meeting

7th June 2017

Report by: Andrew Bakewell – Head of Finance

Report on the Management Accounts for the third and fourth quarters 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 third and fourth quarters of the 2016/17 financial year. Actual spend is compared with the budget with explanations of the significant variances provided.

Salaries – Savings arising from the CEO secondment to the MMO totalled £66,654 inc pension and NI costs, the remainder of the savings being the result of vacancy management. NI costs were higher than anticipated.

General Expenditure – The modest overall saving of £2,851 was a combination of savings on insurance (£8,648), Training (£26,392, Staff travel (£4,964) offset by an overspend on Establishment (£23,392) the largest spends were legal costs of £24,600 and £8,993 for the meeting room display equipment.

Operational areas (Communications, Enforcement and Marine Science) yielded savings totalling £20,195 see breakdown below.

Vessels- Rent on moorings ceased earlier than anticipated saving £29,662, which along with £34,755 saving on vessel costs (maintenance, fuel and insurance) more than offset the overspend on the hired rib (Pisces temporary replacement) of £17,162.90

Vehicles – showed a modest underspend of £2,896.

Total underspend after asset purchases £125,760 combined with £13,439 of additional income mainly from asset sales and Fines and costs (these partly offset the legal costs of prosecutions) has generated estimated additional reserves of £139,199.

Management Accounts Financial Year 2016/2017

	ACTUAL Year to Date Qtr 3 £	BUDGET Year to Date Qtr 3 £	MEMO Budget For Year £
<u>SALARIES & WAGES</u>			
Staff Remuneration	517,601	555,406	742,992
Pension	98,487	119,412	159,743
National Insurance	51,025	41,625	55,499
TOTAL	667,113	716,443	958,234
<u>GENERAL EXPEND</u>			
Accommodation	54,544	47,126	62,113
Insurance	6,747	16,000	16,000
General Establishment	73,585	70,415	85,700
Officers' Expenses	8,529	14,880	19,840
Members' Travel	3,540	3,600	4,800
Training	3,423	26,843	35,790
TOTAL	150,368	178,864	224,243
Develop& Comms	3,081	5,625	7,500
Enforcement	11,328	12,000	16,000
Research & Environ	4,889	13,831	16,500
<u>VESSELS</u>			
Moorings/Harbour Dues	2,870	23,475	31,300
<u>Vessel Operating Costs</u>			
Three Counties	42,063	54,422	96,344
FPVs JA & ST	29,702	52,185	63,830
Pisces (inc hire)	16,350	4,583	5,770
TOTAL	90,985	134,665	197,244
<u>VEHICLES</u>			
Operating Costs	18,354	20,258	25,200
TOTAL	18,354	20,258	25,200
TOTAL EXPENDITURE	946,118	1,081,686	1,444,921
<u>INCOME</u>			
Bank Interest	42		6,000
Levies	1,391,070	1,391,070	1,391,070
WFO Licence Tolls	17,610	14,250	16,500
Whelk licences	2,850	4,500	6,000
Sale of assets	2,840		
Fixed Penalties & costs	8,330		
Surveys	4,000	500	5,000
EHO sampling	8,600	4,500	6,000
Lay rents	2,939	2,250	2,500
TOTAL INCOME	1,438,281	1,417,070	1,433,070
Reserve movement	492,163	335,384	-11,851

	Actual	Budget	Variance
	YTD Qtr 4	Year	Full year
Salaries and Wages			
Remuneration	663,576	742,992	79,416
Pension	129,041	159,743	30,702
National Insurance	66,237	55,499	-10,738
TOTAL	858,854	958,234	99,380
General Expenditure			
Accommodation	60,519	62,113	1,594
Insurance	7,352	16,000	8,648
General Establishment	124,716	85,700	(39,016)
Staff expenses	14,876	19,840	4,964
Members travel	4,531	4,800	269
Training	9,398	35,790	26,392
TOTAL	221,392	224,243	2,851
Communications	1,830	7,500	5,670
Enforcement	12,047	16,000	3,953
Marine Science	5,928	16,500	10,572
Vessels			
Moorings	1,638	31,300	29,662
RV Three Counties	85,898	96,344	10,446
FPV John Allen	25,000	38,830	13,830
FPV Sebastian Terelinck	14,251	25,000	10,479
Tender rib	22,962	5,770	(17,192)
TOTAL	154,777	197,244	42,467
Vehicles			
Operating costs	22,304	25,200	2,896
TOTAL	22,304	25,200	2,896
TOTAL EXPENDITURE	1,277,132	1,444,921	167,789
Income			
Levies (inc new burden)	1,391,070	1,391,070	-
Interest	6,768	6,000	768
WFO licences	10,561	16,500	(5,939)
Whelk permits	5,103	6,000	(897)
EHO sampling	8,600	6,000	2,600
Surveys	4,000	5,000	(1,000)
Fines and costs	8,330		8,330
Lay rents	2,939	2,500	439
Sale of equipment	9,138		9,138
TOTAL INCOME	1,446,509	1,433,070	13,439
Surplus/(shortfall)	169,377	(11,851)	181,228
Assets purchased	42,029		(42,029)
Reserves	127,348	(11,851)	139,199

Vision

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Action Item 15

29th Eastern Inshore Fisheries and Conservation Authority meeting

7th June 2017

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 £4,250 with actual expenditure for the year 2016/17 of £4,561 inc. approximately £900 relating to backdated claims for prior years.

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 2017/18 budget.

Proposal: That the authority resolves to continue payment of expenses until the next review at the equivalent meeting in 2018.

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 16

29th Eastern IFCA meeting

7 June 2017

The Wash Cockle Fishery 2017

Report by: J Gregory, CEO, R W Jessop, Senior Marine Science Officer

Purpose of report

The purpose of this report is to inform members of the outcome of the 2017 Wash cockle survey and to seek approval for the recommended management measures and to open the fishery. It should be noted that the proposed management measures are currently the subject of consultation with the industry and amendments may be proposed at the Authority meeting.

Context

In recent years, there has been some degree of contention in the Wash fishing industry associated with the opening and management of the cockle fishery. This has been because of significant division of opinion within the fishing community, primarily over the fishing method to be employed (hand-worked or suction dredge) and the antagonistic behaviours that this subject routinely provoked.

Developments over the last two years have combined to alleviate this. At the 23rd Authority meeting on 27th April 2016 members decided that although hydraulic suction dredges should not be totally banned, future cockle fisheries should default to being hand-worked, with dredges retained only as a contingency option if exceptional circumstances required their use. At the 27th Authority meeting on 15th February 2017 it was agreed in principle to adopt a new approach to managing the fishery with a clear intention to move to a routine fisheries management function undertaken within the parameters of the Management Plan. This has yet to be consulted with the fishing industry and as such opening and managing the fishery is being undertaken in accordance with existing policies, plans and regulations.

Assumption

This report is written on the assumption that both the provisions of the Wash Fishery Order 1992 (including the licence conditions and Regulations) and Eastern IFCA byelaws will be adhered to and fishing activity will be carried out in a legal and professional manner by all participants.

The Authority has previously been made aware of the poor behaviours seen during the 2015/16 cockle fishery and this was a concern for Natural England and was considered in developing the recommendations made for the 2016 fishery. Whilst the

2016 fishery was largely compliant with regulations it is proposed that the measures will remain for the 2017 fishery as they are seen to be good practice.

Recommendations

Members are recommended to:

Note the content of the 2017 Wash cockle survey report at Appendix 1.

Note the responses to Entitlement holder consultation reported at the meeting.

Note the rationale for allowing the use of sea-anchors for 'prop-washing' by way of an enforcement policy relating to Regulation 1 (fishing equipment) (Appendix 3) but appropriately restricted through the use of a licence condition.

Note the rationale for increasing the daily catch restriction and the legal advice from Defra regarding a policy which introduces an increased threshold with regards to enforcement of daily catch restrictions under Regulation 2 (Appendix 4).

Agree to a Total Allowable Catch (TAC) of 7,016 tonnes.

Agree to open a hand work fishery on a date to be determined by the CEO.

Agree to the proposed licence conditions set out in Appendix 2.

Agree to endorse the enforcement policy at Appendix 3 relating to Regulation 1 (fishing equipment) to allow the use of sea-anchors for the purpose of 'prop-washing'.

Agree to endorse the enforcement policy at Appendix 4 relating to Regulation 2 (daily catch restriction) to effectively increase the daily quota to 3 tonnes.

Approve the delegation of powers to the Chief Executive Officer, in consultation with the Chair and Vice-Chair, to introduce, vary or revoke management measures/licence conditions for the cockle fishery as required for the purposes of fisheries management, including meeting the conservation objectives of the Wash and North Norfolk Coast European Marine Site (EMS) and supporting a sustainable and viable fishery.

Approve the delegation of powers to the Chief Executive Officer to open and close the fishery or parts of the fishery as required for the purposes of fisheries management, including meeting the conservation objectives of the Wash and North Norfolk Coast EMS and supporting a sustainable and viable fishery.

Approve the delegation of powers to the CEO to introduce, vary or revoke management measures or to open or close the fishery or parts of the fishery, without 7 days' notice (as per the cockle charter) where it is judged necessary to do so to meet the conservation objectives of the Wash and North Norfolk Coast European Marine Site or for the sustainability or the viability of the fishery.

Background

The Authority is the Grantee of the Wash Fishery Order 1992, which confers upon the Authority the right of a regulating fishery for the prescribed species with respect to the regulated fishery. The prescribed species include cockles, mussels and clams.

In exercising its right of a regulating cockle fishery, the Authority must remain fully aware of its obligatory duties and responsibilities as set out in the Marine and Coastal Access Act 2009. The statutory duties of the Authority are as follows:

- 1) Manage the exploitation of sea fisheries resources in its district; in doing so it must:
 - a) Seek to ensure that the exploitation of sea fisheries resources is carried out in a sustainable way
 - b) Seek to balance the social and economic benefits of exploiting the sea fisheries resources of the district with the need to protect the marine environment from, or promote its recovery from, the effects of such exploitation
 - c) Take any other steps which in the Authority's opinion are necessary or expedient for the purpose of making a contribution to the achievement of sustainable development
 - d) Seek to balance the different needs of persons engaged in the exploitation of sea fisheries resources in the district
- 2) Seek to ensure that the Wash Fishery Order 1992 is managed by the Authority in a manner that supports the local fishing industry whilst not having a detrimental impact upon the conservation features within a protected site.

As the fishery is within a Site of Special Scientific Interest (SSSI), Special Protection Area (SPA) and Special Area of Conservation (SAC), the Authority must exercise care to ensure that damage and disturbance to the site are minimised so there is no adverse effect on the integrity of the site.

To manage its responsibilities set out under the Habitats Regulations 2010 as the 'Relevant Authority' the Authority has set out management policies as well as an agreed process to open a fishery ('The Cockle Charter'), including a Habitats Regulations Assessment (an "appropriate assessment"). It is against these criteria that the options presented below have been weighed and from which the recommendations of officers are derived.

Industry Perspective

Entitlement holders are being consulted on the proposed management measures for the fishery and this will be complemented by a meeting with Entitlement holders on Friday 2nd June 2017. The results of this will be reported at the Authority meeting.

Cockle Survey

For Authority members to make decisions based on best available evidence, annual cockle surveys are conducted each spring. These surveys highlight the size of the cockle stock and their distribution over the beds. When filtered through the Authority's

Shellfish Management Policies, the results from the surveys determine the size of the TAC and help to identify which beds can be opened to which types of fishery. A full report of the 2017 survey is attached at Appendix 1.

The proposed TAC is 7,016 tonnes.

Management Measures for the 2017 Cockle Fishery

The fishery is managed each year through a combination of Eastern IFCA Byelaws, Wash fishery Order 1992 (WFO) Regulations, and licence conditions (under Article 8(5) of the WFO). The licence conditions are decided on a yearly basis by the Authority to reflect the dynamic nature and changing needs of the fishery. Regulations are 'fixed' and are consistent year to year.

The proposed licence conditions for this year's fishery reflect the high TAC and the potential for some level of die-off during the year. Four additional licence conditions were introduced for the 2016 fishery (including one introduced outside of the Authority meeting) and it is proposed to retain these to mitigate against the potential for poor behaviours exhibited by some during previous fisheries.

In addition to the proposed licence conditions, it is proposed that Regulation 1 (fishing equipment) and Regulation 2 (daily catch restrictions) is varied through the use of enforcement policies.

The proposed licence conditions for the 2017 WFO cockle fishery are set out in Appendix 2 and are discussed in detail below along with the proposed variation to Regulations 1 and 2 of the WFO. It is also recommended that the Authority agrees to delegate to the CEO, in consultation with the Chair and Vice-Chair, the power to introduce, vary or revoke management measures/licence conditions for the purposes of fisheries management, including meeting the conservation objectives of the Wash and North Norfolk Coast EMS and supporting a sustainable and viable fishery. This will enable dynamic management of the fishery should it be required.

It should be noted that the management of the 2017 cockle fishery as set out in this report is proposed pending formal advice from Natural England in their capacity as Statutory advisors. Any required amendments to the management measures resultant of such advice can be reflected using powers delegated from the Authority to the CEO as set out in the recommendation above.

Licence condition 1: Fishing Method

The Authority has previously agreed that the fishery will be hand-worked unless exceptional circumstances apply. No such circumstances are judged to exist for 2017 and as such the fishery will be hand-worked only.

Enforcement Policy relating to Regulation 2 (WFO) - Daily catch restrictions

To enable the whole of the TAC to be taken and to mitigate against the risk of die off it is proposed that the enforcement of Regulation 2 (daily catch restrictions) is varied. Regulation 2 of the WFO sets the daily catch restriction at 2 tonnes, per vessel, per calendar day during a hand-worked fishery.

Officers recommend that the fishery would benefit from an increased daily catch restriction of 3 tonnes per day. This would replicate the policy adopted last year.

Whilst the new Management Plan will introduce a variable daily quota based upon the level of TAC this has yet to be consulted on and changes to the Regulation will not be achieved in time for the 2017 fishery.

As such, the policy adopted for 2016 is proposed, which sets out Eastern IFCA's enforcement policy with regards to Regulation 2 for this year's fishery. This can be found at Appendix 4, together with the supporting rationale. The policy sets out that enforcement action will not be taken unless a vessel is in contravention of the Regulation by a certain amount. For this fishery, it is recommended that this level be set at 3 tonnes per licence holder, per calendar day.

The recommendation that the CEO, in consultation with the Chair and Vice-Chair, has the delegated authority to introduce, vary and revoke management measures/licence conditions makes it possible to vary this policy should it prove necessary e.g. if excessive damage is caused by prop-washing.

Environmental impacts

The main risk associated with this policy is the potential to encourage poor 'prop-washing' practices. Where fishermen usually 'prop-wash' enough cockles to take two tonnes, they would, under a greater daily catch restriction, potentially have an incentive to prop-wash more excessively to remove the desired quantity of cockles.

Experience from last year indicates that this risk may be low, albeit there were some high densities of cockles and there was a tendency for fishermen to ignore beds with lower densities. Cockle densities this year are judged to be sufficient to support an increased daily quota and fishing activity will be monitored. In the event that excessive environmental damage is caused the daily quota could be varied.

As such, the environmental risk associated with this policy is considered low but will be included in the HRA to enable Natural England to advise on any potential for a significant impact on the Wash and North Norfolk Coast European Marine Site. Further analysis of the potential impacts of the policy are presented in Appendix 4.

Legal advice

Advice was obtained from the legal department at Defra for the 2016 change in policy on daily quota. Defra have indicated that there is a potential that using a policy (rather than a formal amendment to the Regulation) *may cause confusion and/or have reputational implications for EIFCA and by extension, Defra* but indicate that the decision is ultimately Eastern IFCA's to make (i.e. there is no legal reason why this policy could not be enforced).

The risk associated with the policy is considered low. The policy would be published alongside the agreed licence conditions in a letter to fishers and will include the rationale behind the policy and IFCOs will engage with the industry throughout the fishery to ensure that fishers understand the policy.

Licence Condition 2: Opening Date

It is proposed that the CEO determines the opening date, which is likely to be on 20th or 26th June. This will be dependent on the necessary steps being taken, including agreement from Natural England and the provision of seven days' notice to fishermen in accordance with the Cockle Charter.

Licence condition 3: Open/closed areas

In accordance with the survey results (Appendix 1) it is proposed to open all beds except for Wrangle and those areas that will be closed to protect high-density patches of Yr-0 juvenile cockles. These areas can be seen in figures 4, to 10, and their respective coordinates in table 2 in Appendix 1.

Note: Some of the proposed open areas contain Several Fishery Order mussel lays. Although some of these lays have benefitted from a settlement of cockles, these lays are not part of the Regulated fishery but belong to the lay lease-holders. The lays will effectively be closed areas and charts identifying them will be provided to the fishermen prior to the fishery opening.

Licence condition 4: Days of Operation

In accordance with what has become standard practice for a number of years' the days of operation are based on the following criteria:

- Minimum 6.0m tide height
- Open four days per week
- Open weekdays (Monday to Friday)
- Open Monday to Thursday where possible

The rationale that underpins this is that such a regime will:

- Allow the sands to recover
- Extend the duration of the fishery
- Allow Shrimp growth to occur, by reducing fishing effort on juvenile shrimps and subsequently increasing Shrimp landings later in the season
- Allow for periods of enforced rest for both fishing operators and EIFCA staff to mitigate against health and safety risk introduced through over-tiredness.
- Provide a schedule for processors and other industries
- Suit processing plants as four days fishing equates to five days working for staff

The increase of the daily quota to three tonnes per day would be necessary in a four day per week fishery to enable the fishery to take the entire TAC. In the event that it is necessary to reduce the daily quota during the fishery it would be possible to increase the days per week that the fishery is open.

Licence Condition 5: Catch Returns Data

In order to manage the TAC and monitor where cockles have been lost or harvested it is important that fishermen provide the details of their fishing activities to Eastern IFCA. Catch return books and pre-paid envelopes will be distributed to fishermen on

payment of their licence fee. Catch returns are required weekly and entitlement holders who fail to return catch forms by the allotted day could have enforcement action taken against them.

It is particularly important that the catch data from both the licenced fishers and the processors is received by officers in good time this year. With the proposed increase in daily catch restriction, the assumed amount of cockle taken if no return is received for a particular day will be greater than in previous years and could result in the early closure of the fishery.

Licence condition 6: Transshipping Prohibition

Transshipping is already prohibited in the dredge fishery (and in many other fisheries). Bringing the hand-worked fishery in line with other fisheries reduces the risk of fishers attempting to unlawfully take more cockles than is permitted under Regulation 2 (daily catch restriction) or any associated policy.

Several fishers were reported to have fished for or taken more than that which is permitted through Regulation 2 and transshipped the excess to other vessels during previous fishery's. Indeed, it featured as part of the defence in a court case relating to fishing in closed areas.

It can be argued that, in effect, allowing transshipping undermines Regulation 2 of the WFO 1992, which prohibits 'fishing for, taking or removing from the fishery' catch in excess of the daily quota. The important point here is that case law indicates that removing from the fishery is complete at the point that cockles are placed in bags (NB there is an erroneous belief amongst many fishers that removing from the fishery means removing from the regulated fishery i.e. crossing the boundary of the WFO 1992 as they enter the river).

IFCOs would endeavour to enforce such a licence condition with a degree of proportionality e.g. if a vessel were to suffer a break down during a trip, IFCOs would practise appropriate discretion when considering enforcement action.

It is unlikely that any impacts on fishing activity will occur as a result of this prohibition. Given the high density of cockles present this year, fishers are less likely to need to 'top-up' their catch from other fishers who have an excess.

Licence condition 7: Requirement to Land

The intention of this condition is to require fishers to land cockles fished and to prohibit cockles being left in bags on the sands or in the rivers.

There have previously been incidents where some fishermen have collected more than the allowed two tonnes of cockles in a calendar day and hiding these additional cockles in the river. Fishers were then reported to be collecting these hidden cockles after IFCOs had left the quay, landing cockles in addition to the daily catch restriction out of sight.

This licence condition is not considered to have any impacts on fishing activity. The requirement to land reflects the normal practice of fishers.

Licence condition 8: Dual Fishing Prohibition

The intention of this licence condition is to prevent fishers claiming that any landed cockles in excess of those permitted by Regulation 2 (daily catch restrictions) were taken from outside the regulated fishery. This would apply to those that have cockle settlements on their lays or who claim to have fished in the area between the regulated fishery and the Le Strange estate private fishery, noting the boundary agreement set out in the judgment of the Supreme Court in relation to *Lynn Shellfish Ltd (and others) vs Loose and another (2016)* has yet to be resolved.

No impacts on fishing activity are anticipated as a result of this licence condition. Given the high cockle TAC proposed for the 2016/17 fishery, fishers are unlikely to have a desire to fish in two cockle fisheries per day.

Licence condition 9: Standard Bags

At the 14th Eastern IFCA meeting (4 June 2014) the Authority approved the introduction of a standard bag which must be used in the WFO cockle fishery. This requirement has remained in place for subsequent fisheries and it is proposed to retain it for 2017.

Licence Condition 10: use of anchors for prop-washing

Regulation 1 of the Wash Fishery Order precludes the practice of prop-washing. Prop-washing is a cockle fishing practice used to dislodge cockles from within the sediment and aid fishing.

During the 2016/17 cockle fishery, Officers undertook a review of the relevant research and liaised with Natural England regarding this fishing practice. It was concluded that prop-washing was unlikely to cause damage to the seabed if conducted using a sea-anchor (i.e. a bag suspended in the water used to slow the vessel down and aid the turning of the vessel in tighter circles). In contrast, there is a higher risk of damage when a traditional anchor is used (i.e. one which is affixed to the seabed). As such, Officers implemented a policy which allowed prop-washing and a licence condition which prohibited the use of anchors which would affix the vessel to the sea-bed.

The use of an enforcement policy (Appendix 3) and licence condition 10 will allow for fishers to undertake prop-washing whilst mitigating the risk of damage to the environment.

Appendices

1. Summary of the 2017 Annual Spring Cockle Survey.
2. Proposed licence conditions for the 2017 cockle fishery
3. Proposed policy relating to the enforcement of Regulation 1 (fishing equipment)
4. Proposed policy relating to the enforcement of Regulation 2 (daily catch restrictions)

APPENDIX 1

SUMMARY OF THE 2017 ANNUAL SPRING COCKLE SURVEYS

The Authority conducted the 2017 spring cockle surveys between March 27th and April 28th 2017. The timing of these surveys, which took advantage of the spring tides in late March and through April, is consistent with the majority of Eastern-IFCA's and ESFJC's previous spring cockle surveys. During the course of these surveys, 1,296 stations from a total of 21 sands were sampled.

The results of the surveys have been summarised in table 1, which shows details of the cockle stocks found on each sand, and in figures 1 to 3 which display the distribution of adult stocks (cockles $\geq 14\text{mm}$ width), juvenile stocks (cockles $< 14\text{mm}$ width) and the 2016 year-class spatfall.

From table 1 the stocks can be summarised at the following levels:

Total Adult Stock ($\geq 14\text{mm}$ width)	21,048 tonnes
Total Juvenile Stock ($< 14\text{mm}$ width)	14,610 tonnes
Total Stock (all sizes)	35,658 tonnes

The exceptional spatfall that settled in 2014 had already resulted in two good fisheries in 2015 and 2016, during which a total of over 14,000 tonnes of cockles were harvested. The survey results in 2016, however, indicated a high proportion of these 2014 year-class cockles were in danger of being lost, either through atypical mortality or ridging-out. Management of the 2016 fishery, therefore, focused on targeting the most vulnerable stocks before they were lost. The recent 2017 surveys confirmed significant losses had occurred on most of the beds, particularly those where the growth rates were the highest. These losses, in addition to the 8,600 tonnes which were harvested, contributed towards an overall decline in total stock from 55,349 tonnes to 35,658 tonnes. These natural losses were not quite as high as had been anticipated, however, based on what had been experienced in previous years. Losses on some of the faster-growing beds have been as high as 95% in some years, but the recent surveys found that the numbers of 2014 year-class cockles on Wrangle had declined by approximately 75%, on Friskney by 69% and by 80% on the Roger/Toft. Because the surviving cockles had grown during the year, the reduction in cockle biomass was lower, with reductions of 62% on Wrangle, 59% on Friskney and 56% on the Roger/Toft. These better than expected survival rates are possibly due to the relatively cool summer we had in 2016, which lacked long periods of hot days.

At the time of the 2016 surveys, less than half of the 2014 year-class cockles had reached 14mm width, so did not contribute towards the TAC. By the time of the 2017 surveys, the majority of the surviving 2014 cockles were found to have grown sufficiently to have reached this size. As a consequence, although the total cockle stock has declined by almost 20,000 tonnes, the stock of cockles that have reached 14mm width has only declined from 25,826 tonnes to 21,048 tonnes. Based on these figures, the Total Allowable Catch (TAC) for the fishery will be 7,016 tonnes. This is almost double the size of the average TAC seen over the last decade. The distributions of the cockle stocks indicate there are still harvestable densities of large cockles on the Thief and Roger/Toft beds, plus high density pockets of slightly smaller cockles on

the Dills, Mare Tail, Holbeach, IWMK, Breast and Daseley's sands that will help support the fishery.

The surveys also identified there had been another successful settlement of spat during 2016, with 7,129 tonnes of Yr-0 cockles present (see figure 3). While this is not as large as the exceptional 2014 settlement, it is nevertheless higher than average and has settled over a widespread area of the Wash inter-tidal beds. Our policies necessitate protecting Yr-0 juvenile cockles where their densities exceed 1,000/m². While such closures can have an impact on fishing opportunities, and also cause some older cockles to ridge out, facilitating their survival is important for sustaining the fishery in the coming years.

The current stock levels are still high, and the TAC of 7,016 tonnes offers the prospects for a good fishery during 2017. When past trends and observations are taken into account with the current cockle age and size dynamics, however, high mortalities are again predicted. Atypical mortality seems to predominantly affect cockles that are of spawning size. While last year the cockles situated on the faster growing beds were worst affected, those on the slower growing beds will also be of a vulnerable size this year.

Table 1 - Summary of cockle stocks on the Wash intertidal beds - April 2017

SAND	Adult ($\geq 14\text{mm}$)				Juvenile ($< 14\text{mm}$)				Total Biomass (t)	% Adult
	Area (ha)	Mean Density (no/m ²)	Mean Weight (t/ha)	Biomass (t)	Area (ha)	Mean Density (no/m ²)	Mean Weight (t/ha)	Biomass (t)		
Butterwick	238	43.64	1.83	437	232	1418.64	3.73	868	1,305	33
Wrangle	697	47.42	3.09	2,155	730	1368.48	2.65	1,933	4,088	53
Friskney	586	32.46	2.87	1,684	532	108.55	0.81	431	2,115	80
Butterwick Ext	238	55.71	2.10	500	271	536.25	2.39	648	1,148	44
Wrangle Ext	127	10.00	0.49	63	127	17.50	0.21	33	96	66
Friskney Ext	436	14.33	0.99	432	337	28.00	0.40	133	565	76
Roger/Toft	589	149.38	7.78	4,578	381	534.84	2.16	824	5,402	85
Gat	69	25.00	2.50	171	128	1416.43	5.16	660	831	21
Herring Hill	215	23.04	1.05	224	325	223.71	2.13	692	916	24
Black Buoy	129	168.57	6.41	824	147	346.25	4.47	656	1,480	56
Mare Tail	323	101.29	4.42	1,427	447	614.42	4.19	1,874	3,301	43
Holbeach	858	58.75	2.42	2,079	839	223.33	1.35	1,133	3,212	65
IWMK	250	73.00	2.46	615	356	664.29	3.78	1,346	1,961	31
Breast	685	67.19	2.61	1,790	980	175.36	2.05	2,006	3,796	47
Thief	184	185.00	10.70	1,969	45	50.00	0.34	15	1,984	99
Whiting Shoal	0	0.00	0.00	0	43	382.50	1.03	44	44	0
Daseley's	548	59.55	2.78	1,524	593	260.85	0.91	540	2,064	74
Styleman's	60	80.00	5.54	331	110	132.00	0.54	59	390	85
Pandora	39	90.00	3.47	136	100	139.00	0.36	35	171	80
Blackguard	12	10.00	1.86	23	24	410.00	1.50	36	59	39
Peter Black	151	16.43	0.57	86	399	402.86	1.62	644	730	12
TOTAL	6,434			21,048	7,146			14,610	35,658	59

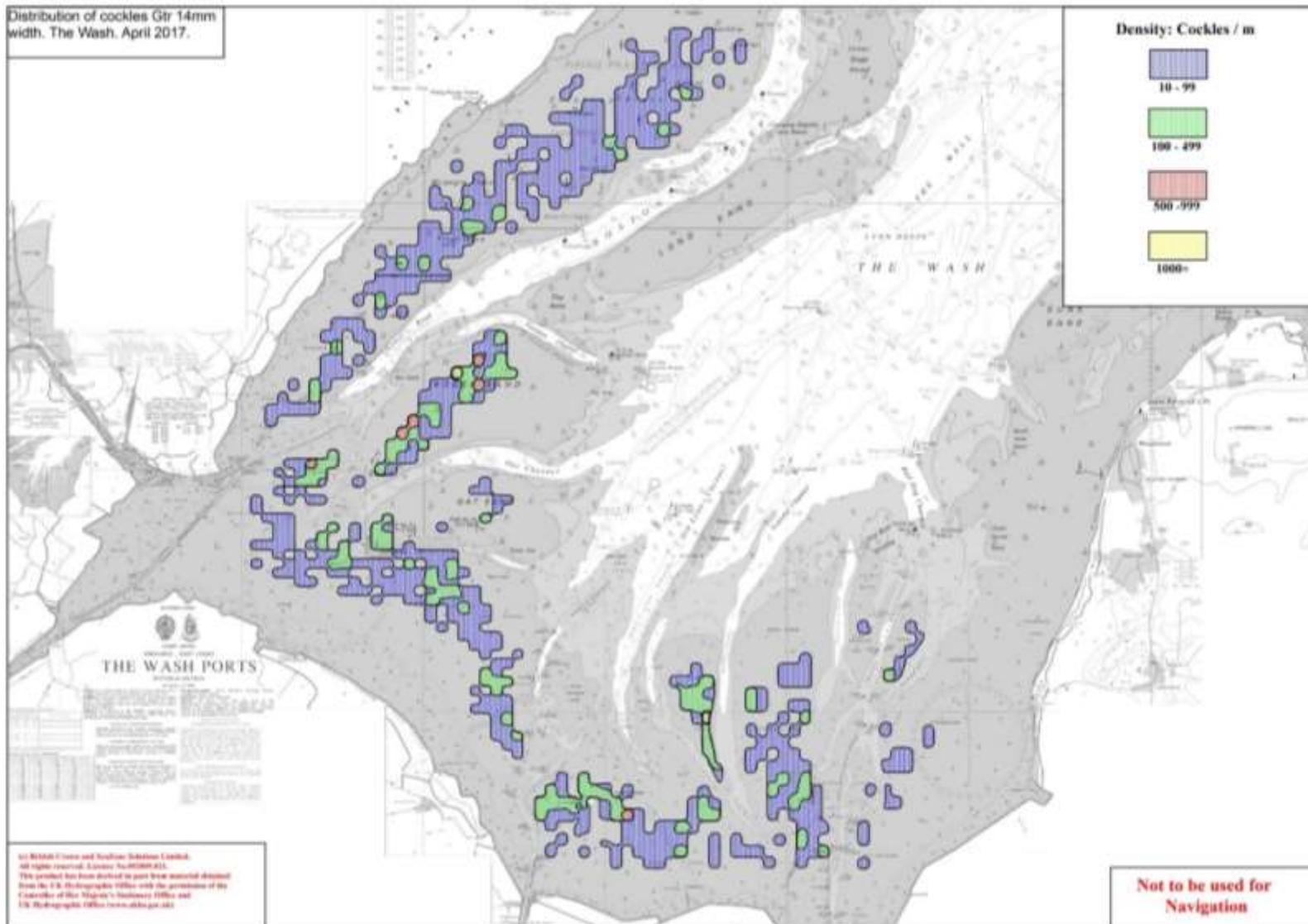


Figure 1 – Chart showing the distribution of adult cockles (≥ 14 mm width) at the time of the April 2017 surveys

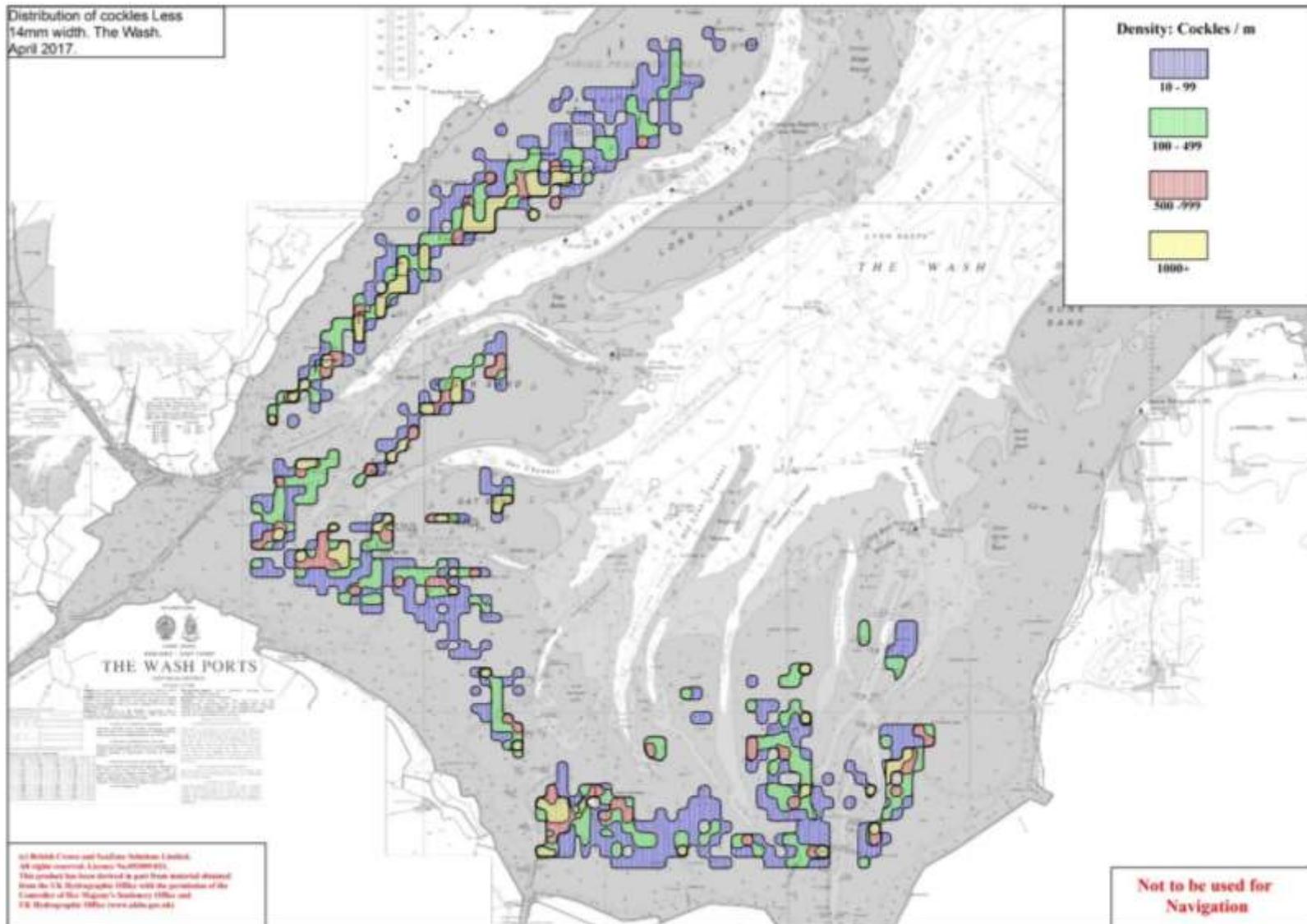


Figure 2 – Chart showing the distribution of juvenile cockles (<14mm width) at the time of the April 2017 surveys

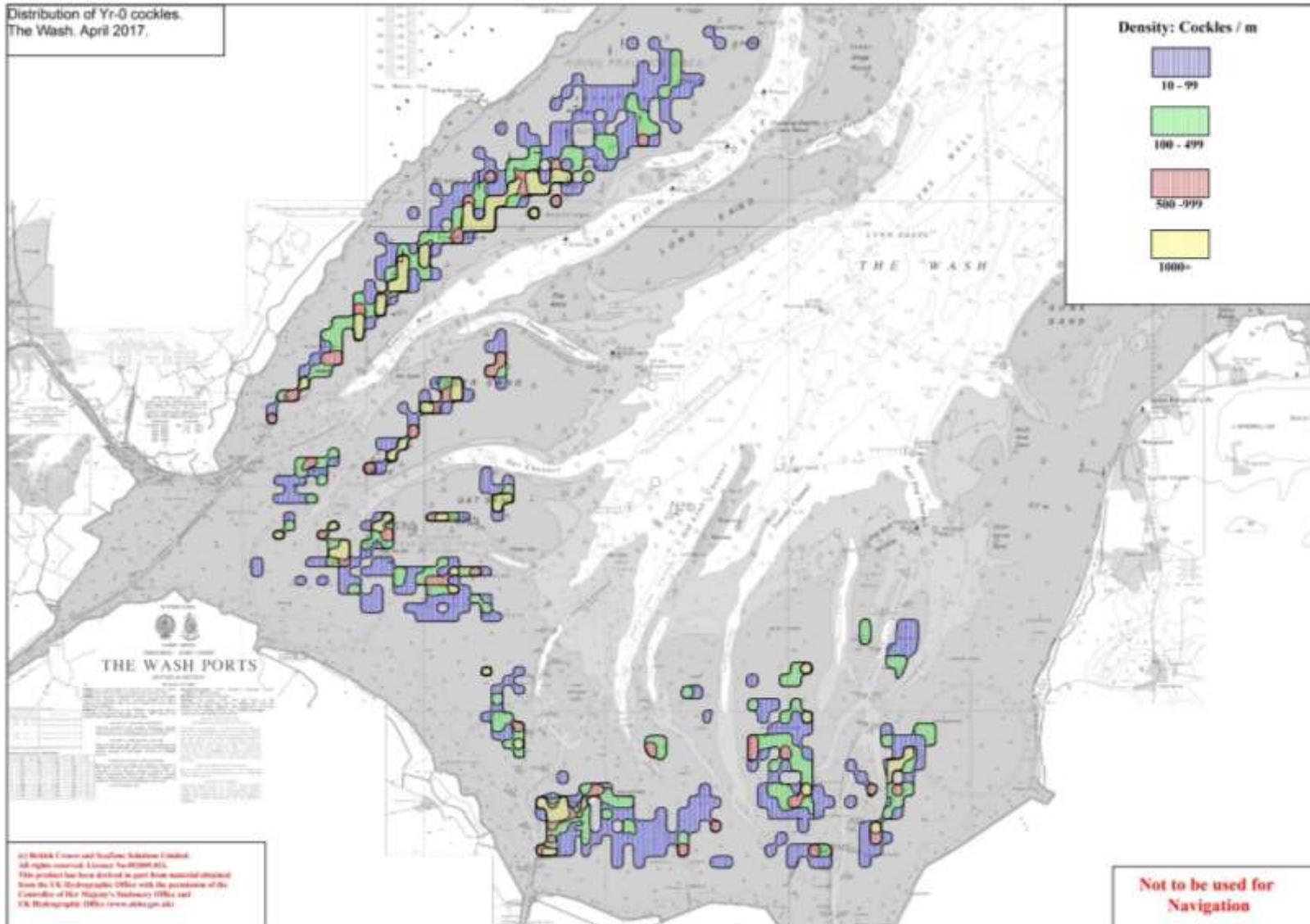


Figure 3 – Chart showing the distribution of 2016 year-class juvenile cockles at the time of the April 2017 surveys

DETERMINING MANAGEMENT MEASURES FOR THE 2017 COCKLE FISHERY

When determining management measures for the cockle fisheries in the Wash, the Authority must comply with local byelaws and the Wash Fishery Order regulations. Further, as the Wash is designated a Special Area of Conservation (SAC) and a Site of Special Scientific Interest (SSSI), management measures applied to the shellfisheries must not have a detrimental impact to the Conservation Objectives for the site. To this end, when determining management measures for these fisheries, the Authority follows a number of management policies that were agreed in 2007 with Natural England and industry representatives (and are currently under review and being updated into a Wash Cockle Fishery Management Plan). These policies have helped guide the following proposals for the 2017 cockle fishery.

The officers will also consult with all Wash Fishery Order 1992 Entitlement Holders regarding the proposed management measures for this fishery. All Entitlement Holders will be provided with a consultation form with which to provide their opinions on various management measures.

Total Allowable Catch (TAC)

The TAC for the cockle fishery has traditionally been 33.3% of the adult ($\geq 14\text{mm}$ width) cockle biomass. The adult biomass identified during the surveys was 21,048 tonnes. **Based on this figure, the TAC for the 2017 fishery should be 7,016 tonnes.**

Method of fishing

The question of whether the cockle fishery should be targeted using dredges has always been an emotive subject in the Wash, with very little middle ground between those who would like to use them and those who prefer to hand-work. At a Full Authority meeting on 27th April 2016, the members discussed this issue and decided that although hydraulic suction dredges should not be totally banned, future cockle fisheries should default to being hand-worked, with dredges retained only as a contingency option if exceptional circumstances required their use. Widespread cockle mortalities are predicted this year, but these are not anticipated to be any worse than during 2016, or likely to prevent the fishery achieving its TAC using hand-worked means. As such, it is not felt there are exceptional circumstances necessitating the requirement to use dredges for the 2017 fishery so there is no recommendation for an exceptional dredge fishery.

The 2017 cockle fishery will be hand-worked only.

Beds proposed to be opened

Although it is proposed opening the majority of the beds to the 2017 hand-worked cockle fishery, there is a necessity to safeguard the future sustainability of the fishery by protecting high-density patches of Yr-0 juvenile cockles. As in previous years, this has been achieved by placing closed boxes around such areas. These areas can be seen in figures 4, to 10, and their respective coordinates in table 2. The only bed proposed to be closed in its entirety is Wrangle, which was found to support extensive stretches of juveniles throughout much of the bed.

While the areas of dense juveniles have tended to settle outside of the higher density adult stocks this year, with such widespread distributions of adult and juvenile cockles, there are inevitably some areas of overlap that could cause contention.

It is recommended that all beds are opened with the exception of Wrangle and those areas marked with a red boundary in figures 4, to 9, and their respective coordinates in table 2.

Daily Vessel Quota

Regulation 2 of the WFO sets the daily catch restriction at 2 tonnes, per vessel, per calendar day during a hand-worked fishery. As was the case last year, due to the high TAC and the potential for widespread mortalities to occur during the warmer summer months, officers recommend that the daily catch restriction should be raised to 3 tonnes for this year's fishery.

It is recommended that the daily quota should be 3 tonnes.

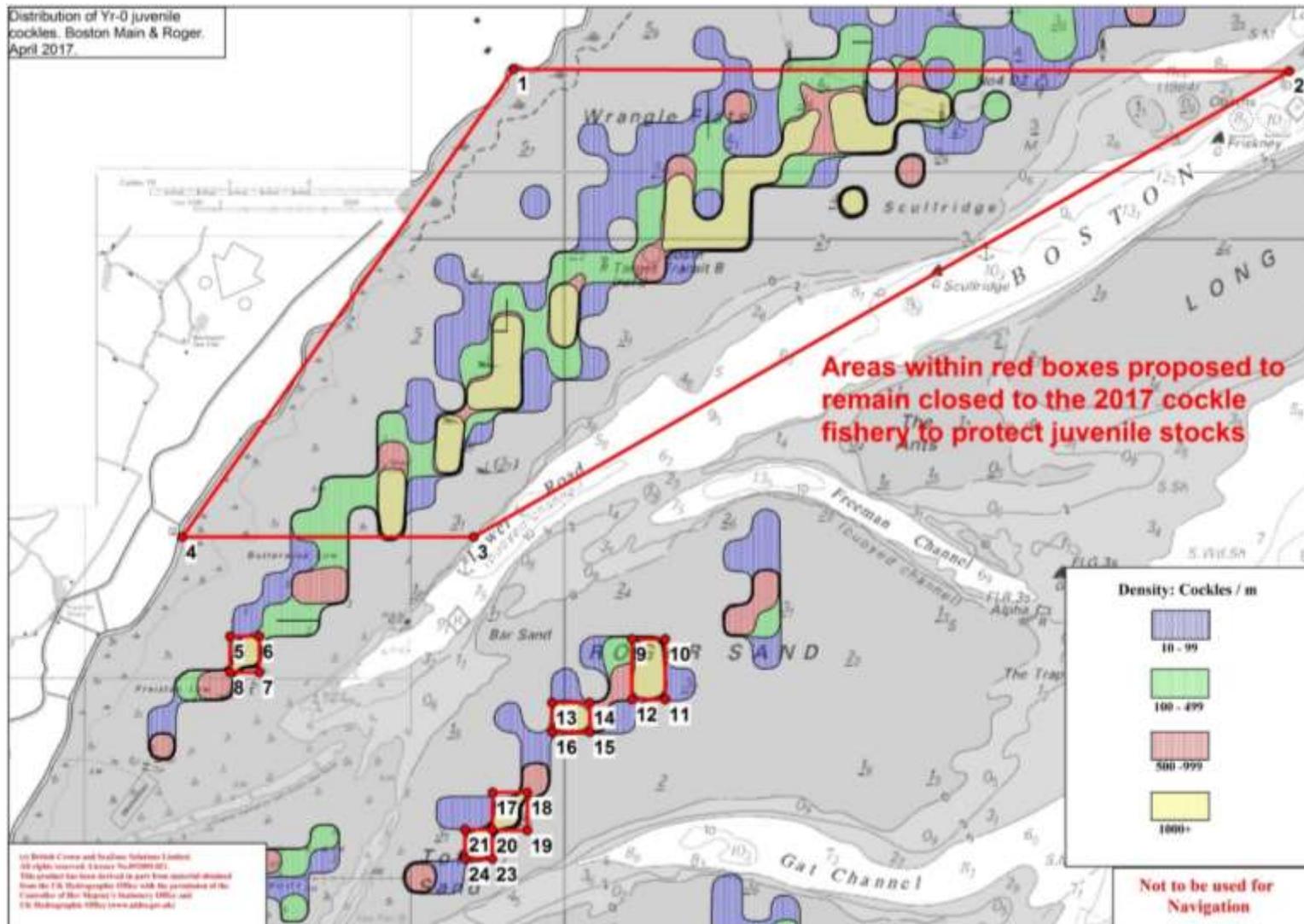


Figure 4 – Chart showing the area of Boston Main and the Roger/Toft proposed to remain closed to the 2017 hand-worked cockle fishery to protect high-density areas of Yr-0 juvenile cockles.

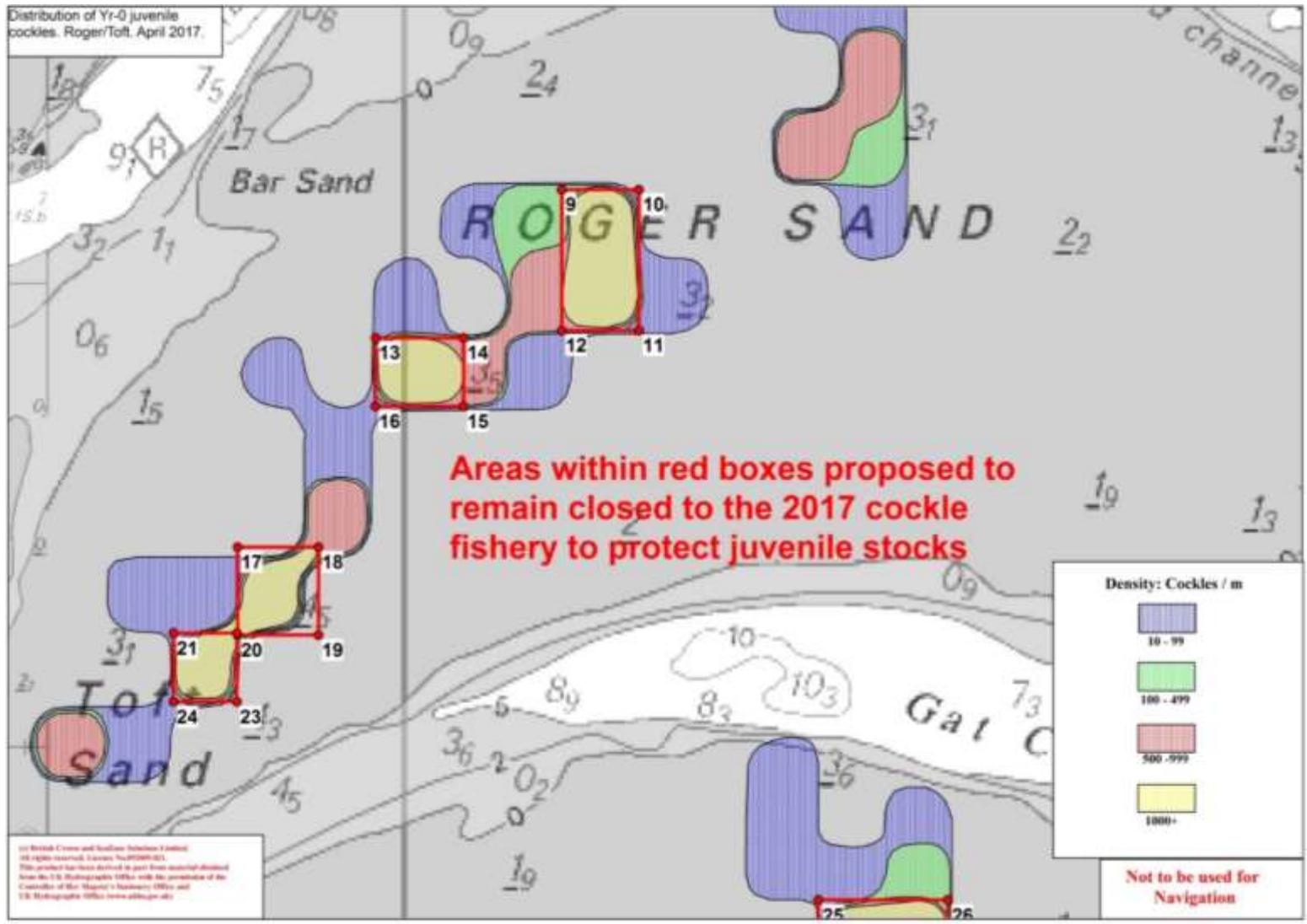


Figure 5 – Chart showing the area of the Roger/Toft proposed to remain closed to the 2017 hand-worked cockle fishery to protect high-density areas of Yr-0 juvenile cockles.

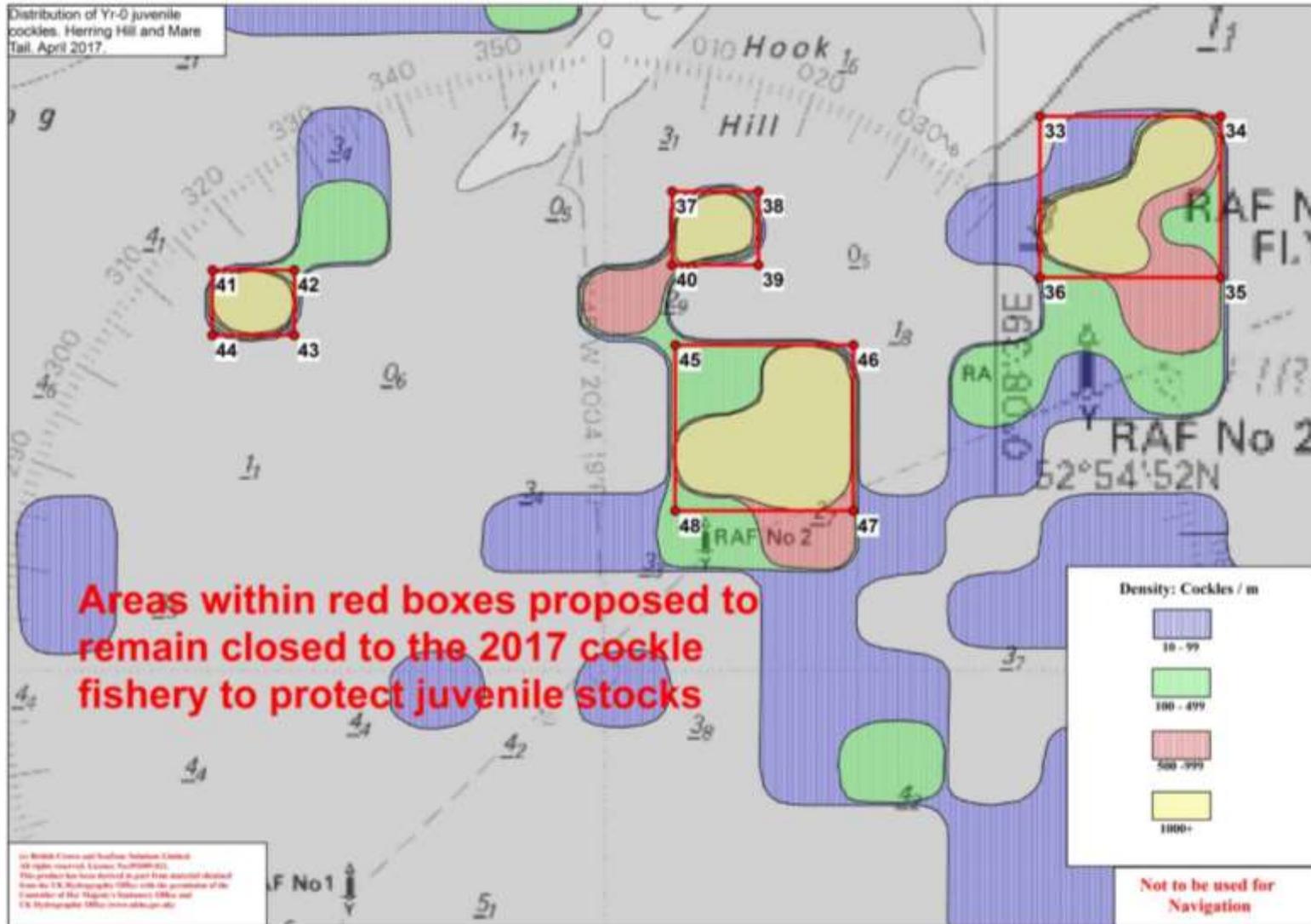


Figure 6 – Chart showing the area of the Herring Hill and Mare Tail sands proposed to remain closed to the 2017 hand-worked cockle fishery to protect high-density areas of Yr-0 juvenile cockles.

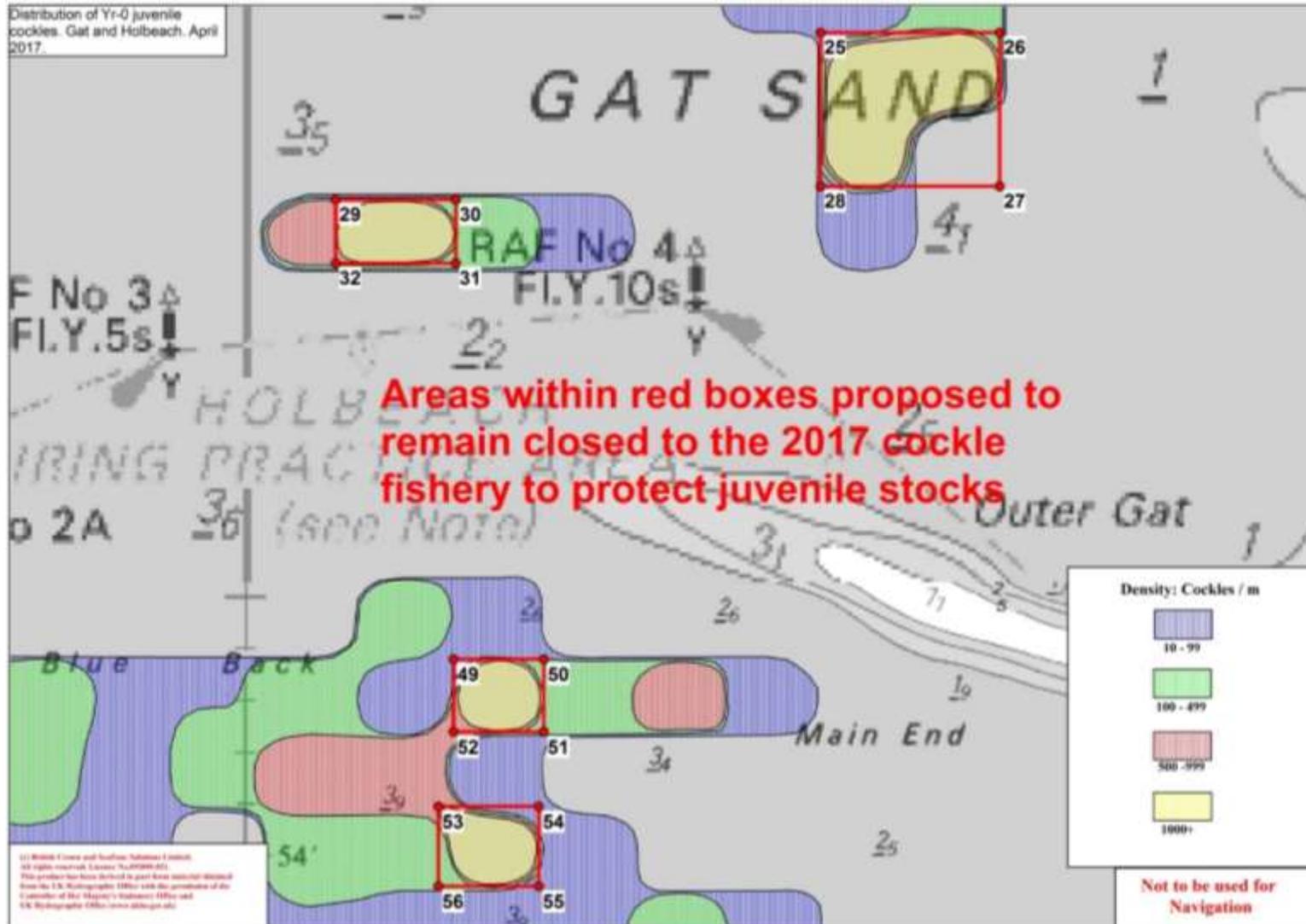


Figure 7 – Chart showing the area of the Gat and North Holbeach sands proposed to remain closed to the 2017 hand-worked cockle fishery to protect high-density areas of Yr-0 juvenile cockles.

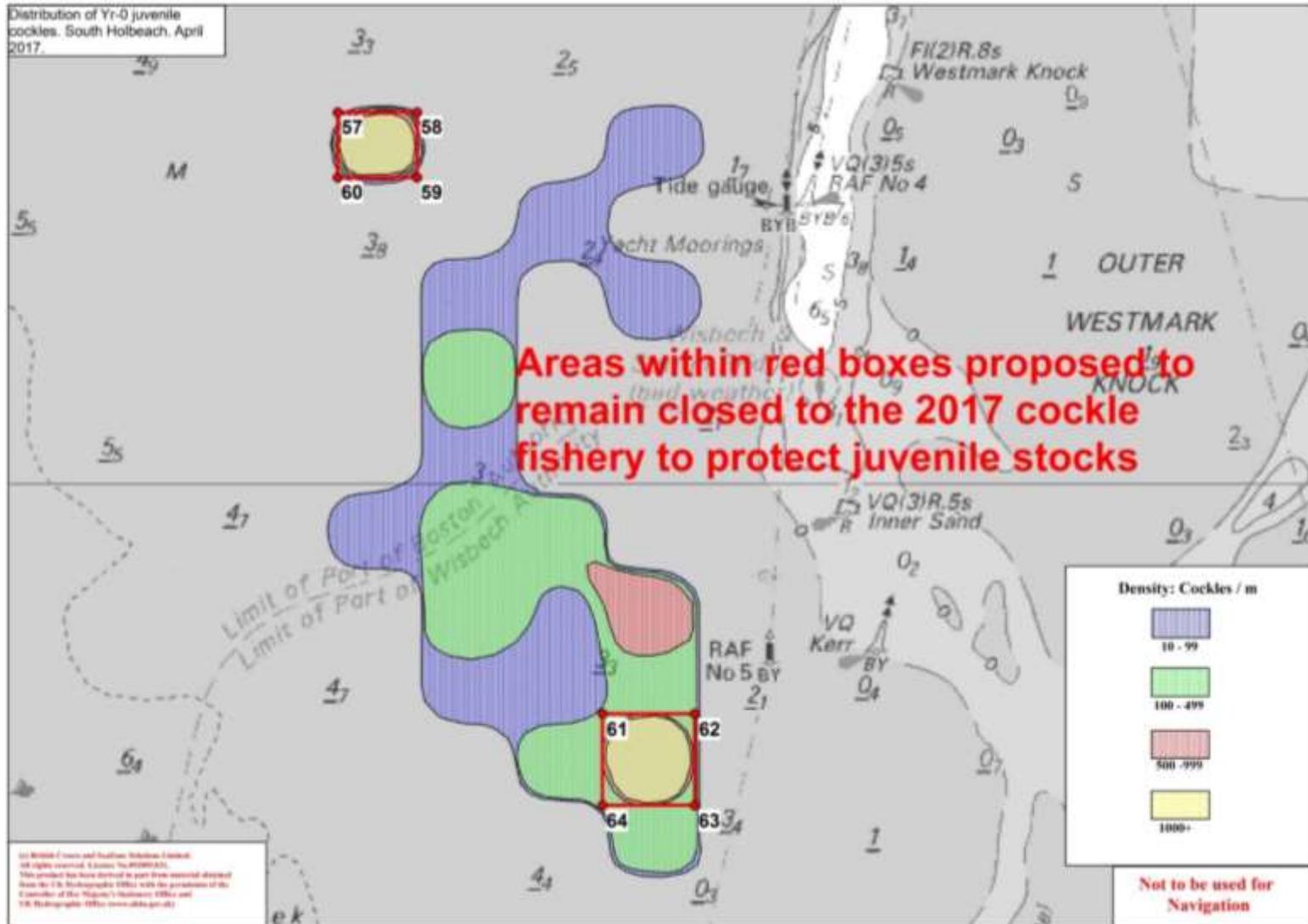


Figure 8 – Chart showing the area of the South Holbeach sand proposed to remain closed to the 2017 hand-worked cockle fishery to protect high-density areas of Yr-0 juvenile cockles.

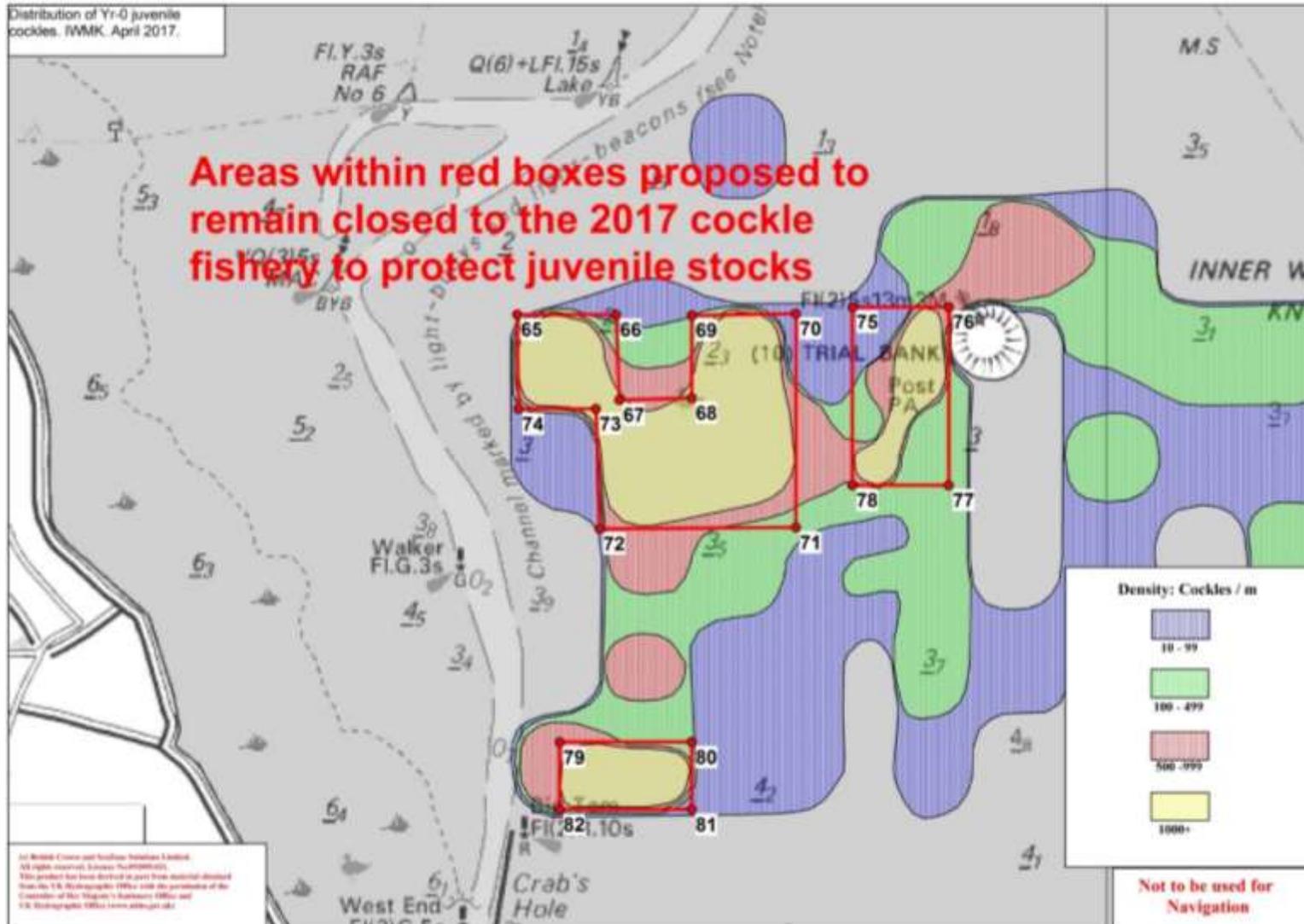


Figure 9 – Chart showing the area of the IWMK sand proposed to remain closed to the 2017 hand-worked cockle fishery to protect high-density areas of Yr-0 juvenile cockles.

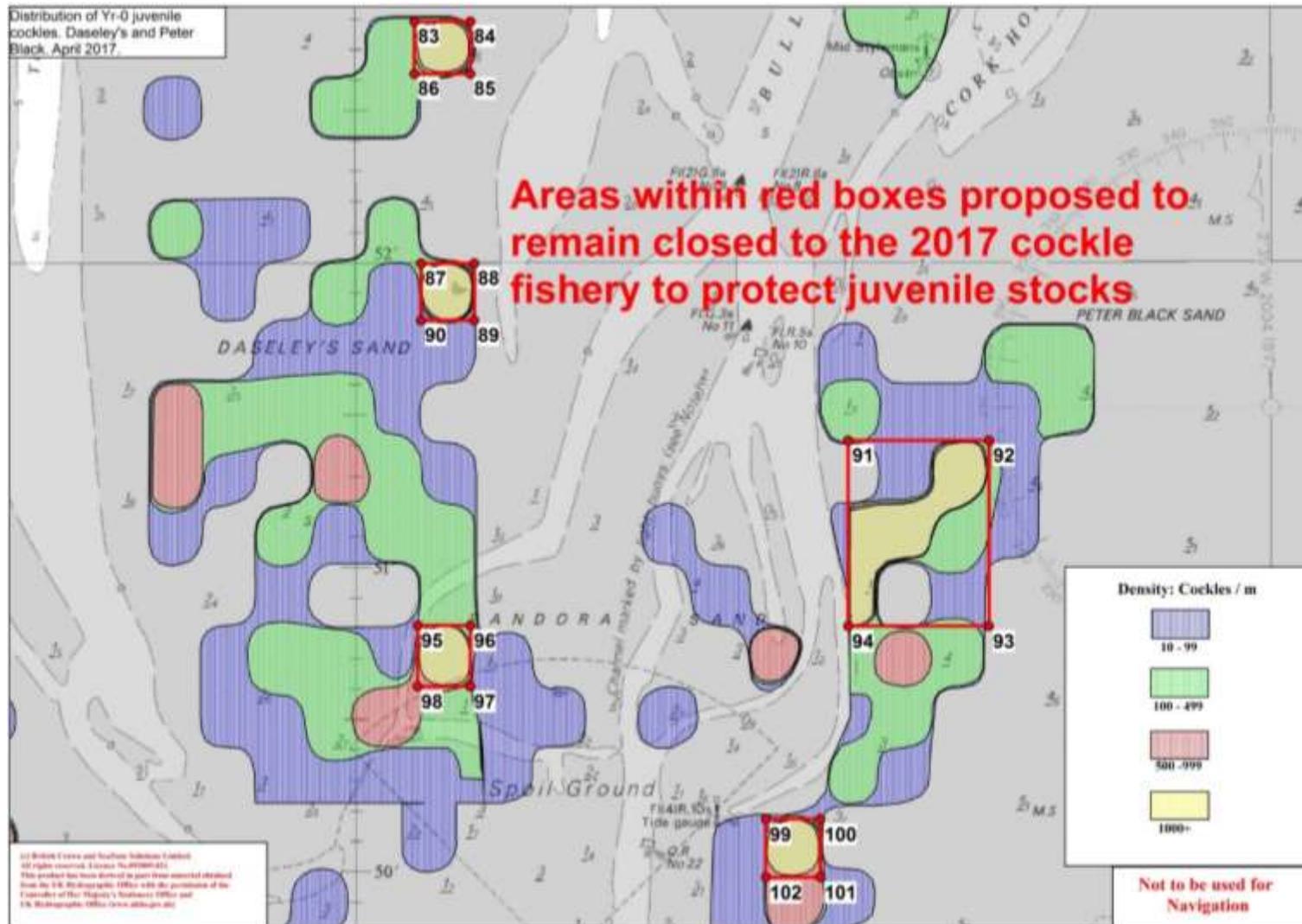


Figure 10 – Chart showing the area of the Daseley’s and Peter Black sands proposed to remain closed to the 2017 hand-worked cockle fishery to protect high-density areas of Yr-0 juvenile cockles..

Table 2 – Coordinates of positions shown on above charts, marking areas closed to the 2017 cockle fishery

	Latitude N		Longitude E	
Point	Deg	Min	Deg	Min
Figure 4, Wrangle, box 1				
1	53	01.032	00	09.470
2	53	01.020	00	17.545
3	52	58.118	00	09.054
4	52	58.119	00	06.020
Figure 4, Butterwick, box 1				
5	52	57.500	00	06.516
6	52	57.500	00	06.821
7	52	57.276	00	06.821
8	52	57.276	00	06.516
Figure 5, Roger/Toft, box 1				
9	52	57.484	00	10.702
10	52	57.484	00	11.048
11	52	57.107	00	11.048
12	52	57.107	00	10.702
Figure 5, Roger/Toft, box 2				
13	52	57.088	00	09.866
14	52	57.088	00	10.262
15	52	56.904	00	10.262
16	52	56.904	00	09.866
Figure 5, Roger/Toft, box 3				
17	52	56.528	00	09.245
18	52	56.528	00	09.611
19	52	56.295	00	09.611
20	52	56.295	00	09.245
Figure 5, Roger/Toft, box 4				
20	52	56.295	00	09.245
21	52	56.295	00	08.961
23	52	56.114	00	09.245
24	52	56.114	00	08.961
Figure 7, Gat, box 1				
25	52	55.584	00	11.853
26	52	55.584	00	12.433
27	52	55.287	00	12.433
28	52	55.287	00	11.853
Figure 7, Gat, box 2				
29	52	55.261	00	10.284
30	52	55.261	00	10.673
31	52	55.138	00	10.673
32	52	55.138	00	10.284
	Latitude N		Longitude E	

Point	Deg	Min	Deg	Min
Figure 6, Mare Tail, box 1				
33	52	55.262	00	08.549
34	52	55.262	00	09.133
35	52	54.949	00	09.133
36	52	54.949	00	08.549
Figure 6, Mare Tail, box 2				
37	52	55.116	00	07.357
38	52	55.116	00	07.637
39	52	54.973	00	07.637
40	52	54.973	00	07.357
Figure 6, Herring Hill, box 1				
41	52	54.963	00	05.869
42	52	54.963	00	06.135
43	52	54.836	00	06.135
44	52	54.836	00	05.869
Figure 6, Mare Tail, box 3				
45	52	54.818	00	07.368
46	52	54.818	00	07.945
47	52	54.495	00	07.945
48	52	54.495	00	07.368
Figure 7, North Holbeach, box 1				
49	52	54.373	00	10.665
50	52	54.373	00	10.958
51	52	54.232	00	10.958
52	52	54.232	00	10.665
Figure 7, North Holbeach, box 2				
53	52	54.088	00	10.616
54	52	54.088	00	10.941
55	52	53.934	00	10.941
56	52	53.934	00	10.616
Figure 8, South Holbeach, box 1				
57	52	52.715	00	11.573
58	52	52.715	00	11.830
59	52	52.588	00	11.830
60	52	52.588	00	11.573
Figure 8, South Holbeach, box 2				
61	52	51.545	00	12.432
62	52	51.545	00	12.731
63	52	51.367	00	12.731
64	52	51.367	00	12.432
	Latitude N		Longitude E	

Point	Deg	Min	Deg	Min
Figure 9, IWMK, box 1				
65	52	50.576	00	13.082
66	52	50.576	00	13.403
67	52	50.410	00	13.413
68	52	50.414	00	13.648
69	52	50.574	00	13.648
70	52	50.578	00	13.985
71	52	50.163	00	13.986
72	52	50.160	00	13.350
73	52	50.393	00	13.337
74	52	50.393	00	13.086
Figure 9, IWMK, box 2				
75	52	50.591	00	14.169
76	52	50.591	00	14.481
77	52	50.245	00	14.481
78	52	50.245	00	14.169
Figure 9, IWMK, box 3				
79	52	49.746	00	13.220
80	52	49.746	00	13.649
81	52	49.616	00	13.649
82	52	49.616	00	13.220
Figure 10, Daseley's, box 1				
83	52	52.783	00	20.317
84	52	52.783	00	20.624
85	52	52.611	00	20.624
86	52	52.611	00	20.317

	Latitude N		Longitude E	
Point	Deg	Min	Deg	Min
Figure 10, Daseley's, box 2				
87	52	51.990	00	20.355
88	52	51.990	00	20.645
89	52	51.803	00	20.645
90	52	51.803	00	20.355
Figure 10, Peter Black, box 1				
91	52	51.408	00	22.690
92	52	51.408	00	23.459
93	52	50.799	00	23.459
94	52	50.799	00	22.690
Figure 10, Daseley's, box 3				
95	52	50.802	00	20.337
96	52	50.802	00	20.625
97	52	50.602	00	20.625
98	52	50.602	00	20.337
Figure 10, Peter Black, box 2				
99	52	50.166	00	22.240
100	52	50.166	00	22.539
101	52	49.976	00	22.539
102	52	49.976	00	22.240

Appendix 2

Action item 16

7 June 2017

WFO Cockle Fishery 2017 – Licence conditions

Fishers operating under a licence issued under Article 8(1) of the Wash Fishery Order 1992 are required to undertake their fishing activities in accordance with the conditions set by the Authority as per Article 8(5) of the same Order.

The following Licence Conditions are applicable to fishers operating in the Wash Fishery Order 1992 cockle fishery 2016/17 from the date specified in Licence Condition 2 (Open date of fishery).

Licence Condition 1: Fishing Method

It is prohibited to fish for, take or remove from the fishery cockles using any method other than hand-working which can be augmented by prop-washing so far as it is permitted by Regulation 1 of the Wash Fishery Order 1992.

Licence Condition 2: Opening Date

The fishery will open on a date to be determined by the A/CEO.

Licence Condition 3: Open/Closed areas

It is prohibited to fish for, take or remove from the fishery cockles from any area except those marked out as open in the charts publicised by Eastern IFCA.

Licence Condition 4: Days of Operation

It is prohibited to fish for, take or remove from the fishery cockles other than during publicised opening times.

Licence Condition 5: Catch Returns Data

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

Licence condition 6: Transhipping Prohibition

It is prohibited for any person fishing for, taking or removing cockles from the regulated fishery to tranship or otherwise relocate any cockles or containers of any description containing cockles, from one vessel to another.

Licence condition 7: Requirement to Land

All cockles fished for, taken or removed from the regulated fishery must be taken straight to port and landed and must not be left on the sand or deposited in the water in bags or other containers for later collection. Only one landing per calendar day is permitted.

Licence condition 8: Dual Fishing Prohibition

It is prohibited for any person/vessel to fish for, take or remove from the regulated fishery any cockles on the same calendar day as fishing for, taking or removing cockles from outside the regulated fishery or from a lay granted under the Wash Fishery Order 1992.

Licence condition 9: Standard Bags

No person shall land cockles or mussels fished for, taken or removed from the regulated fishery in any container other than a bag which must;

(1) be of the following dimensions:

- a. 120 centimetres or 60 centimetres in height
- b. 97 centimetres in depth
- c. 97 centimetres in width

(2) have the words 'Wash Fishery Order' written on at least two sides with lettering which is at least 4 inches tall.

Licence condition 10: use of anchors for prop-washing

It is prohibited for any person to use any anchor which affixes a vessel to the bottom of the seabed during the practice of 'prop-washing' in order to fish for, take or remove from the regulated fishery any cockles. A sea anchor may be used for 'prop-washing' if it consists solely of an empty bag suspended in the water column in order to provide greater control of the vessel whilst turning.

For the purposes of this licence condition, 'prop-washing' refers to the practice of turning a vessel in tight circles to aid the fishing of cockles. This must be conducted in such a way as to avoid causing excessive damage to the seabed.

Failure to comply with a licence condition is an offence under section 3(3) of the Sea Fisheries (Shellfish) Act 1967. The master, owner and charterer (if any) of a vessel used in the commission of an offence shall each be guilty of any such offence and liable to an unlimited fine on summary conviction.

Licence conditions are subject to change and fishers will be notified of any amendments to the licence conditions.

Appendix 3

Action item 16

7 June 2017

Eastern IFCA Enforcement Policy – Regulation 1 (fishing equipment)

Wash Fishery Order (1992) Cockle Fishery 2017

Special circumstances – 2017 cockle fishery

Regulation 1 of the Wash Fishery Order 1992 (WFO 1992) provides that no vessel may be used for dredging, fishing for or taking prescribed species under the authority of a licence issued under Article 8(1) the WFO unless fishing equipment are of the type specified in the Schedule to this regulation.

This regulation precludes the use of an anchor to affix a vessel to the seabed whilst prop-washing, thereby enabling the vessel to steam in tighter circles and cause excessive damage to the seabed. Since 2006 the same regulation has been applied to the use of a 'bulk bag' as a sea anchor to achieve the same effect.

Policy

Having undertaken a review of relevant research, Eastern IFCA have decided to adopt a policy of not taking enforcement action against vessels using 'bulk bags' whilst prop-washing during the 2017 cockle fishery. It is however prohibited to use an anchor to affix a vessel to the seabed whilst prop-washing. In addition to the introduction of this policy, licence condition 10 (use of anchors for prop-washing) is also introduced. The intention of the licence condition is to clarify the permitted practice in relation to prop-washing.

Licence condition 10: use of anchors for prop-washing

It is prohibited for any person to use any anchor which affixes a vessel to the bottom of the seabed during the practice of 'prop-washing' in order to fish for, take or remove from the regulated fishery any cockles. A sea anchor may be used for 'prop-washing' if it consists solely of an empty bag suspended in the water column in order to provide greater control of the vessel whilst turning.

For the purposes of this licence condition, 'prop-washing' refers to the practice of turning a vessel in tight circles, during the period immediately before the vessel grounds as a consequence of the ebbing tide, to aid the fishing of cockles.

'Prop-washing' must be conducted in such a way as to avoid causing excessive damage to the sands.

Rationale

At the time that the prohibition on the use of 'bulk bags' was introduced no studies had been undertaken to assess the impact of the practice of prop-washing on the environment and the prohibition was, in effect, a precautionary measure. Since then studies have been undertaken that show that 'natural spatial and temporal variations in the site exceeded any impact that "prop washing" may have had'. This study concluded, therefore, that "prop washing" did not have an adverse impact on either the sediment characteristics or biota components of the site' (Pears et al 2010 and Jessop et al 2010).

Fishermen highlighted that the use of bags was to aid their vessels in turning rather than delivering more power to "prop washing". They felt that by using bags to turn in tighter circles, this was not only safer when several vessels were working close to each other, but also created less seabed disturbance.

In 2013 the Authority studied the physical impact that using bulk bags during "prop washing" had on the seabed. This study was reported in Jessop et al 2013. During this study the physical dimensions of the rings created by two boats were measured on successive days; one day without bags, the other day with bags. This study found that in the case of both boats, the rings created while using bags were 27.5% smaller in radius than those created without bags. Importantly, the use of bags had no appreciable effect on the depth of disturbance created and as such would not have an any additional impact. In addition to creating rings with a smaller radius, those created when using bags also had a narrower band of disturbance (e.g. the rings were thinner). Overall, the use of bags during this study reduced the total surface area of disturbance for each vessel between 46.9% and 52.8%.

In 2006, the absence of any evidence into what impact the use of bulk bags would have caused ESFJC to prohibit their use during "prop washing" activities. Subsequent studies, however, have shown that "prop washing" does not have an adverse impact on the sediment or biota components of the site, and that the use of bulk bags reduces the footprint of the "prop washing" without increasing the depth of disturbance. As such, the prohibition on the use of bulk bags during "prop washing" is lifted, allowing their use in fishing for cockles.

Appendix 4

Action item 16

29th Eastern Inshore Fisheries and Conservation Authority meeting

7 June 2017

Eastern IFCA Enforcement Policy – Regulation 2 (daily catch restriction)

Wash Fishery Order (1992) Cockle Fishery 2017

Special circumstances – 2017 cockle fishery

Eastern IFCA conduct an annual cockle stock survey to determine the size of the cockle stock and inform the management measures for the annual cockle fishery. The management measures for the fishery include a combination of Regulations made under the Wash Fishery Order 1992 (WFO) and licence conditions.

Each year Eastern IFCA varies certain management measures to reflect the need of the fishery. For example; the Total Allowable Catch (TAC) is set according to the size of the cockle stock and different areas of The Wash are opened or closed to the fishery to reflect environmental sensitivities.

The 2017 cockle stock survey has concluded an available Total Allowable Catch (TAC) of 7,016 tonnes. This is a significant increase on what is considered a 'normal' TAC and the current daily catch restriction (of 2 tonnes per day) would be unlikely to enable a fishery to take the entire 7,016 tonnes during the normal open period.

Policy regarding Regulation 2 – daily catch allowance

Regulation 2 (of the Wash Fishery Order 1992) sets the daily catch restriction for each licenced fisher. It currently states each vessel must not take more than 2 tonnes per calendar day. A cockle fishery operating under this limitation would be unlikely to remove sufficient amounts of cockles to reduce the risk of cockle loss as a result of the special circumstances detailed above.

As such, Eastern IFCA will enforce Regulation 2 (daily quota) as per the policy set out below for the duration of the 2017 Wash Fishery order cockle fishery.

Eastern IFCA Policy – Wash Fishery Order 1992: Regulation 2 (daily catch restrictions)

Regulation 2 (daily catch restrictions) currently prohibits the removal of more than 2 tonnes of cockles from the WFO cockle fishery, per vessel in one calendar day. Due to the special circumstances regarding the 2017 WFO cockle fishery Eastern IFCA will not pursue enforcement action relating to Regulation 2 (daily catch restrictions) unless a contravention occurs where more than 3 tonnes of cockles have been taken in one calendar day. It should

be noted that for the purpose of calculating the 3 tonnes no allowance will be made for the weight of any bags, boxes or bins or any sand or other material.

Enforcement Policy – Rationale

Background

The 2017 cockle stock survey has indicated that exceptional quantities of cockles are available to the fishery this year. This has resulted in a very high Total Allowable Catch (TAC) recommendation for the 2017 Wash Fishery Order 1992 (WFO) cockle fishery of 7,016 tonnes.

The fishery is managed through a combination of licence conditions (which vary annually) and Regulations (which do not vary). A limited number of individuals are licenced to fish cockles in The WFO cockle fishery. To enable the fishery to take the entire TAC it is necessary to increase the amount of cockle which can be taken each day. By increasing the daily catch restriction (which is currently set at 2 tonnes per calendar day, per vessel in Regulation 2), the entire TAC can be taken during the course of a 'normal' fishery (fig.1).

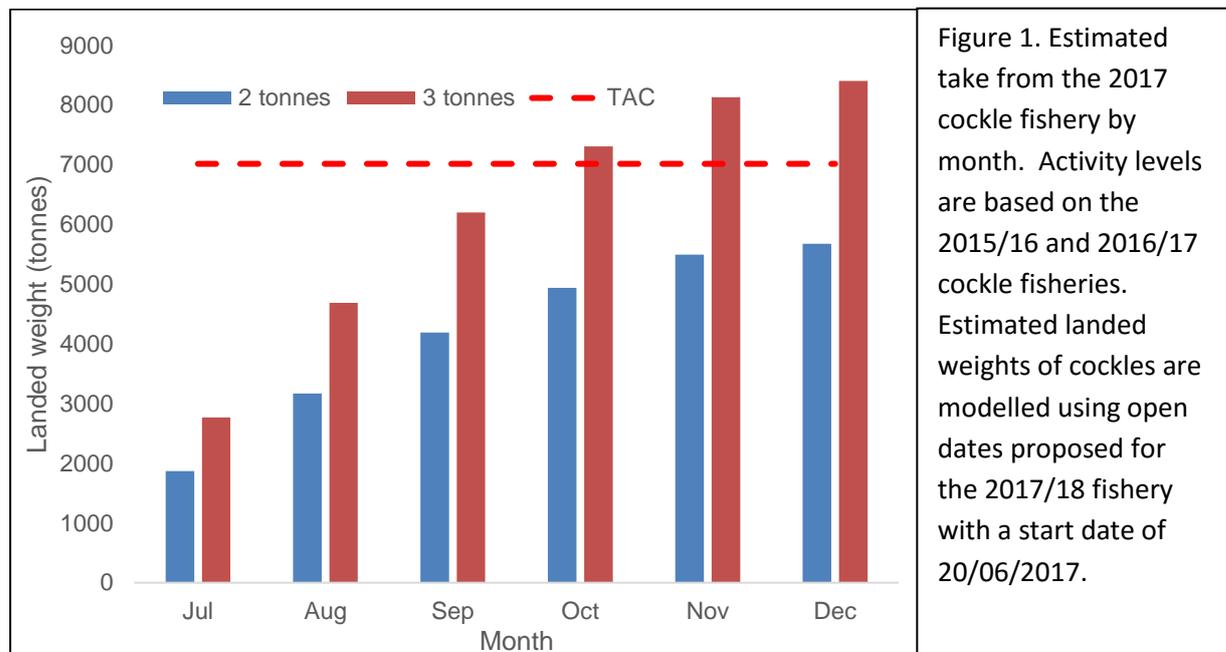


Figure 1. Estimated take from the 2017 cockle fishery by month. Activity levels are based on the 2015/16 and 2016/17 cockle fisheries. Estimated landed weights of cockles are modelled using open dates proposed for the 2017/18 fishery with a start date of 20/06/2017.

With the daily catch restriction set at 2 tonnes per vessel, per calendar day, the fishery will not be able to take the TAC during 2017. It is not uncommon for the fishery to have remaining TAC available in the year following its opening and (as in 2015) an additional fishery can be opened prior to the next fishery to enable fishers to take more of the remaining TAC. In this case, more than 1300 tonnes of the TAC will remain to be taken (almost 20% of the TAC).

Restricting the TAC from being taken within the 'usual' season (June to October) would however increase the risk of cockles being lost from the fishery during storms. Where cockle stocks and growth rates are high, a phenomenon called 'ridging out' can occur. This is where cockles are so densely packed into the sediment that growth during the summer months causes them to push each

other out of the ground. Cockles exposed in this way often die from smothering and entire beds can be lost during storm events.

Since 2008 large scale cockle die-offs have also occurred annually in the Wash during the warmer summer months due to what has been termed 'atypical mortality'. Thought to be caused by a disease, atypical mortality has been observed to primarily affect harvestable sized cockles during warm weather.

Increased daily catch restriction

An increased daily catch restriction of 3 tonnes per vessel, per calendar day would reduce the period of the fishery – the TAC is estimated to expire in late October. The benefit of increasing the daily quota to this amount would be that the majority of the TAC would be used up during the higher risk summer months when mass mortality events are most likely.

Environmental impact

The WFO cockle fishery has operated as a 'hand-work' only fishery since 2009 as conditions have not been deemed suitable to support a dredge fishery. The hand-work fishery involves fishers removing cockles by hand usually using rakes and shovels. A technique referred to as 'prop-washing' is commonly employed to assist fishers in collecting cockles.

Prop-washing involves fishers turning their vessel in tight circles around a single point. The 'prop' (the propeller) washes cockles out of the sediment and into a pile that is more easily fishable than cockles lying under the surface of the sediment.

This method, when applied in accordance with best practice, has a negligible effect on the habitat. If done incorrectly, it can result in deep troughs and/or large piles of cockles left out of the sediment which die quickly from exposure. Eastern IFCA closely monitors prop washing impacts and if bad practice occurs, has the ability to close the fishery to minimise environmental impacts.

Increasing the daily catch restriction is likely to reduce the number of prop-washing events occurring in any one area, because it will result in fewer fishing events during the season. However, it also has the potential to promote poor practice with larger, deeper troughs being created if fishers attempted to release more cockles from a given area by more vigorous prop-washing and thus causing more damage.

Whilst cockle densities on the Thief and Roger sands are not the same as they were in 2016 cockles there are individually of a larger size. Elsewhere, on the Dills, Mare Tail and parts of the Breast there are localised patches of cockles that are of comparable densities to those fished last year. Provided fishing activities are conducted in a responsible manner, it is judged that increasing the daily quota to 3 tonnes will not result in excessive disturbance to the site's conservation features.

Furthermore, Eastern IFCA has provision to vary the daily quota or to close the fishery (or parts thereof) if damage occurs through this practice and monitors impacts of prop-washing during the fishery.

Economic Impact

Two main business models occur within the WFO cockle fishery. Around a third of licences belong to larger, company owned vessels. These vessels have higher overheads and as such, increasing the daily catch restriction will be of benefit to their business model. In addition, the three processing factories (two in King's Lynn and one in Boston) will reduce costs associated with processing cockle catches.

The majority of licences within the WFO cockle fishery belong to independent fishers who often have smaller vessels. Some of these vessels may be limited in the weight of cockles they can fish by vessel size or the number of crew they employ. Most of these vessels would still be able to take 3 tonnes of cockles on board (noting that the daily catch restriction for a dredge fishery is 4 tonnes per vessel).

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 17

29th Eastern Inshore Fisheries and Conservation Authority meeting

7 June 2017

Marine Protected Areas management update

Report by: J. C. Stoutt, Senior Marine Science Officer

Purpose of report

The paper provides an update to the Authority on progress towards the development of management measures for three marine protected areas: The Wash & North Norfolk Coast Special Area of Conservation; Haisborough, Hammond & Winterton Site of Community Importance, and Inner Dowsing, Race Bank & North Ridge Site of Community Importance.

Recommendations

It is recommended that members:

- **Note** the contents of the paper;
- **Agree** to continue to develop management measures as described, employing appropriate liaison with the statutory nature conservation advisor, Natural England, and engagement with stakeholders.

Background

IFCAs are required to ensure fishing activities do not prevent conservation objectives for marine protected areas from being met⁴. In addition, IFCAs must seek to balance the social and economic benefits of exploitation of marine resources with the need to protect the marine environment⁵.

Defra tasked IFCAs to assess the impacts of commercial fishing on inshore marine protected areas, and where necessary introduce management to reduce impacts, by December 2016. This has been a priority work area for Eastern IFCA since 2013. An initial Protected Areas Byelaw was implemented in 2014 to protect marine protected area features at greatest risk from fishing pressures. Since then, a suite of assessments has been undertaken, concluding with recommendations for additional restrictions on towed demersal fisheries in parts of two sites: The Wash & North Norfolk Coast Special Area of

⁴ Provision 154, Marine & Coastal Access Act 2009

⁵ Provision 153, Marine & Coastal Access Act 2009

Conservation, and Haisborough, Hammond & Winterton Site of Community Importance.

At the Regulation and Compliance Sub-committee on 13th December 2016, members agreed these recommendations by agreeing to make the Marine Protected Areas Byelaw 2017 and the Shrimp Permit Byelaw 2016. Officers were directed to undertake formal consultation before the byelaws would be sent to Defra for final sign-off. However, formal consultation has been delayed since new evidence has been identified, alongside substantive advice from Natural England in January and February 2017, which have required the assessment and proposed management measures to be reviewed. Accordingly, Eastern IFCA has not met Defra's December 2016 deadline for management of fisheries in marine protected areas. Officers remain committed to completing a robust, evidence-based assessment that supports the development of proportionate and effective management measures within appropriate timescales.

Report

The Wash & North Norfolk Coast Special Area of Conservation

The formal consultation on the Marine Protected Areas Byelaw 2017 and the Shrimp Permit Byelaw 2016, that would introduce new spatial closures and effort limitations in this site, were postponed to allow dialogue with Natural England to continue, and to enable officers to update the assessment of the shrimp beam trawl fishery using newly-obtained fishing effort and feature (habitat) data. The work has included:

- analysing spatial activity data (areas fished) and landings data (landings weight, number and duration of tows) from the shrimp returns forms;
- reviewing feature extent data provided by Natural England (examination of "point data" as well as feature extent polygons), and comparing this with Eastern IFCA's recent habitat mapping surveys;
- re-visiting supporting data relating to natural disturbance (to identify exposed and sheltered areas of the site, that are respectively less and more vulnerable to fishing pressures, thus supporting the proposed 10m depth management boundary);
- examining the sensitivity and recoverability of individual species within seabed habitats (to predict likely tolerance to fishing pressures and recovery times);
- analysing Environment Agency data on the condition of seabed habitats in terms of species composition and abundance; and
- considering newly-published (March 2017) conservation advice for the site.

To date, officers have drafted revised closed areas for towed demersal gear fisheries in subtidal mixed sediment and subtidal mud habitats in deeper parts of the site (i.e. areas deeper than 10m below chart datum). These proposals will be submitted to Natural England as part of proposed mitigation in the updated shrimp beam trawling assessment, and will be discussed with shrimp

fishery stakeholders in informal dialogue. When officers are satisfied that the new proposals will enable conservation objectives to be met (with supporting advice from Natural England), and that socio-economic impacts on the fishery are minimised as far as permissible the proposals will be presented to the Authority for approval and the byelaws will be taken to formal consultation.

Consideration is currently still ongoing for managing the shrimp fishery in the remaining area of the site (intertidal areas and waters shallower than 10m below chart datum). The Shrimp Permitting Byelaw will allow for effort management to be introduced (e.g. limiting the number of tows undertaken per year), should it be deemed necessary. Additionally, the requirement within the Shrimp Permitting Byelaw for the electronic monitoring of vessel positions (inshore VMS) will further enhance the understanding of this fishery and its impacts on designated features, and will support the future refinement of spatial management measures.

In addition to dialogue with Natural England, Officers have been liaising with the Marine Management Organisation (MMO) with regards to the wording of the Shrimp Permit Byelaw 2016 as per the byelaw making process. Officers have been made aware of a very recent (May 2017) shift in Defra legal advice regarding the use of 'flexible permit conditions' in permit byelaws which fundamentally undermines the present iteration of the byelaw. As such, further work is required in order to ensure a legal and robust byelaw which also enables the required flexibility to manage the shrimp fishery.

Haisborough, Hammond & Winterton Site of Community Importance

Proposed fishery closures in this site are limited to "red risk" interactions between towed demersal fishing (e.g. beam trawling, dredging) and biogenic reef (*Sabellaria spinulosa* reef). The formal consultation on the Marine Protected Areas Byelaw 2017, that would introduce these closures, was postponed to allow further dialogue with Natural England, who advised that additional areas should be protected in order for the conservation objectives of the site to be achieved.

Discussions with Natural England on proposed closed areas have focused on data relating to the extent of the *Sabellaria* reef feature. Officers re-examined the data used by Natural England to identify "areas to be managed as reef", including the original Regional Environmental Characterisation survey data (2011) (acoustic habitat surveys, grab samples and video data) and models predicting habitat type. These were considered in conjunction with Eastern IFCA's camera survey (October 2016), and with advice from Cefas staff involved in the original surveys.

To date, officers have drafted revised (slightly extended) closed areas to towed demersal fisheries in this site. The next step is provision of a detailed rationale document to Natural England, setting out why each area has been selected, and why other areas that Natural England advised should be managed as *Sabellaria* reef, have not been proposed for closure. As for the Wash & North Norfolk Coast, the proposals will be discussed with fishery stakeholders (although the areas in question do not coincide with key fishing grounds) in

informal dialogue, before being presented to the Authority for approval and then being subject to formal consultation.

Inner Dowsing, Race Bank & North Ridge Site of Community Importance

In management terms, this site is similar to Haisborough, Hammond & Winterton: it straddles the 6nm boundary, only a small proportion of the site falls within the IFCA district, and it contains red risk interactions (*Sabellaria* reef with towed demersal fishing activity). In addition, for both these sites, management responsibility for the inshore part of the sites was passed to Eastern IFCA relatively late in the process (in 2015), with the result that the red risk interactions were not managed in the 2014 Protected Areas Byelaw.

However, there is more feature data available for the Inner Dowsing site than for Haisborough, Hammond & Winterton, meaning a “core reef” approach can be taken. Natural England have advised there is an extent of mosaic habitat for consideration as reef. Officers have not yet drafted spatial measures for this site, as it made sense to consider it alongside the planned review of closures under the Protected Areas Byelaw 2014 (which include closures for *Sabellaria spinulosa* reef in the adjacent Wash & North Norfolk Coast Special Area of Conservation). It was anticipated that this work would have been started early in 2017, but the delay in finalising measures for the other two sites has delayed progress with the Inner Dowsing site measures.

Financial implications

Undertaking a robust, evidence-based assessment that supports the development of proportionate and effective management measures inevitably requires significant Officer time. Further resource will be required for the informal dialogue and formal consultation stages of developing measures. No extra financial implications have been identified with regards to the above recommendations.

Conclusion

The assessment and management of commercial fisheries in marine protected areas is a large and complex work area for the Authority. The Marine Protected Areas byelaw was agreed within Defra’s December 2016 timeframe, but finalisation of measures has been delayed to allow consideration of new evidence and advice. Officers will continue to prioritise finalising the measures to ensure conservation and fisheries management duties are met.

Background Papers

1. Papers of Eastern IFCA Regulation & Compliance Sub-committee, 13th December 2016.
<http://www.eastern-ifca.gov.uk/wp-content/uploads/2016/02/full-set.pdf>
2. Eastern IFCA Protected Areas Byelaw 2014
<http://www.eastern-ifca.gov.uk/protected-areas-byelaw/>
3. East Coast Regional Environmental Characterisation (2011) Marine Aggregate Levy Sustainability Fund.

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 18

29th Eastern Inshore Fisheries and Conservation Authority meeting

7 June 2017

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 Memorandum of Understanding between the MMO and IFCAs and to seek approval for Eastern IFCA to participate.

Recommendations

Members are asked to:

- **Note** the content of the report
- **Approve** the MMO/IFCA Memorandum of Understanding

Background

Since inception the MMO and all IFCAs have sought to work collaboratively and Memoranda of Understanding have existed at both local and national levels. During 2015 a formalised programme of collaborative working with six identified work streams was instigated by Defra and agreed by all IFCAs and the MMO. This was reported at the 21st meeting of Eastern IFCA on 28th October 2015. This work is now well advanced and is effectively becoming embedded as business as usual.

Report

Over recent months a revised MoU has been developed between the MMO and all IFCAs. It has been considered by the IFCA Chief Officers Group and has been agreed in principle and signed by both the Chair of that group and the Chair of the Association IFCA. The MoU sets out the principles and methods for joint working together with the overarching working arrangements between the respective organisations. A copy of the MoU can be found at Appendix A.

Appendices

Appendix A – MMO/IFCA Memorandum of Understanding

Background Documents

Minutes of 21st Eastern IFCA meeting held on 28th October 2015



MEMORANDUM OF UNDERSTANDING
between the Marine Management Organisation (MMO) and
the Inshore Fisheries and Conservation Authorities (IFCAs)

1. Aim of the Memorandum

This Memorandum agrees a co-ordinated approach to management for sustainable development of our seas, based on active engagement, shared information, cost-effective use of public resources, and effective marine planning and management of fisheries and marine environment by the Marine Management Organisation and the Inshore Fisheries and Conservation Authorities.

The Memorandum recognises and respects the lead roles of both the IFCAs and the MMO to deliver fisheries and conservation management in the 0-6 and 0-12 nautical mile zones respectively.

2. Purpose of the Memorandum

2.1. This Memorandum establishes the responsibilities of both parties and the general principles for their co-operation.

2.2. This Memorandum shall be effective from the date of its execution and shall continue until either side decides that it is no longer needed.

2.3. The MMO and the IFCA's agree that this Memorandum is not legally binding between them and does not create any legal rights or obligations. It is a statement of their shared intention to work together in a spirit of co-operation.

3. Roles and functions of the signatories

3.1. *Marine Management Organisation (MMO)*

3.1.1. The Government's vision for the MMO is of a professional and proactive marine manager, trusted by all stakeholders to make a significant contribution to the sustainable development of the marine area. Its principal functions include management and regulation of sea fisheries, marine licensable activities and marine nature conservation. The MMO will set a high standard in the UK and internationally for planning in the marine and coastal environment, so delivering the Government's commitment to introduce a new framework for the seas that balances conservation, energy and other resource needs.

3.1.2. The MMO makes decisions on the majority of marine developments and, where it is not the decision-making body, is a key adviser on marine issues, bringing consistency to the decision-making process. As the Government's principal regulator, as well as its delivery body for English territorial waters and offshore marine areas (for those matters that are not devolved), the MMO delivers functions on behalf of a number of Government Departments. It also takes forward the policy interests of a wide range of Government Departments through its role in developing marine plans. By bringing together these marine management activities within a single organisation, the MMO is able to forge strong links between them. The combination of marine functions the MMO delivers, together with the knowledge and expertise it builds up, enables integrated implementation of Government policy for the marine area.

3.2. *The Inshore Fisheries and Conservation Authorities (IFCAs)*

3.2.1. The IFCAs are the lead fishery and conservation managers for most aspects within the inshore 0-6 nautical mile zone. There are 10 inshore fisheries and conservation districts in England, made up of county and unitary authorities and their corresponding seaward areas out to a limit of 6 nautical miles from baselines. Each inshore fisheries and conservation district is served by a corresponding Authority (IFCA). The vision for all the IFCA is to 'lead, champion and manage a sustainable marine environment and inshore fisheries within their district, by successfully securing the right balance between social, environmental and economic benefits to ensure healthy seas, sustainable fisheries and a viable industry'. This vision is supported by national success criteria.

3.2.2 Under the MaCAA each IFCA is a statutory joint committee of those local authorities whose areas fall within the IFCA's district. The membership of each IFCA must comprise members of those local authorities, persons appointed by the MMO for their knowledge of the local fishing community or for their knowledge and expertise in marine environmental matters, and other persons. This level of representation from the community is stipulated by the MaCAA. Each IFCA is funded by contributions from those local authorities whose areas fall within the IFCA's district in the proportions stipulated in the Statutory Instrument establishing the IFCA. The duties and powers of the IFCA are set out in sections 153 – 184 of the MaCAA.

3.3. Through adherence to the principles of this Memorandum, the MMO and IFCA's will work closely together to deliver their areas of mutual interest and to promote sustainable development in the marine area.

3.4. Background information on the working arrangements and activities which underpin this collaboration are included in Annexes to this MOU. These Annexes are iterative documents which may be subject to change by mutual agreement.

4. Principles of working together

4.1. A close working relationship between the MMO and IFCA's is critical for both to perform their functions effectively. The MMO and IFCA's commit to the following shared key principles governing their approach and conduct, both at a national and a local level:

- The MMO and IFCA's each recognise and respect the statutory independence and remit of the other party, and will seek to collaborate and cooperate wherever possible to achieve their objectives for the marine environment.
- MMO and IFCA's will work in an open and transparent manner while undertaking their responsibilities and will share successes as well as problems.
- The MMO and IFCA's will work collaboratively in areas of shared interest or concern.
- In all joint working, staff from all organisations will be respected and trusted for the expertise they offer.
- The MMO and IFCA's will keep each other informed of any data, research, collected information, other work or developments that may influence the decision or activities of another party. Where appropriate data sharing agreements will underpin the exchange of such information to the fullest extent possible, particularly where the information is necessary for either party to carry out their duties, and taking account of their respective obligations under the Data Protection Act 1998.

5. Methods of joint working

- 5.1. The MMO and IFCA's commit to not only sharing principles and working together on areas of mutual interest, but also to seek further opportunities to expand these principles and the shared working arrangements including deriving fullest collective benefit from sea based patrol assets to maximise the benefits of their collaboration in the future. This will be enhanced by regularly exchanging information, collaborating on research, data and intelligence gathering at national and local levels, alerting each other to risks and opportunities and pooling expertise and resources when working together in order to avoid duplication of effort. These commitments were initially delivered through the MMO/IFCA Collaboration Programme Board. It has been decided that governance for the delivery of collaboration commitments can now pass to the IFCA Chief Officer's Group (COG) and supporting structures. There will be a requirement for the Association of IFCA's Members' forum and MMO Board to be kept apprised of progress.
- 5.2. The MMO and IFCA's will be open, constructive and collaborative at all levels, respecting each other's views and, where these differ, ensuring proper understanding of the reasons for any such differences.
- 5.3. The relationship will be based on a policy of transparency and "no surprises" with pre-notification and consultation on significant public or policy announcements where there are implications for the other party.
- 5.4. The MMO and IFCA's will aim to ensure consistent and coordinated messages and approaches when engaging with Government, delivery partners, stakeholders and the public.
- 5.5. The MMO and the IFCA's will work collaboratively in areas where resources, activities and expertise can be shared to minimise duplication of effort wherever possible. Areas to include: Compliance management, training, science, evidence, and asset sharing (and operational patrols when required and agreed in different regions).
- 5.6. The MMO and IFCA's will ensure regular contact throughout both organisations at all levels, to build relationships and facilitate honest and open dialogue. The formal structures for this contact will be through the IFCA COG. These formal meetings will be supported by regular meetings between MMO and IFCA officials at a local and national level as appropriate.

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6. Continuous Improvement

- 6.1. Senior officials of the MMO and Chief Officers of the IFCA's commit to at least twice-yearly meetings (these may be via video or telephone conferencing) on a national level to review the shared wider strategic context of the environment in which they operate and actively explore opportunities for the improvement of joint working practices. This may be via attendance at AIFCA or IFCA COG meetings.
- 6.2. In each IFCA district, MMO representatives to the IFCA and other relevant MMO officials will meet with IFCA Chief Officers regularly through the Tasking and Coordination Group process to review implementation of local work streams.

7. Review of the Memorandum

This Memorandum will be reviewed as necessary, following any pertinent changes to the policies, procedures or structures of the parties concerned. Continuous monitoring and review will also take place through the IFCA Chief Officers Group and supporting structures.

8. Primary Contacts

The primary contacts regarding this Memorandum at the MMO are nominated in Annex 2. These primary contacts will be responsible for supporting good working relations and practices between the MMO and IFCA's, resolving any disagreements and monitoring the implementation of this Memorandum.

9. Signatories

The following parties agree to the terms set out in this Memorandum:

Organisation	Chair	Chief Executive Officer
MMO		
AIFCA/IFCA	 Cllr John Lamb Chair of AIFCA Date 12/04/17	 Mr T Robbins Chair of Chief Officers' Grp Date 13.4.17

ANNEXES

- Annex 1 - Overarching working arrangements for the MMO and IFCA
- Annex 2 - Marine enforcement roles and responsibilities

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ANNEX 1 - Overarching working arrangements for the MMO and IFCA**Overarching contacts:****For the IFCA:**

Tim Robbins, Chair IFCA Chief Officers Group

For MMO:

Phil Haslam, Director of Operations

MMO email for any general correspondence regarding IFCA: ifcas@marinemangement.org.uk**MMO email format:** <first name> <middle name initial if present> <second name>@marinemangement.org.uk**Local level contacts:**

IFCA	MMO contact/representative to IFCA Committee	IFCA contact	Email
North Western	Sean Douglas, Marine Area Manager	Stephen Alkins, Chief Executive	s.alkins@nw-ifca.gov.uk
Northumberland		Mike Hardy, Chief Executive	mifca@nifca.gov.uk
North Eastern		David McCandless, Chief Officer	david.mccandless@eastofeng.gov.uk
Eastern		Julian Gregory, Chief Executive Officer	juliangregory@eastern-ifca.gov.uk
Kent and Essex	Roger Mason, Marine Area Manager	Will Wright, Chief Officer	w.wright@kentandestessex-ifca.gov.uk
Sussex		Tim Dapling, Chief Officer	t.dapling@sussex-ifca.gov.uk
Southern		Robert Clark, Chief Officer	robert.clark@southern-ifca.gov.uk
Devon and Severn		Tim Robbins, Chief Officer	t.robbins@devonandsevernifca.gov.uk
Cornwall		Samantha Davis, Chief Officer	s.davis@cornwall-ifca.gov.uk
Isles of Scilly		Paul Whomersley, Chief Officer	maritime@scilly.gov.uk

Overarching areas of collaboration:

Work Area	Activity	Output	MMO contact	IFCA contact
1. Marine Nature Conservation	<p>Joint consultation on all permanent byelaws that cover 0-6nm with timely input and assistance from both organisations on the development of these byelaws, including e.g. provision of evidence and publicity (as appropriate).</p> <p>Joint consultation on emergency byelaws, in the 0-12nm area, when management overlaps and/or is adjacent to an IFCA district.</p> <p>The MMO and IFCA's will work collaboratively if joint enforcement measures are needed in the 0-12nm area.</p> <p>MMO will consult with IFCA's on MMO conservation byelaws that cover 0-6nm.</p>	<ul style="list-style-type: none"> Evidence for impact assessments. Timely comments on consultation. Process for communications/consultations. 	<p>Marine Conservation Team Principal Conservation Manager - Leading on MPA management and IFCA Byelaws</p>	<p>IFCA chief officers and senior science & environmental officers</p>
2. Coordinate on development of MPA management measures, including stakeholder consultation and communications.	<p>Joint coordination of the delivery of MPA management measures, reporting to Defra.</p> <p>MMO will inform IFCA's on offshore MPA management measures that may impact on IFCA districts.</p>	<ul style="list-style-type: none"> Information from MMO. Evidence for impact assessments. Timely comments on consultation. Process for communications/consultations. Regular meetings to report on progress. Coordinated engagement with stakeholders. 	<p>Marine Conservation Team Principal Conservation Manager - Leading on MPA management and IFCA Byelaws</p>	<p>IFCA chief officers Association of IFCA's</p>

Work Area	Activity	Output	MMO contact	IFCA contact
<p>3. IFCA byelaw quality assurance</p>	<p>MMO to provide informal legal and policy advice to support IFCA's drafting of byelaws.</p> <p>MMO to undertake quality assurance of made and advertised IFCA byelaws.</p>	<ul style="list-style-type: none"> Policy and legal issues with IFCA byelaws raised at early stage and addressed prior to submission for confirmation. IFCA byelaw making process is in line with requirements of MACAA and associated guidance. Shared understanding between IFCA's, MMO and Defra on key legal and policy issues. Clear timetables agreed and understood by MMO and IFCA's for each byelaw. 	<p>Marine Conservation Team Marine Conservation Manager</p>	<p>IFCA chief officers</p>
<p>4. Sea fisheries resources management</p>	<p>Coordination, development and, where possible, harmonisation of measures and regulation for fisheries management and conservation.</p> <p>Joint working and coordination on development of new and improved management measures and in the implementation of policy developments.</p> <p>Early notice of new developments within fisheries management and regulation.</p>	<ul style="list-style-type: none"> Consistency in the formulation and implementation of fisheries management measures, while allowing flexibility for local variations. Development of innovative and effective management measures based on the joint experience and knowledge of MMO and the IFCA's Coordinated approach to implementation of policy developments 	<p>Head of Fisheries and Marine Conservation Management</p>	<p>IFCA chief officers and senior science and environmental officers</p> <p>Association of IFCA's</p>

Work Area	Activity	Output	MMO contact	IFCA contact
4. Sea fisheries resources management	Joint working and coordination of the implementation of CFP reform.	<ul style="list-style-type: none"> Coordinated approach to the implementation of CFP reform 		
	Share information and advice on issues relevant to vessel licensing (e.g. MMO consulting IFCA's on mussel seed licensing).	<ul style="list-style-type: none"> Fishing vessel licensing informed by IFCA's 	Fisheries management team Vessel Licensing Manager	IFCA chief officers and senior enforcement officers.
	Develop agreed process for coordination on requests for dispensation from fisheries management regulations	<ul style="list-style-type: none"> Coordinated approach to dispensations from fisheries management regulations. 	Fisheries management team	

MEMORANDUM OF UNDERSTANDING between the MMO and the IFCA

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Work Area	Activity	Output	MMO contact	IFCA contact
<p>5. Enforcement and compliance</p>	<p>Taken forward operationally by the IFCA Chief Officers Group and National Inshore Marine Enforcement Group. Regional joint Enforcement Groups, IFCA Committee work and regular joint enforcement planning by each IFCA and their MMO representative via TCG process</p> <p>Collaboration on the production and delivery of Risk based, intelligence lead enforcement activity underpinned by jointly developed and shared intelligence products.</p> <p>Agree arrangements for information exchange related to compliance and enforcement.</p> <p>Sharing of risk based process frameworks on which compliance activities are based.</p> <p>Agree joint enforcement/cross warranting of enforcement officers for fisheries activities, in consultation with the MMO Marine Conservation Team where warranting is specific to nature conservation issues.</p> <p>Continuation of cross warranting of MMO and IFCA officers as appropriate.</p> <p>MMO will administer warrants for IFCA enforcement officers in line with procedures and charges policy for warrants issued by the MMO.</p>	<ul style="list-style-type: none"> • Effective joint enforcement • Enforcement officers are clear about joint working arrangements. • Case-by-case advice on enforcement in areas of joint interest • Increased understanding of Compliance issues and priorities between authorities. • De-conflict enforcement actions. 	<p>Marine Area Managers.</p>	<p>IFCA head of compliance Officers</p>

Work Area	Activity	Output	MMO contact	IFCA contact
5. Enforcement and compliance	Implement work-stream 5 of the MMO/IFCA Action Plan to explore the integration/replacement of the MMO's Monitoring, Control and Surveillance System (MCSS).	<ul style="list-style-type: none"> Systems to manage monitoring, control and surveillance data meet the needs of the MMO and IFCA's, maximising the effectiveness of control activity. 	Head of Compliance and Control	IFCA Chief Officers/Chair NIMEG
6. General asset sharing	<p>Deployment of inshore vessel monitoring systems appropriate for the needs of IFCA inshore management and to comply with national reporting for under 12m vessels.</p> <p>Application of integrated risk and outcome focussed approach for marine operations leading to the development of joint operational objectives where possible.</p> <p>Forward planning on MMO requests for IFCA vessels outside joint objectives to support IFCA planning timescales.</p> <p>Develop agreements on MMO use of IFCA vessels as part of wider plans re mutual co-operation and efficient use of resources.</p>	<ul style="list-style-type: none"> Cost effective remote monitoring that suits needs of both marine managers. Scope the feasibility of IFCA's providing surface patrol capability to supplement or replace contracted RN DPV provision. Clear agreement on when cost of vessel usage must be met in full by MMO and where the cost burden can be shared as part of joint patrol objectives. Suitable plans/targets. 	<p>Marine Conservation Team Principal Marine Conservation Manager</p> <p>Head of Compliance and Control</p>	

Work Area	Activity	Output	MMO contact	IFCA contact
7. Marine Planning	Establish mechanisms for engagement with IFCAs on marine plans to ensure input and support, including definition of roles and opportunities during and post marine plan production.	<ul style="list-style-type: none"> • Guidance to IFCAs on their involvement with marine plans. • Case-by-case advice on marine plans. • Effective two-way liaison including the sharing of information on emerging issues with marine planning related impacts. • Joint working in utilisation of surgeries, drop in meetings and activities to support dissemination of information to stakeholders. 	Marine Planning Manager	IFCA marine planning officers
	IFCAs to establish internal procedure for input to marine plans	<ul style="list-style-type: none"> • Consistent and early input to marine planning process across IFCAs. 		
	Jointly establish cross-border working arrangements for relevant plans – WAG, MMO, IFCAs, EA, Marine Scotland	<ul style="list-style-type: none"> • Cross border liaison and co-operation • Consistency across marine management groups. 		

Work Area	Activity	Output	MMO contact	IFCA contact
8. EMFF management	<p>IFCA representative(s) to sit on the UK EMFF Programme Monitoring Committee (PMC) to oversee the effective delivery of the UK EMFF programme by the MMO and Devolved Administrations. Meetings occur twice per year and other duties involve review and feedback on (i) regular performance reports, (ii) the Annual Implementation Reports and (iii) scheme evaluations.</p> <p>IFCA representative(s) to sit on the England EMFF Core Assessment Panel to support decision making on project applications in excess of £100k.</p> <p>IFCAs to input into the strategy for the use of England EMFF Control funding and make use of the funding once the strategy is agreed.</p> <p>IFCAs to work with the MMO to identify opportunities to use England EMFF Core funding to support achievement of the outcomes outlined in the EMFF Operational Programme.</p> <p>Arrangements for dealing with major marine emergency incidents.</p>	<ul style="list-style-type: none"> IFCAs are appropriately integrated into the management of EMFF and have an opportunity to shape implementation and understand developments 	European Grants Senior Manager	Association of IFCAs and others as stated
9. Emergency Response	<p>Arrangements for dealing with major marine emergency incidents.</p>	<ul style="list-style-type: none"> Procedures for collaboration in responding to marine emergencies. 	Marine conservation Team Marine Conservation Manager (Emergencies)	

MEMORANDUM OF UNDERSTANDING between the MMO and the IFCA's

April 2017

Work Area	Activity	Output	MMO contact	IFCA contact
<p>10. Consultation and communication</p>	<p>Share relevant communications plans for upcoming external announcements and developments.</p> <p>Mutual sharing and coordinating of communications on reactive issues.</p> <p>Communications catch-ups via Marine Network calls to coordinate on new developments and external communications.</p> <p>Review of coordination mechanisms and working groups for joint working.</p> <p>Joint activities to support information exchange, joint strategic planning and joint working between MMO and IFCA's, such as AIFCA Members forum, Chief Officers Group and NIMEG.</p> <p>Early notice and sharing of external announcements of new developments.</p>	<ul style="list-style-type: none"> • Clear procedures for consultation between IFCA's and MMO. • Effective two-way liaison and information exchange. • Clear working arrangements for coordinating on stakeholder engagement and communications. 	<p>Head of Communications</p>	<p>Association of IFCA's</p>

Work Area	Activity	Output	MMO Contact	IFCA Contact
<p>11. IFCA Committees</p>	<p>MMO representatives attend all IFCA Statutory meetings and relevant sub-groups, as applicable. If unavailable they should endeavour to deputise.</p> <p>Ensure that MMO representatives support the functions of the Authority. Committee proceedings and standing orders.</p> <p>To be familiar with the Authority code of conduct (CoC) for members and the terms and conditions under which MMO appointments to IFCAs are made.</p> <p>To support the IFCA and its officers by making members aware of the CoC and terms of their appointment if members conduct themselves inappropriately. If considered appropriate to report the actions/behaviour of members to the senior MMO officer responsible for MMO appointments.</p> <p>Where appropriate and if requested to provide advice or help facilitate advice from MMO colleagues on required matters that support the IFCA's management functions.</p> <p>To bring to the attention of the IFCA Chairman and Chief Officer any member/stakeholder communications they are aware of that concerns the IFCA and delivery of its duties.</p> <p>Ensure that MMO representatives are supported and respected in their work.</p> <p>That MMO advice is given fair consideration in Authority proceedings</p>	<ul style="list-style-type: none"> • MMO are able to input fully to IFCA Committees and their decision-making. • MMO committee members are kept up to date with committee work. • MMO work area contacts, Heads of Teams and Marine Area Managers are aware of IFCA corporate plans 	<p>Head of Compliance and Control</p>	<p>IFCA Chief Officers</p>

11. IFCA Committees	MMO to ensure recruitment of independent IFCA appointees. That, to avoid risk of compromising the position of the MMO representative and any potential conflict of interest, no coastal based MMO officers are directly involved in the interview or final decision to appoint members.	<ul style="list-style-type: none"> • Appropriate appointees recruited and inducted to take up post within 3 months of a new appointment being required. • Review of appointment procedures to assure balance of membership in IFCAs • Procedures for data sharing. • Exchange of data. • Regular reporting on monitoring activities. • Access to necessary databases for input and reporting. • UK-wide picture of marine management and enforcement activities. • Liaison on relevant data, research and sharing of expertise. 	Head of Knowledge and Information Management	Chairman of the Technical Advisory Group
12. Data collection, management, analysis and reporting	To be taken forward through the IFCA Technical Advisory Group Establish data-sharing arrangements between IFCAs & MMO to support sea fisheries resources management, marine planning, licensing and conservation.		Data Manager (general data) Statistician (fisheries data)	
	MMO representation on the IFCA Technical Advisory Group as appropriate.			

<p>13. Evidence – research and advice</p>	<p>To be taken forward through the Technical Advisory Group and working closely with Cefas and Defra Evidence teams. Work collaboratively where possible on common research needs. Awareness of relevant research. Where relevant/possible enable/support funding streams that support strategic provision of evidence.</p>	<ul style="list-style-type: none"> • Collaboration on research activities in line with MMO's Strategic Evidence Plan and the individual research plans of IFCA's. <ul style="list-style-type: none"> ▪ To identify and recognise existing key research work by MMO/IFCA that supports marine management e.g. mapping of inshore fishing activity by IFCA's 	<p>Principal Evidence Specialist</p>	
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Work Area	Activity	Output	MMO Contact	IFCA Contact
14. Training	<p>Implement the joint accredited training scheme through the Enforcement Training Group</p> <p>Opportunities for MMO to participate in IFCA TAG training needs.</p> <p>The MMO/IFCAs will seek to recover reimbursement for the development and delivery costs of training solutions, when officers from other agencies attend.</p>	<ul style="list-style-type: none"> • Technical training plans, identification and access to suitable training courses for IFCA and MMO officers. • Defined and where possible integrated/comparable training development plans for officer roles. • Identification and development of MMO/IFCA structures/mechanisms through which to support areas of training, e.g. Joint Training Group, IFCA TAG, MMO Evidence, Data and Knowledge Management team, IFCA platforms for marine training. • Implementation of the joint accreditation of MMO and IFCA enforcement officers to drive common training standards across both organisations. 	Compliance Assurance Team Principal Marine Officer	IFCA Chief Officers

Work Area	Activity	Output	MMO Contact	IFCA Contact
15. Local action plans and asset sharing	Identify opportunities for and develop arrangements for sharing of assets (e.g. office space, vessels, etc.). Regular local liaison group meetings (MMO, IFCA's & EA) as appropriate.	<ul style="list-style-type: none"> • Arrangements for asset sharing included in local action plans and agreements for collaboration under work-stream 2 of the MMO/IFCA action plan. • Rosters, rotas and/or monthly forward plans to help joint working arrangements. 	MMO reps to the IFCA committees	IFCA Chief Officers
16. Co-location of office accommodation	Identify opportunities for MMO and IFCA's to share office accommodation where feasible	<ul style="list-style-type: none"> • Better customer experience • Increased operational and tactical collaboration • More efficient use of office space • More efficient use of estate resource • Cost reduction 	Head of Control and Compliance	IFCA Chief Officers

Annex 3 – Responsibilities for marine enforcement in English waters under the Marine and Coastal Access Act 2009

Enforcement of which legislation:	Seaward Limits (nm)	Lead post-Marine and Coastal Access Act (1)	Officers who could be cross-warranted (2)	Other officers who have powers to enforce (3)
Environment Agency fisheries legislation and byelaws (migratory and freshwater fish)	0 – 6	Environment Agency	IFCA / MMO/ Royal Navy	---
IFCA Byelaws (sea fish)	0 – 6	IFCA	Environment Agency / MMO / Royal Navy	---
UK sea fisheries legislation	0 – 6	IFCA / MMO	Environment Agency	Royal Navy
UK sea fisheries legislation	6 – 12	MMO	IFCA	Royal Navy
UK sea fisheries legislation	12 – 200	MMO	---	Royal Navy
EU sea fisheries legislation	0 – 6	MMO	Environment Agency / IFCA	Royal Navy
EU sea fisheries legislation	6 – 12	MMO	IFCA	Royal Navy
EU sea fisheries legislation	12 – 200	MMO	---	Royal Navy

Enforcement of which legislation:	Seaward Limits (nm)	Lead post-Marine and Coastal Access Act (1)	Officers who could be cross-warranted (2)	Other officers who have powers to enforce (3)
Marine environment licensing	0 – 200	MMO	--	Royal Navy
MMO and IFCA Byelaws (including Marine Conservation Zones and European marine sites) and the general offence of damaging a Marine Conservation Zone	0 – 6	IFCA	Environment Agency	Royal Navy / MMO
MMO Byelaws (including Marine Conservation Zone and European marine sites) and the general offence of damaging a Marine Conservation Zone	6 - 12	MMO	IFCA	Royal Navy
General offence of damaging a Marine Conservation Zone	12 – 200	MMO	--	Royal Navy
Wildlife and Countryside Act 1981, Conservation of Seals Act 1970	0 – 6	MMO	IFCA	Police / Royal Navy
Wildlife and Countryside Act 1981, Conservation of Seals Act 1970	6 - 12	MMO	IFCA	Police / Royal Navy
Offences under the Conservation of Habitats and Species Regulation 2010	0 – 6	MMO	IFCA	Police / Royal Navy

Enforcement of which legislation:	Seaward Limits (nm)	Lead post-Marine and Coastal Access Act (1)	Officers who could be cross-warranted (2)	Other officers who have powers to enforce (3)
Offences under the Conservation of Habitats and Species Regulation 2010	6 - 12	MMO	IFCA	Police / Royal Navy
Offences under Offshore Marine Conservation Regulations 2007	12 – 200	MMO	---	Royal Navy
Legislation applying in international waters	Beyond 200	MMO	---	Royal Navy

Notes

- (1) Responsibility for enforcing the legislation is with the organisation(s) listed under "Lead post-Marine and Coastal Access Act".
- (2) Where it is appropriate, and with the agreement of both organisations, trained officers who could be cross-warranted to enforce that legislation are given in the "cross-warranted" column. It is not solely organisations listed here who could have staff cross-warranted to enforce the legislation: people from other organisations could be cross-warranted if appropriate and they had met the required training and competency standards.
- (3) Officers of organisations who have powers to enforce, but do not have a direct responsibility for ensuring compliance, are given in the final column. For example, enforcement of the MMO responsibilities for sea fisheries and nature conservation may be carried out under contract by the Royal Navy (RN). There are also some other officers appointed under the Act, such as those appointed by Welsh Ministers, who have powers to enforce some of the legislation but these have not been detailed here.

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 22

29th Eastern Inshore Fisheries and Conservation Authority Meeting

7 June 2017

Report by: J. Gregory, Chief Executive Officer

Quarterly Progress Against Annual Priorities 2016-17

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 2016/17.

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 the inshore fisheries industry, the marine environment and the policy landscape.

The Planning and Communications Sub-Committee agreed to the priorities for 2016/17 as set out in the 5-year Business Plan at the same meeting.

This update would ordinarily have been provided at the April Authority meeting but changes to the meeting schedule because of local authority elections meant that it has been delayed. The first report on the 2017-18 priorities will be provided to the September 2017 Authority meeting.

Report

The tables at the Appendix detail the progress against the key priorities for 2016-17, as set in the Business plan for 2016-21.

Risk

Since the late summer of 2016 four members of staff left the organisation. This had obvious impacts on Eastern IFCA's ability to deliver on the priorities set in the 5-year Business Plan in the context of high workloads. Whilst this did increase the risk associated with not meeting this year's priorities, careful planning helped to mitigate against this risk. Plans to revise the structure of the organisation and to fill vacancies are now well advanced.

At the 25th Eastern IFCA meeting, it was reported that Eastern IFCA is at an increased risk of not meeting the December 2016 deadline for implementing management measures in Marine Protected Areas, as set by Defra. This was because of ongoing dialogue with Defra on legal issues associated with the Marine Protected areas byelaw and the operation of permit schemes under the Whelk and Shrimp Permit byelaws.

Both the Marine Protected Areas byelaw and the Shrimp Permit byelaw were made by the Authority at a meeting of the Regulation and Compliance sub-committee on 13 December 2016. Whilst they were scheduled to go to formal consultation during the first quarter of 2017 subsequent developments meant that this did not go ahead and revisions to the byelaws are likely. This has meant that work on this will continue as a high priority in 2017-18.

Conclusion

Authority officers are committed to delivering success across the breadth of our remit. The emphasis on closer coordination and joint working with partner agencies may present opportunities to share or better balance the prodigious work load the Authority is bound to deliver. In addition, whilst some significant changes in staff had the potential to adversely affect progress the reallocation of priorities and careful planning partially mitigated against the risk of not meeting the objectives set in the 5-year Business Plan.

Background documents

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

Appendices

1. Report on priorities set for 2016-17

APPENDIX 1

Eastern Inshore Fisheries and Conservation Authority

7 June 2017

Quarterly Progress against Annual Priorities

4 key priorities are established for 2016-17.

Financial Year 2016-17		
Priorities 2016-17	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;</p> <p>b. Delivering fisheries management measures for 'Amber and Green' designated features within European Marine Sites (EMS) within the mandated timeframe (continued from 2015-16);</p> <p>c. Assessing the impact of fishing activities on the Cromer Shoal Chalk</p>		<p>1a. Progressing: protective measures (spatial closures) were agreed for Haisborough, Hammond & Winterton SCI under the Marine Protected Areas Byelaw, approved by the Authority in December 2016. Subsequent advice from Natural England has required revisiting the evidence supporting the proposed closed areas. Public consultation on this byelaw is pending finalisation of closed areas. Work to develop management proposals for Inner Dowsing, Race Bank & North Ridge SCI is being conducted alongside 1d, but has been delayed this quarter to enable focus on Haisborough, Hammond & Winterton measures, and on priority 1b.</p> <p>1b. Assessments identified the need to implement shrimp management measures in the Wash and North Norfolk Coast SAC, to mitigate against impacts on seabed habitats. Spatial closures and an effort management mechanism were agreed in the Marine Protected Areas Byelaw and Shrimp Permitting Byelaw, both approved by the Authority in</p>

<p>Beds tranche 2 Marine Conservation Zone and delivering management measures (if required) by December 2017;</p> <p>d. Reviewing Regulatory Notices 1-4 (inclusive) issued under the Protected Areas Byelaw, for revocation, amendment or renewal by March 2017.</p>		<p>December 2016. Further evidence and Natural England advice have required revising the closed areas and effort limits; public consultation on these two byelaws is pending additional legal advice from Defra and further advice from Natural England.</p> <p>1c. An assessment of fisheries in the Cromer Shoal Chalk Bed Marine Conservation Zone (1.c) is underway however, in order to meet the deadline for management of new marine protected areas (two years after designation), the assessment is being undertaken in the absence of a full conservation advice package. Should management measures be required, they will be informed by engagement with local fishermen and the wider stakeholders.</p> <p>1d. The review of Regulatory Notices 1-4 (implemented through the Protected Areas Byelaw) has been delayed to enable focus on amending the existing byelaw structure, as required by Defra, and on priority 1b (above). Updated fishing activity information and conservation feature evidence will inform the review. Natural England has provided updated advice in relation to <i>Sabellaria</i> reef in The Wash and eelgrass on the North Norfolk Coast; officers are currently working closely with Natural England in this regard. The review will inform whether any changes are to management are required. If so, changes will be implemented once the new Marine Protected Areas byelaw has been made (i.e. pending completion of 1a and 1b).</p>
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<p>2. To ensure that sea fisheries resources are exploited sustainably and in accordance with MSFD requirements by:</p> <ul style="list-style-type: none"> a. Developing fishery sustainability management measures for the brown shrimp fishery in conjunction with priority 1(b) above; b. Developing management measures for unregulated fishing activity (netting); c. Continuing the project to rejuvenate previously productive mussel beds in The Wash and to undertake research to establish the reason for continued decline in stocks; d. Reviewing fisheries management measures for crab and lobster in conjunction with the Defra-led 'stock based' sustainability project; e. Developing mechanisms to improve fisheries data for skates/rays, demersal and flatfish species, particularly in relation to 		<p>2a. The development of shrimp measures in relation to fisheries management (2.a) is dependent on the introduction of the Shrimp Permit Byelaw which is currently in development but focusses on measures for the protection of habitats (as per priority 1 – above). Permit conditions in relation to fisheries sustainability are to be informed by the measures identified through the Marine Stewardship Council's accreditation scheme (an industry led initiative).</p> <p>2b. Recent development of the Bass Nursery Areas Statutory Instrument has given cause to pause the development of unregulated fishing management. The proposed SI will potentially deliver many key measures which would only be duplicated by Eastern IFCA management. Officers are contributing to the development of the SI. Further development of unregulated netting measures will be informed by this work.</p> <p>2c. Experimental fieldwork has been conducted to determine the feasibility of laying a culch of cockle shells to help rejuvenate mussel beds by attracting seed. While the trial found that the shells were successful at attracting mussel seed, until the seed has been given time to grow, the method does not appear to be financially viable for the wider fishery but may be useful for individual lay holders. Attempts to undertake a joint project with either Cefas or a university to research the cause of the high mortalities on the wild mussel beds were unsuccessful this year. Cefas,</p>
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<p>spatial/temporal and effort information.</p>		<p>however, feel the cause could be attributed to the parasite <i>Mytilicola intestinalis</i>, which are known to be present in the mussels. It is hoped to research this further in the coming year with Hull University.</p> <p>2d. Modelling of crab and lobster biosampling data has identified both stocks, particularly lobsters, are under pressure. It was agreed at the 27th Authority meeting on 15 February 2017 to develop management measures. The next step will be engagement with the industry and development of regulatory measures as required.</p> <p>2e. Officers initially undertook to gather additional fisheries data though increased engagement and voluntary measures with limited success. This work-stream has been re-prioritised as a lesser priority through the year as other work-streams have required additional resource.</p>
<p>3. To ensure that the marine environment is protected from the effect of exploitation by reviewing district wide bio-security measures including management of invasive, non-native species (roll over from 2015-16);</p>		<p>A project plan was in development for Eastern IFCA to participate in a larger project called RESOLVE (Resource Efficient Solutions through Managing Invasives) which is being led by Norfolk Non-Native Species Initiative. The funding application for the project has however been rejected. The lead partner is investigating other means of funding the project and this will be explored over the coming months.</p>
<p>4. To develop management of the fisheries regulated under the WFO 1992 by:</p>		<p>4a. hand-worked cockle fishery Management Plan reviewed and revised in conjunction with the development of a long-term HRA and was presented and agreed at the 27th</p>

<ul style="list-style-type: none"> a. Reviewing the fishery management policies; b. Reviewing regulations and policy notes; c. Developing options for greater cost recovery 		<p>Authority meeting on 15 February 2017 and will now go to formal consultation.</p> <p>4.b Draft management policies and regulations was presented and agreed at the 27th Authority meeting on 15 February 2017 and will now go to formal consultation.</p> <p>4c. Work relating to the development of further cost recovery (4.c) has been undertaken and options was presented and agreed at the 27th Authority meeting on 15 February 2017 and will now go to formal consultation.</p>
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Key:

	Complete
	In progress
	No progress

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 23

29th Eastern Inshore Fisheries and Conservation Authority meeting

7 June 2017

Report by: Andrew Bakewell, Head of Finance

HR Update

Purpose of report

To inform members of the progress of the HR plan to 2018 and specifically an update of the HR activity planned to be completed during this financial year.

Recommendations

It is recommended that members:

- **Note** the contents of the report

Background

The previous Head of HR took up post in 2012 and developed a 3-year strategic plan of the key HR activity required to support the achievement of Defra's high level objectives. This plan has been successfully delivered and as such a further strategic plan has been developed during quarter one of this year to support the delivery of required HR activity to 2018. This report gives an overview of current activity in support of this plan.

Update of specific activity

The key activity during 2017 continues to focus on:

- Implement new structure – Additional Senior IFCO and creation of the Marine Science team
- Developing line manager capability
- Maintaining the performance review process
- Review of current organisational structure
- Employee engagement
- Management systems

Recruitment Activity

The recruitment for an IFCO position to be based at the Lowestoft satellite office led to the appointment of an officer in January 2017.

Subsequently, following the resignation of the Senior Skipper and an internal re-organisation, the second placed candidate has been offered, and accepted

a fixed term one year contract to join as an IFCO. Charlotte Siely will join us on the 14th June.

Internal staff moves and vacancies held over during CEO secondment resulted in 4 vacancies in the merged Marine Science team. The first stage of the recruitment saw 5 candidates identified from the IFCO process as potential candidates for the Marine Science roles, from the 5 interviewed 2 stood out who were duly offered MSO roles, both accepted. Tom Bridges who joined on the 13th March and Elise Quinn who joins us on the 19th June.

In order to fill the remaining two posts an advert was placed which attracted more than 150 applicants from which a shortlist of 6 were interviewed, the two successful candidates were offered the roles and following acceptance start dates were agreed. Samantha Hormbrey joined on the 24th April and Rebecca Treacy will join on the 30th August.

The selection process for a Head of Operations is underway with the initial stages being undertaken by an external recruitment agency.

Internal Moves

- Luke Godwin from Temporary Staff Officer to Senior IFCO (Regulation))
- Lee Torrice from IFCO Engineer to Temporary Senior Skipper/Engineer
- Peter Welby from Research (Marine Science) to Marine Protection (IFCO 5)
- Greg Brown from Environment (Marine Science) to Marine Protection (Project Officer/IFCO)

Structure Review

Has been concluded and reported to F&P the outcome summarised as follows:

Executive – 3-member executive (CEO, Hd of Ops and Hd of Finance and HR)

Senior Management Team – (Snr. IFCO(Compliance), Snr. IFCO(Regulation), Snr Skipper, Snr. MSO (Research) Snr MSO (Environment)

Staff leaving

Since the last report, another member of staff has resigned. As a long serving officer, he had sound reasons for moving to pastures new but as Senior Skipper his knowledge and experience will be missed. However, a temporary promotion has filled the vacancy and Members are to be reassured that measures are in place so as not to detrimentally impact day to day operations.

Employee engagement

Following the outputs from our bi-annual engagement survey, the management team are finalising an action plan to develop cultural engagement within EIFCA.

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 24

29th Eastern Inshore Fisheries and Conservation Authority meeting

7 June 2017

Report by: Simon Lee – Senior IFCO (Compliance)
Lee Torrice – T/Senior Skipper

Marine Protection Quarterly Reports

Purpose of report

To provide members with an overview of the work carried out by the Marine Protection team and the vessels, *RV Three Counties*, *FPV John Allen* and *FPV Sebastian Terelinck*.

Recommendations

Members are asked to:

- **Note** the proposed new approach to reporting Marine Protection outputs in Marine Protection Quarterly reports
- **Note** the content of the reports

Report

IFCOs prepare monthly and quarterly reports, the latter being presented to the Authority at quarterly meetings. The Quarterly Marine Protection reports serve as an important source of anecdotal information, particularly with regards to fisheries trends and activity on the ground.

A new approach is being rolled out which reflects the move away from 'Area Officers' to a shared responsibility for all IFCOs to contribute to the reporting of fishing trends and enforcement outcomes. This is considered to be a significant part of the Marine Protection Review.

The new Marine Protection reports will focus on fishing trends, enforcement outcomes and enforcement activity. IFCO derived 'landings figures' will not feature as part of the reports as they have previously. This reflects the current reliance on more formal catch return systems in place for some fisheries and the availability of MMO derived data which is used to inform management decisions. The method used by the MMO to collect landings data is considered

to be more robust and although it has caveats these are consistent through time and allow for analysis of fishing trends where IFCO derived figures do not.

It is intended that this will be the last of this 'style' of Marine Protection Report with the report relating to the first quarter of 2017/18 being of the new format.

Officer reports

Area/Vessel	Officer
Area 1 (Lincs & Kings Lynn)	Jason Byrne
Area 2 (Norfolk)	Adrian Woods
Area 3 (Suffolk)	Alan Garnham
<i>RV Three Counties</i>	Lee Torrice
<i>FPV John Allen</i>	Lee Torrice
<i>FPV Sebastian Terelinck</i>	Lee Torrice

Eastern Inshore Fisheries & Conservation Authority

From: Jason Byrne Fishery Officer (Area 1)
To: Julian Gregory
Date: 25th April 2017
Ref: Quarterly Report Area 1
Quarter Report: Jan, Feb, March 2017

Area 1: Hale Sand – Kings Lynn

General

Fishing activities throughout this quarter has mainly been concentrated on the brown Shrimp fishery with vessels from both Boston & Kings Lynn port participating. Other fishing activities around the coast have included potting for Crab, Lobster & Whelks and dredging Mussels off private lays within the Wash for market trade.

Port Summary

Saltfleet - Chapel Point

One commercial vessel owner replaced their old vessel with a new vessel throughout this quarter, the new vessel is a Master Kat U10m and is potting for Crab & Lobster. Fishermen have been commenting on the lack of Lobsters on the ground at the moment. EMS sites have continued to be checked with no signs of disturbance.

Skegness – Gibraltar Point

Another new vessel has been purchased and replaced, the new vessel is a U10m, Cheetah, the vessel owner is awaiting vessel checks and licensing then hopefully will be up & running potting for Crab, Lobster & Whelks. Only one vessel has achieved nine days fishing throughout this quarter potting for Crab, Lobster & Whelks. Shore based anglers reported lots of Razor fish and small edible Crab being washed up on the beaches off Skegness after having strong Easterly winds at the start of this quarter.

Boston

One vessel dredged for Mussels off private lays within the Wash for markets trade. A maximum of six vessels from this port twin beamed for brown Shrimp throughout this quarter totalling 58 landings being made between them.

Fosdyke

Kings Lynn Pilot vessel was lifted out at the marina for general repairs and maintenance. Some of the Skegness and Boston vessel based anglers have moved down to fish out of Fosdyke.

Sutton Bridge - Wisbech

Two Kings Lynn commercial vessels are still at the marina at Wisbech, one having a major over haul and the other general maintenance. EIFCA has also used Wisbech marina to lift RIBs in & out of the water.

Kings Lynn

The main fishing activity from this Port has been targeting the brown Shrimp fishery, a maximum of 24 vessels have participated in twin beaming for brown Shrimp throughout this quarter totalling 363 landings between them. One further vessel managed 15 trips potting for Whelks. One large Whelk vessel came from Wales and potted for Whelks outside our district and landed into Kings Lynn port.

Species Summary

NB All landing and effort (e.g. potting) figures detailed within this report are estimates based upon observations made by Fishery Officers and reports from fishermen. They are intended to be an indicator only and should not be regarded as definitive figures.

Saltfleet - Chapel Point

Number of vessel inspections:

Species	Landings (kg)	Value of catch (£)
Crab	5,725	6,297.00
Lobster	245.5	3,580.00

Skegness – Gibraltar Point

Number of vessel inspections:

Species	Landings (kg)	Value of catch (£)
Crab	325	357.00
Lobster	23	356.00
Whelk	875	831.00

Boston

Number of vessel inspections:

Brown Shrimp	17,539	112,099.00
Mussels	20,500	28,700.00

Fosdyke

Number of vessel inspections:

Species	Landings (kg)	Value of catch (£)
0	0	0

Sutton Bridge

Number of vessel inspections:

Species	Landings (kg)	Value of catch (£)
0	0	0

Potting

Crab and lobster

Number of pots inside 6nm fished by vessels from within area:

Number of pots outside 6nm fished by vessels from within area:

Bio-sampling of brown crab and lobster

Number of brown crab measured during the month:

Number of lobsters measured during the month:

Whelk

Number of pots inside 6nm fished by vessels from within area:

Number of pots outside 6nm fished by vessels from within area:

Non Commercial Activities

Recreational Sea Anglers (shore based):

Number of anglers inspected:

Locations fished:

Species targeted:

Average catch (kg):

Skegness Beach

Any

0

Recreational Sea Anglers (vessel based):

Number of vessels inspected:

Locations fished:

Species targeted:

Average catch (kg):

0

0

0

Charter Angling Vessels:

Number of charter vessels inspected:

Number of vessels in area: 0

Number of trips: 0

Number of anglers: 0

Species targeted: 0

Total Landings (kg): 0

Locations fished throughout the month: 0

Fishery Officer Duties

Training:

RoSPAR training.

Vessel training.

Other duties carried out:

Joint working with MMO.
PAT testing Office/Unit A.
Away on TC EHO samples.
Walked off Terrington Marsh EHO samples.
Onboard JA patrol Wash.
Onboard ST patrol Lowestoft.
Familiarise new officer Area 1.
Taxi crew to Gt. Yarmouth.
Repairing trailers.
Prepare Whelk pots for sale.
Assist sales for pots/trailer/outboards.
Collect EHO samples Ouse Mouth.
Attended EIFCA Stat meeting at Wisbech.
Tabbs Head collect Mussel samples EHO.
Away on RIB collect Cockle samples.
Attended staff meeting.
Picked up new trailer from Blue Line.
Onboard ST patrol Suffolk.
Attended TCG meetings.
Onboard ST patrol Suffolk.
Onboard TC EHO.
Attended Authority Vessel Day.
Onboard TC cockle surveys.

1st sale value of different species within this area (£/kg)

Crab	1.10
Lobster	14.00 – 15.50
Brown Shrimp	6.17 – 6.84
Whelks	90p – 95p
Mussel	1.40

From: Adrian Woods I.F.C.O (Area: Norfolk)
To: J. Gregory C.E.O
Date: 26th April 2017
Report: First quarter 2017

Area: Norfolk Coast: Heacham to Great Yarmouth

General

The first two months of the year remained quiet as expected, with a mixture of windy and cold weather there wasn't too much which was going to move, in the way of shellfish, and as for finfish – well this just didn't make it to our coastline at all.

Mid-January saw a surge tide fall onto our coastline, and although some damage was done in comparison to 2013 it was minimal, following this period of bad weather it enticed a few vessels to put to sea just to straighten out their gear and to bring home any pots which had been damaged.

It wasn't until the last few days of February when a couple of fishers tried for a crab, and found there to be loads coming out of hibernation, moving into March saw an explosion of pots being taken to sea, as the coast around Norfolk began to fish for the Cromer Crab once again.

The Fisheries

Crabs – As previously mentioned this fishery got underway properly in March, in the past when vessels have set pots, the norm would be maybe a crab a pot for the first few hauls if things were on the move, and then it would be a slow progression on from here, well this year the first hauls provided 5's and 6's a pot, progressing upwards steadily into 150+ a shank / 12 pots. With this amount of crabs on the ground, less pots have been taken to be worked.

Lobsters – have remained quiet, as expected - for one it's still early in the year for them and two with the large amounts of crab on the ground they're clearly not going to compete with them.

Whelks – The inshore grounds are reported to have been slow, whilst the offshore grounds are continuing to provide a steady amount of whelk, although currently what offshore is I'm not aware, it could be 10 miles or it could be 30 possibly further, having not been around the coast much I haven't had the dialogue to find such things out.

Netting – as far as I'm aware there has been very little netting going on other than the normal up the road at Caister, who continue to fish for Herring regardless of what sales there are to fill, someone somewhere will buy it, if not for human consumption, for the zoo's, if that fails there is always the bait option, for the potters.

Seed mussel - the beds down at Titchwell have remained open for the two fishers which were exploiting this seed, although this quarter there hasn't been the appetite to harvest it.

Despite the weather we have had, the seed which is still there now has plenty of sand around it, which it is sitting down in too and holding on tightly. When the weather improves, I would imagine that this seed will once again be exploited, knowing the good season the mussel farmers have had.

Angling – has too been a quiet quarter, most of the time catches have consisted of small whiting or flat fish, unfortunately the cod fish which all anglers strive to catch has remained elusive from this coast line, so much so that one wonders if it should go on the rare species list.

Towards the end of March, there were a few mentions of schooly bass beginning to make a show, but nothing of size as yet has been reported.

Emerging Issues - none at this time.

Wind Farms – nothing to report.

Port Summary

Brancaster

The main target species at this port has been brown Shrimp with catches continuing to be steady, and with the price per kg fluctuating from £6 – 6.50/kg not many kg were needed to make a decent wage.

Wells-next-the-Sea

The target species at this port has been whelk, both inshore and offshore. A little crab and lobster has been landed where gear has been turned over to straighten it out. Most the fleet here has been laid up for the winter with only a handful of vessels continuing to operate, in all 76 days have been reported for landings from a possible 1080 days for 12 vessels.

Morston

No activity has been seen at this port.

Cley-next-the-Sea, Weybourne, Sheringham, West Runton, Overstrand & Mundesley

No activity has been seen at these ports.

Cromer

Vessels working from this beach has grown in numbers, with 18 at the end of March, the local council is looking to cap the effort here as room is becoming limited with vessels getting bigger, and with bigger vessels bigger tractors are required for getting them up and down the beach.

Mundesley to Caister

No activity has been seen at this port.

Yarmouth/Gorleston

No activity has been seen at this port.

Species Summary

*NB All landing and effort (e.g. potting) figures detailed within this report are estimates based upon observations made by Fishery Officers and reports from fishermen. They are intended to be an indicator only and **should not** be regarded as definitive figures.*

Potting

Brancaster

Number of times port visited		4
Number of vessel inspections:		0
Species	Landings (kg)	Value of catch (£)
January		
Shrimp	1,145	7,065
March		
Shrimp	550	3,762

<u>Wells-next-the-Sea</u>		
Number of times port visited		7
Number of vessel inspections:		7
Species	Landings (kg)	Value of catch (£)
January		
Crab	600	720
Lobster	42	800
Whelk	50,559	45,503
Shrimp	528	3,258
February		
Crab	360	400
Lobster	250	4,125
Whelk	50,231	45,208
March		
Crab	1810	5,611
Lobster	120	1,980
Whelk	53,613	48,252

<u>Morston</u>		
Number of times port visited		5
Number of vessel inspections:		0
Species	Landings (kg)	Value of catch (£)

<u>Sheringham</u>		
Number of times port visited		3
Number of vessel inspections:		0
Species	Landings (kg)	Value of catch (£)
March		
Crab	1,900	5,890
Lobster	5	83

<u>Cromer</u>		
Number of times port visited		8
Number of vessel inspections:		5
Species	Landings (kg)	Value of catch (£)
January		
Crab	10	12
February		
Crab	300	360
Lobster	1	20
March		
Crab	16,900	52,390
Lobster	70	1,155
Whelk	1,461	1,315

Cley, Weybourne, E Runton, W Runton, Overstrand, Mundesley &**Bacton**

Number of times port visited		14
Number of vessel inspections:		0
Species	Landings (kg)	Value of catch (£)
March		
Crab	2,943	9,123
Lobster	90	1,485

Sea Palling

Number of times port visited		1
Number of vessel inspections:		1
Species	Landings (kg)	Value of catch (£)
January		
Crab	25	30
Lobster	5	100
Whelk	3,600	3,240
March		
Crab	1430	4,433
Herring	240	120
Lobster	34	578
Whelk	4,044	3,840

Caister & Gorleston

Number of times port visited		3
Number of vessel inspections:		0
Species	Landings (kg)	Value of catch (£)
January		
Whelk	900	810
February		
Whelk	190	170
March		
Whelk	1,894	1,705

Potting**Crab and lobster**

Number of pots declared to be fished inside 6nm:	4,360
Number of pots declared to be fished outside 6nm:	80

Bio-sampling of brown crab and lobster

Number of brown crab measured during the quarter:	0
Number of lobsters measured during the quarter:	0

Whelk

Number of pots declared to be fished inside 6nm:	965
Number of pots declared to be fished outside 6nm:	4,500

Non-Commercial Activities

Recreational Sea Anglers (shore based):

Number of anglers inspected:	12	
Locations fished:	Species targeted:	Average catch (kg):
Cley	Fish	0
Weybourne	Fish	0

Recreational Sea Anglers (vessel based):

Number of vessels inspected:	0	
Locations fished:	Species targeted:	Average catch (kg):

Fishery Officer Duties

Training:

March

- 1st Intel training
- 2nd Intel training
- 10th Vessel training at Sutton Bridge
- 14th Vessel training at Sutton Bridge
- 16th Vessel training Sutton bridge
- 17th Vessel training at Sutton bridge

Other duties carried out:

January

- Maintenance to FPV Sebastian Terelinck
- Assist conducting interviews
- TCG's our own & the MMO's
- Bass meetings with MMO
- Assisted MMO with RBS audit
- Introduce Kings Lynn MMO MEO to the coast of Area 2 (Kings Lynn to Wells)
- Interview of offender for ongoing case file
- MCSS

February

- 1st Carry out LT market inspection - Move FPV Terelinck from LT to YH to have work undertaken at Alicat
 - 2nd Coastal Cromer to Thornham – landings at Wells
 - 3rd WFH – Updating email – MCSS – patrol forms
 - 6th Kings Lynn office
 - 7th LT MMO office meeting
 - 8th Coastal patrol Cromer to Lynn showing GE around area
 - 9th Coastal patrol with GE Lowestoft to Cromer
 - 10th WFH – Updating patrol forms – timesheets – email
-

15th To Alicat YH – move ST to LT
16th Meetings at Kings Lynn office
17th WFH
20th WFH
21st Patrol Suffolk coast from FPV ST
22nd Casefile
23rd MMO offices LT
24th WFH
27th Visit Cromer beach Crabbers starting – meet PD from MMO visit Norfolk
C Larder
28th Landings Cromer beach

March

3rd TOIL
6th FPV S Terelinck patrol
7th MMO TCG – coastal patrol on return
8th WFH – update statements – landing Cromer and Wells
9th Move FPV S. Terelinck to Sutton bridge
13th EHO / DSP collection on board TC
15th TOIL
20th Move FPV S. Terelinck to Kingslynn
21st Clean down and maintenance of vessels at Kingslynn
22nd Authority day at Kings Lynn
23rd Crab sample to CEFAS – patrol Suffolk with ARG
24th TOIL
27th – 30th Cockle surveys on board TC
31st TOIL

1st sale value of different species within this area (£/kg)

Crab	£1.20 – 3.10
Herring	£0.50
Lobster	£18.00 – 16.50
Shrimp	£6.00 – 6.50
Whelk	£0.90

Eastern Inshore Fisheries & Conservation Authority

From: Alan Garnham Fishery Officer (Area 1)
To: Julian Gregory
Date: 25th April 2017
Quarter Jan, Feb, March 2017
Report:

Area 3: Pakefield – Felixstowe Ferry

General

This has been a very disappointing quarter for fishermen with no cod showing throughout the winter and carrying on throughout this quarter. Fishes were

hoping there would eventually be a spring cod run but nothing has been seen apart from the odd cod per day. Fishermen believe it is a combination of higher sea temperatures, rising numbers of wind farm turbines and dredging. Thornback ray fishing has been very good with plenty of showing. Unfortunately, fishery quota is low and fishers are frustrated with the lack of cod they cannot make up their catch with additional quota being given on skate/ray.

Sole fishing has been low key with a few boats recording reasonable catches and able to make a living from the Suffolk coast. Towards the end of the quarter the seas were awash with the Lesser spotted dog fish and Spurdog. Some fishers were catching Dogfish and supplying it as bait for the whelk fishers.

Spurdog plagued the inshore fishery during February and March and some fishers long lining across some of the banks were reporting catching and returning a ton of Spurdog per day. This is very frustrating for fishermen targeting for other species taking into account the cost of bait and diesel. The lines can only be shot once a day before they need to come home and re baiting the lines.

Bass were being caught using fixed nets during this period close in to the shores. Herring and sprat were here for the quarter but due to lack of sale only the odd fishermen landed either species.

What has been of note during the latter quarter is the amount of Red Gurnard being caught and landed in the nets maybe it's down to the warmer waters with a mild winter.

MFV- Ebonie arrived as usual this time of the year and began whelking outside the six with a reported 2,500 pots.

On the beaches, anglers have taken to the beaches praying for an odd cod close in but I have no reports other than a few to RSA boats and Kayaks off Felixstowe.

Port Summary

Pakefield

Very limited fishing activity seen here off Pakefield with no recorded beach landings. A few Lowestoft fishing vessels have been fishing, mainly for herring.

Southwold

Commercial fishing has been very quiet here throughout the quarter due to lack of cod. Some commercial vessels changed over their gear to fishing the entire quarter for whelks due to the lack of cod along the coast.

Beach fishing has been quiet with a few reporting flatfish on the pier.

Dunwich & Sizewell

Commercial fishers have been fishing using overnight fixed gear to catch bass. Again, only the odd cod seen. On the beaches reports from fishers has been slow with the odd fish being taken, mainly flats Flounder and dab.

Thorpeness & Aldeburgh

It was a poor start to the quarter with lack of fish so the odd boat took the opportunity to have annual maintenance. Other fishers laid up their boats and closed fish huts for most of the quarter. On beach inspections throughout the quarter I never see a fish. When huts were open most were selling bought in fish especially cod and farmed bass.

Orford

Very quiet start to the quarter with no fishing activity seen. Lack of cod and skate quota and unable to drift fish for bass seemed to keep the fishers in port.

Felixstowe

Similar report here fishers taking boats out for routine annual maintenance. Bass and Spurdog restrictions with poor skate quota and lack of cod kept fishers ashore. RSA boat anglers started slow but during March the odd cod was caught very close into the shore with plenty of Dogfish.

Species Summary

All landing figures detailed within this monthly report are derived from estimates of catches based on observations made by Fishery Officers and reports made by fishermen to Fishery Officers.

<u>Pakefield</u>		
Number of vessel inspections:		0
Species	Landings (kg)	Value of catch (£)
Herring	No reports	
Whelks (Lowestoft)	34,284	32,891.90

<u>Southwold</u>		
Number of vessel inspections:		13
Species	Landings (kg)	Value of catch (£)
Cod	40	140.00
Roker	1,500.00	2,945.00
Sole	435	3,632.50
Flounder	195	195.00
Dabs	80	80.00
Dogfish	160	330.00
Bass	150	2,100.00
Smoothound	80	200.00
Herring	980	980.00
Lobster	60	737.50
Crab	50	175.00
Whelks	107,307	104,675.90

<u>Dunwich & Sizewell</u>		
Number of vessel inspections:		2
Species	Landings (kg)	Value of catch (£)
Cod	50	165.00
Roker	170	231.50
Sole	115	1,032.50
Bass	670	9,380.00
Flounder	215	215.00
Dab	100	100.00

<u>Thorpeness & Aldeburgh</u>		
Number of vessel inspections:		7
Species	Landings (kg)	Value of catch (£)
Cod	90	290.00
Roker	1,615	2,073.75
Sole	510	4,745.00
Herring	800	800.00

Flounder	310	310.00
Bass	25	350.00
Dabs	135	135.00
Lobster	125	1,552.50
Crab	245	864.50

Orford

Number of vessel inspections:		1
Species	Landings (kg)	Value of catch (£)
Cod	100	320.00
Roker	1,750	3,492.00
Sole	465	4,157.50
Herring	600	600.00
Flounder	330	330.00
Dabs	150	150.00
Smoothound	50	125.00
Bass	150	525.00
Lobster	105	1,272.50
Crab	150	525.00

Felixstowe

Number of vessel inspections:		6
Species	Landings (kg)	Value of catch (£)
Cod	50	165.00
Roker	2,850	5,687.00
Sole	1,370	12,355.00
Herring	580	580.00
Dogfish	120	275.00
Flounder	320	320.00
Dabs	118	118.00
Bass	135	1,890.00
Smoothound	45	112.50
Lobster	80	960.00
Crab	60	210.00

Potting

Crab and lobster

Number of pots inside 6nm fished by vessels from within area:	Average
	248
Number of pots outside 6nm fished by vessels from within area:	Average 60

Bio-sampling of brown crab and lobster

Number of brown crab measured during the quarter:	0
Number of lobsters measured during the quarter:	0

Whelk

Number of pots inside 6nm fished by vessels from within area:	Average
	416
Number of pots outside 6nm fished by vessels from within area:	Average
	3,400

Non-Commercial Activities

Recreational Sea Anglers (shore based):

Number of anglers inspected:	12	
Locations fished:	Species targeted:	Average catch (kg):
Southwold	Cod	0
Aldeburgh	Cod	0
Sizewell	Cod	0
Orford	Cod	0
Felixstowe	Cod	0

Recreational Sea Anglers (vessel based):

Number of vessels inspected:	9	
Locations fished:	Species targeted:	Average catch (kg):
Orford	Cod	0
Felixstowe	Cod	0

Charter Angling Vessels:

Number of charter vessels inspected:	0				
Number of vessels in area:	16	Number of trips:	80	Number of anglers:	400
Species targeted:			Total Landings (kg):		
Cod			30		
Locations fished throughout the month:					
Within area					

Fishery Officer Duties

Training:

Nil

Other duties carried out:

9th Jan – MMO meeting Lowestoft
10th Jan – Interview assessments aboard Sebastian Terelinck
13th Jan – Fisherman taped interview Lowestoft
19th Jan – bass meeting MMO Lowestoft
22nd Jan – Office meeting Kings Lynn
24th Jan – Bait digging meeting at Wrabness River Stour
27th Jan – Aboard St with Charity Taylor Navionics calibration
1st Feb – Aboard Sebastian Terelinck (ST) sea patrol
2nd Feb – Meeting ABP- Ports re application for container siting
7th Feb – MMO meeting at Pakefield
13th Feb – MMO offices formal taped interview with fisher
14th Feb – Introduction to Area 3 for Greg E
15th Feb – Aboard ST sea patrol
16th Feb – Office Kings Lynn
17th Feb – Felixstowe beach issued verbal warning (landing crab claws)
21st Feb – Aboard ST patrol Norfolk/ Suffolk
23rd Feb – Statement writing and file checking
28th Feb – 20th Mar Annual leave
20th Mar – Drive to S/Bridge take Sebastian Terelinck to Kings Lynn

21st Mar – Kings Lynn cleaning vessels
22nd Mar – Vessel open day for committee members
23rd Mar – Southwold joint patrol with MMO officer on coast
27th Mar – drive to S/Bridge sea patrol on John Allen

Average 1st sale value of different species within this area (£/kg)

Cod	3.16
Roker	2.05
Bass	14.00
Smoothound	2.50
Sole	9.16
Herring	1.00
Dab	1.00
Dogfish	2.83
Flounder	1.00
Whelk	0.93
Lobster	12.00
Crab	3.50

THREE COUNTIES

QUARTERLY REPORT JAN - MARCH 2017

January

A patrol on the Boston side of the Wash while collecting the EHO/DSP samples. Vessel induction training for new members of staff and refresher training for other staff who hadn't crewed the vessel for a while took place. The vessels induction covered all aspects of the vessels emergency standard operation procedures, operation of all deck machinery. With ongoing tuition, all staff will be proficient with all the operations of the vessel and equipment.

Three Counties steamed to Gt Yarmouth and was lifted from the water for the annual refit at Alicat.

February

Three Counties spent the whole month having the annual refit and MCA inspection.

All deck winches were removed for service and repainting, major repairs to the deck crane were made and thanks to the knowledge and skill of Alicat engineers the cost of this repair was a lot lower than anticipated.

The rudders and shafts were removed for the surveyor's inspection. Although very worn we were advised that the shafts would be adequate for another season. All four cutlass bearings were replaced. Work on both main engines exhaust systems was carried out along with other engine room servicing.

Three Counties passed the MCA inspection and steamed back to the vessels Sutton Bridge moorings.

March

A patrol to the Boston side of the wash while collecting EHO/DSP samples.

The second part of the vessel induction training for new members of staff and refresher training for other staff who hadn't crewed the vessel for a while took place. The vessels induction covered all aspects of the vessels emergency

standard operation procedures, operation of all deck machinery. All new and longer serving staff have now attended the training and should be competent in the operations of the vessel and equipment.

Three Counties and the two patrol vessels were moved to moorings in the Gt Ouse Kings Lynn for the Authority members to look around and have a trip on the two fast patrol vessels while staff showed members the survey equipment and survey capabilities of Three Counties. The day was enjoyed by all.

Three Counties started the annual Cockle stock assessment surveys toward the end of the month. 1300 grab sample sites on the inter tidal sand banks of the Wash. Unfortunately, an engine fault occurred on the STBD main engine but with a quick visit from East Coast Diesel Engineers Three Counties was back surveying only losing one tide. The lost tide was soon made up by the staff's hard work and very good weather.

JOHN ALLEN

QUARTERLY REPORT JAN - MARCH 2017

January

John Allen saw the first part of the month out of the water at Wisbech having fibreglass repair work to the engine vent box and other maintenance.

Once back at sea the vessel went on patrol monitoring shrimp fishing vessels in the Wash. While patrolling, observations were made on the amount of dhans marking under water fishing gear (whelk, crab and lobster pots) fishing in and around the Wash.

February

Due to other commitments, such as refit on Three Counties and enforcement around the coast the vessel was alongside the moorings.

March

Patrols took place from Sutton Bridge for the ongoing monitoring of fishing activity in the Wash.

New engine start batteries were replaced due to a charging fault.

The vessel was moved to moorings in the Gt Ouse Kings Lynn with the Authorities other vessels so the Authority members could look aboard and meet staff. Some lucky members got a chance for a quick steam on the river at full speed. The day was a huge success and enjoyed by all.

FPV SEBASTIAN TERELINCK

QUARTERLY REPORT JAN - MARCH 2017

January

During January, the 1st day at sea was to carry out part of the interview process for the Lowestoft IFCO placement – where Greg Emmott became the successful applicant.

One patrol was carried out along the Suffolk coastline where seven vessels were boarded, and twenty pots were hauled and seized as they were to be found fishing in breach off the Whelk Permit Byelaw.

February

The first trip this month saw the vessel head around to Great Yarmouth to be lifted out of the water at Alicat, to have an enhanced deck wash fitted, along with other updates to her NAV equipment, and then return to her home birth at RNSYC when the weather subsided.

Just one patrol was carried out from Caister to Southwold where six vessels were boarded, these included a potter fishing for whelk, netters fishing for herring, and an RSA vessel fishing for anything swimming.

March

Two patrols have been carried out from Lowestoft this month the first took us to the south where just one vessel was sighted and a boarding of a whelker was carried out, the second took us to the North where the weather wasn't particularly favourable for fishing, we did however achieve getting the vessel moved to the moorings at Sutton Bridge.

Whilst at Sutton Bridge, all staff were introduced to FPV Sebastian Terelinck and an introduction of her safety equipment and start up procedures was given. This was followed by two days at sea, the 1st day boat handling was the main agenda item, so that all staff could be taught how to go alongside a moving vessel safely, allowing them to board and disembark as required, the 2nd day was mainly to show pot hauling operations.

A crew manned FPV Sebastian Terelinck for the Authority day at Kings Lynn, taking members of the Authority for trips down the river, a short pot hauling demonstration was also carried out.

With these duties accomplished, FPV Sebastian Terelinck once again returned to active duty, in the form of a patrol from Kings Lynn to Wells, where no vessels were boarded.

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 25

29th Eastern Inshore Fisheries and Conservation Authority meeting

7 June 2017

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 enables Members to be kept informed of key activities undertaken by the Authority's Marine Science team during the previous quarter, January to March 2017, any issues that have arisen either 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 recent staff structure review recommended that the Research and Environment teams be merged into a single Marine Science team. The intention was to increase resilience within the team by expanding sea-going and office-based skill sets. The transfer of two Science staff (Peter Welby and Greg Brown) into the Marine Protection team has provided an opportunity to recruit Marine Science officers into the new, merged team, and develop their capabilities to undertake the full suite of research and environment roles. Two new Marine Science officers were recruited into the team in March and April 2017 respectively: Thomas Bridges and Samantha Hormbury. Both have marine biology backgrounds and have very quickly fitted into the Eastern IFCA team.

Research

The annual spring cockle surveys were conducted in the Wash during March and April. The weather was favorable during this period, allowing the surveys to proceed without any days being lost to either weather or vessel breakdowns. The results have already been reported in other papers for this meeting, so will only be briefly summarized here. Since 2008 the Wash cockle stocks have been highly susceptible to widespread die-offs due to a condition termed “atypical” mortality. Although this has shown no signs of abating, our greater understanding of its dynamics has helped us to adapt our management of the fishery in recent years enabling us to minimize losses and gain greater benefit from early exploitation of stocks predicted to be at high risk. Last year’s surveys found cockle stocks were exceptionally high in the Wash, but also highlighted mortalities were likely to be very high, particularly on the beds that support faster growth rates. Although anticipated mortalities still occurred, by targeting the 2016 fishery onto beds that were considered most vulnerable, the impact of the die-off was reduced. This has helped stocks to remain relatively high and enabled another high TAC of 7,016 tonnes for the 2017 fishery. Further die-offs are anticipated to occur again this year, but another good settlement last year provides optimism for future fisheries.

As part of their license agreement to bring windfarm cables through the Wash, DONG Energy are required to conduct condition monitoring surveys of the site. The Authority were consulted on their condition monitoring plans in 2015 and were commissioned to help with the collection of site specific cockle data from the Inner Westmark Knock sand in 2016 and 2017. These additional samples were collected alongside our own survey regime during the cockle surveys and involved collecting cockle samples from an additional 25 survey stations and 20 sediment samples from existing sites.

Sediment samples were also collected for Hull University during the cockle surveys to support a project they are conducting looking at cockle distributions compared to sediment. This involved collecting 90 sediment samples from existing cockle survey stations distributed throughout the beds.

In February, we received confirmation that we would receive £160,000 European Maritime and Fisheries Fund (EMFF) funding towards the shrimp beam impact assessment project we have planned. During 2016, habitat mapping surveys were conducted at six locations in the Wash to identify a suitable site for the project’s experimental work to be conducted. There are several criteria that the site will ideally need to fulfil including predominantly supporting a sub-tidal mixed sediment seabed, being deeper than 10m, avoiding areas of fastenings and rough ground that could damage fishing gear and avoiding other areas of anthropogenic activities like anchorages, cable routes and heavily potted areas. Having failed to find a suitable site during 2016, further surveys were conducted in May at two more sites. Although these were

found to fulfil the requirement of supporting sub-tidal mixed sediment features, they were also found to support widespread distributions of *Sabellaria spinulosa* reef. We have now exhausted the list of sites we originally felt could have supported the experiment within a single box. We are currently revisiting the survey data from each site in the hope of identifying a number of smaller areas that the trial can be split between. Further surveys are planned for June to verify the seabed habitat of any sites that are identified. Logistically, splitting the experiment over a number of sites will be more difficult when it comes to conducting the fishery simulations and planned monitoring surveys. Additionally, consideration will need to be given as to what impact these additional variables would have on the strength of the statistical analysis and whether the results would still have sufficient power from the planned level of sampling.

Over the past two years, statistical models have been developed that use a combination of data from MSAR returns forms and a bio-sampling regime to monitor the health of the crab and lobster stocks in the district. The data collected to date will now form a good baseline that can be used to monitor future changes in these stocks and the impact of any potential management measures that might be introduced in the future. Bio-sampling has continued to be conducted throughout this quarter.

The whelk project has continued to study size of maturity (SOM) of individuals this quarter. Having dissected and assessed over 1,800 whelks from Suffolk last year, the team have recently been able to sample individuals caught from the Wash. Sampling will continue until a sufficient dataset has been obtained for comparative analysis to be conducted between sites. This will eventually help to inform us of whether whelks mature at different sizes within our district.

In 2010 the Authority began a programme monitoring the levels of chlorophyll and nutrients in the Wash in order to ensure the mussels in the WFO Several fishery were not having an adverse impact on food levels in the water. This project involved collecting monthly water and meat yield samples from sites in the Wash and from a sonde on a buoy. This project was conducted with the support of Cefas, who analysed the water samples and were able to share the data. Unfortunately, Cefas lost their funding for this project last year resulting in the Authority losing access to the free analysis of the water samples that we had formally benefitted from. We are currently in the process of conducting a cost/benefits analysis for this project to determine whether it should be continued, and if so, how best to proceed with it.

EIFCA currently chairs the IFCA Technical Advisory Group (TAG). In this role, the senior research officer has attended several national meetings over the past few months, looking at coordinating survey work between IFCAs, Cefas, Natural England and the Environment Agency. A TAG training workshop was

also organised jointly with Cornwall IFCA, aimed at developing the habitat mapping skills of IFCA research/environment staff. EIFCA staff played a leading role in this workshop, delivering several presentations and demonstrating how to use the Edgetech Side Scan Sonar and the ARIS 3000 sonar camera.

Ron Jessop, Senior Marine Science Officer

Environment

Introduction

The Eastern IFCA Research and Environment Plan 2016/17 reflects the priorities in the Eastern IFCA 2016-2020 Business Plan. This report provides an update on progress for projects set out in the Research & Environment Plan 2016/17. This includes a summary of the main pieces of case work, and any ongoing issues arising from this work.

EP2016A: Assessment of commercial fishing in Marine Protected Areas, and EP2016B: New management of commercial fisheries in Marine Protected Areas

This work has remained the key priority for the Environment 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 (assessments and implementation of any associated fisheries management measures are to be completed by December 2016).

The Authority agreed the Marine Protected Areas byelaw in December 2016. This set out spatial closures for towed demersal gear (dredges and trawls) in five areas of the most sensitive seabed habitats and communities in The Wash and North Norfolk Coast Special Area of Conservation, and for three areas in the Haisborough, Hammond & Winterton Site of Community Importance. However, public consultation on this byelaw has been delayed whilst officers consider additional evidence and address issues raised by Natural England in relation to the assessment and proposed management measures. The decision to delay was not taken lightly, but given the complexity of this work and implications for one of the major fisheries in the Authority's district, officers consider it was justified to extend the assessment period in order to incorporate additional, relevant data, so that the outcomes will be as robust as possible.

A significant time resource has been dedicated to this work, which has included analysing new evidence on fishing activity (spatial and temporal effort and landings), feature extent, natural disturbance, and the sensitivity and recoverability of species within these habitats, along with site condition data in

the Wash & North Norfolk Coast. The focus for Haisborough, Hammond & Winterton has been the examination of confidence in the feature extent data. Amended proposals for spatial closures in both sites are in development. It is intended to present these to the Authority following informal dialogue with stakeholders and further liaison with Natural England.

In addition to spatial closures, effort management is under consideration as mitigation against impacts from shrimp beam trawling in the Wash and North Norfolk Coast site. The Shrimp Permitting Byelaw introduces the mechanism to enable effort limitation. This byelaw was also agreed by the Authority in December 2016, but has required amendment before public consultation to reflect additional evidence in fishing activity, and the developing understanding of conservation requirements. At this stage, the requirement to limit shrimping effort is still under consideration, pending further Natural England advice once the Habitats Regulations Assessment has been finalised. Therefore, the byelaw will not immediately introduce effort limitation, but will create a mechanism for the Authority to do so if required at a later date.

Work has continued towards identifying a suitable area to conduct a shrimp beam trawl impact experiment. This work has been proposed to provide site-specific and gear-specific evidence of the impact of this fishing activity on seabed habitats in the Wash & North Norfolk Coast, in the absence of existing scientific data. Progress with this work is reported above in the Research section of this report.

Key ongoing work areas relating to marine protected areas in the district are summarised in Table 1.

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	Action undertaken / outstanding
The Wash & North Norfolk Coast Special Area of Conservation	Beam trawling (shrimp)/subtidal sandbanks (subtidal mixed sediment and subtidal mud)	Adverse effect: mitigation required to reduce impact and research required to improve evidence around light beam trawl impacts	<p>Update shrimp assessment – version 6 provided to Natural England Jan 2017; substantive comments and additional evidence received so further review of assessment required – in progress.</p> <p>Sign off assessment with Natural England – in progress</p> <p>Select closed areas – completed Dec 2016 (Marine Protected Areas Byelaw) but review required following Natural England advice – in progress</p> <p>Develop effort limitation mechanism – done (Shrimp Permitting Byelaw);</p> <p>Undertake long-term beam trawl impact study in conjunction with industry, academic and Cefas partners – ongoing. EMFF funding secured.</p>
The Wash & North Norfolk Coast Special Area of Conservation	Potting/ <i>Sabellaria spinulosa</i> reef; Potting/subtidal stony reef	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

Site name	Interaction and matrix risk level	Assessment conclusion	Action undertaken / outstanding
Inner Dowsing, Race Bank & North Ridge Site of Community Interest	Potting/ <i>Sabellaria spinulosa</i> reef	Not yet assessed (straddling site latterly transferred to EIFCA)	Review updated NE feature advice; undertake assessment – delayed to enable focus on Wash shrimp management
Inner Dowsing, Race Bank & North Ridge Site of Community Interest	Towed demersal fisheries/ <i>Sabellaria spinulosa</i> reef	High-risk interaction (red risk on matrix) so no assessment required	Agree updated core reef approach with NE - ongoing; Apply closed areas using updated Marine Protected Areas byelaw – delayed to enable focus on Wash shrimp management
Haisborough, Hammond & Winterton Site of Community Interest	Towed demersal fisheries/ <i>Sabellaria spinulosa</i> reef	High-risk interaction (red risk on matrix) so no fishery impact assessment required	Undertake additional survey – completed October 2016 Select closed areas – completed Dec 2016 (Marine Protected Areas Byelaw) but review required following Natural England advice – in progress
Cromer Shoal Chalk Beds Marine Conservation Zone	All commercial fishing within site on all designated features [all risk levels]	To be assessed in Q4 (site designated January 2016; site outside of Defra deadline)	Create feature/fishing activity interaction matrix – complete Initial evaluation of fishing activity - complete Undertake assessment; ensure liaison with local fishermen – in progress

Monitoring and control plans will set out how fishing activity and protected features in marine protected areas will be monitored. Two Marine Science Officers attended a workshop led by Natural England, Marine Management Organisation and the National Federation of Fishermen's Organisations in February 2017, to progress the concept of adaptive risk management of fisheries in marine protected areas. Key issues included the ability (e.g. availability of staff and vessels) to monitor features in marine protected areas, and funding for this monitoring. It is likely that IFCAs will have a role to play in this monitoring, in partnership with the conservation agencies. The implementation of inshore vessel monitoring systems in the inshore fishing fleet will bring benefits for regulators and fishers, in terms of providing more accurate spatial effort data to support management decisions.

Eastern IFCA officers continue to maintain involvement with 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 the most relevant feature and activity evidence to inform assessments. Local advisory groups (stakeholder groups) are also attended by environment team members when possible, as they present additional opportunities to engage with local fishermen and wider community members, enabling Authority officers to provide updates on fisheries and conservation matters and to listen to stakeholder views.

The Wash & North Norfolk Coast project, chaired by Eastern IFCA's CEO, has successfully applied for funding from Natural England for improving public awareness in its work, including rebranding the project title and logo. This fits in with a national drive to connect people with the marine environment, by improving awareness of marine conservation work and protected areas. The work complements the Authority's own outreach agenda, including the very successful Community Voice project undertaken in 2016 (see below).

EP2016E: 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.

Within the first four months of 2017, the Eastern IFCA Marine Science team processed 33 consultations. In addition to the categories of consultation shown in Figure 1 where multiple consultations were addressed, one consultation request was received for each of the categories "**Coastal defences flood**

management (Lowestoft), **Marine planning** (a request for bathymetry data) and **Recreation** (a request for detailed charting information on The Wash).

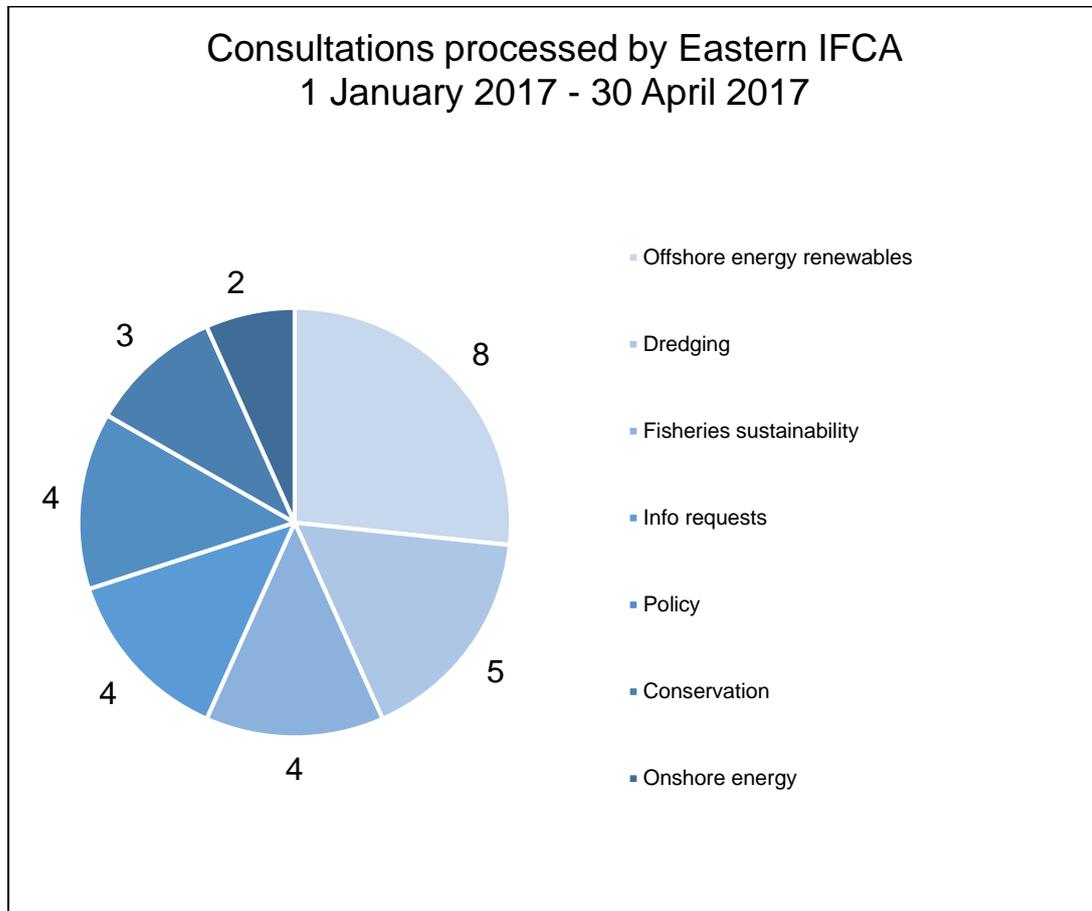


Figure 1 Graphical representation of Number of Consultations processed by category. Numbers at each “slice” are the number of consultations within that category

Offshore Energy – Renewables continues as a sector requiring high levels of EIFCA input. Within this four-month period, we have provided advice in relation to the “East Anglia One”, “Hornsea”, “Race Bank” and “Norfolk Vanguard” developments. Due to the distance offshore of these developments, our comments usually refer more to the cable routes and landfalls than the generation assets, but we have commented on these when there may be impacts on fishing opportunities and the marine environment. Included with this sector for convenience is advice we have provided on the “Viking Link” electricity power transmission cable between Denmark and the UK.

We have supplied comment on **Dredging activities** in Wells, Lowestoft and Harwich / Felixstowe.

There has been some overlap between categories **Fisheries Sustainability, Information Requests, Policy** and **Conservation**. Within these combined categories, we have dealt with requests for information on fishing vessel sightings (suitably redacted), abundance and distribution of fish within Breydon Water, mapping information related to our district, and images of bait digging activity. We have provided comment on the Lincolnshire Biodiversity Action Plan, a byelaw proposed by Devon & Severn IFCA about an emerging fishery for live wrasse for use in salmon aquaculture, a Defra document examining the possibility on a national measure to prohibit the landing of berried lobsters, an MMO programme about impacts of bait collection, and recent Natural England conservation advice packages for several MPAs. We have also contributed to the Defra Marine transformation programme – a Cefas led project intended to seek areas of co-operation in research activity between relevant UK bodies.

Both **Onshore Energy** activities relate to the Sizewell nuclear complex – one for existing ongoing activities, one associated with the proposed Sizewell C development.

Case Studies

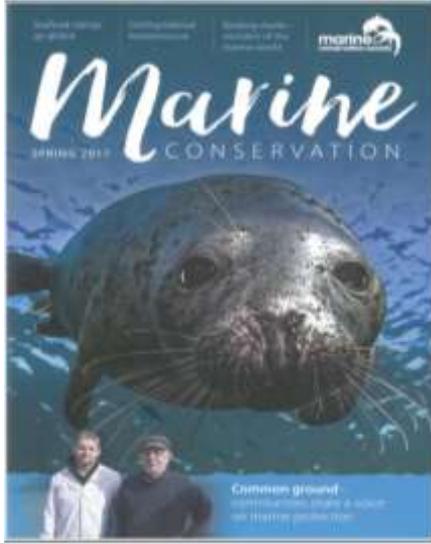
- 1) Eastern IFCA's recent comments on and contributions towards several consultations arising from organisations such as the Greater Lincolnshire Nature Partnership, Defra, Cefas, MMO and other IFCA's demonstrates the value of local knowledge and perspective being applied on both local and national scales, and is in line with Success Criterion 1 for the IFCA's : *"IFCA's are recognised and heard, balancing the economic needs of the fishery whilst working in partnership and engaging with stakeholders"*, as expanded in the Definition of that criterion *"...IFCA's will engage with policy makers, industry, Non-Governmental Organisations (NGOs), recreational and commercial users; and other regulators. They will work jointly and collaboratively with partner organisations across boundaries; will participate and contribute to the development and implementation of regional and national marine policy, including the marine planning regime;..."*
- 2) Within our response to the consultation relating to a proposed National measure to prohibit the landing of berried lobsters, we made use of previous Eastern IFCA scientific work on the development of a method to identify whether a female lobster had been "scrubbed" of eggs, and also the extensive work we have conducted to better understand lobster

stock dynamics within our area. These previous “in house” scientific activities, allied to a certain amount of bespoke research of published data, enabled us to submit a very useful contribution intended to enhance national management measures of what is a very important stock to our local fisheries, and is in line with IFCA Success Criterion 3, “*IFCAs use evidence based and appropriate measures to manage the sustainable exploitation of sea fisheries resources and deliver marine environmental protection within their districts*”.

EP2015D – Community Voice (Common Ground) project

This is a joint project with the Marine Conservation Society (MCS), and the Wash & North Norfolk Coast European Marine Site project. The objective is: *Engaging stakeholders in thinking about the management of the marine environment in our district.* A summary of the project to date is shown below.

Date	Project progress
Feb-April 2016	35 interviews involving 40 stakeholders filmed in Lincolnshire, Norfolk and Suffolk
July – Sep 2016	Over 30 hours of filmed interview footage, transcribed and coded and analysed to produce a 35-minute long documentary which reflects community views on the coast and sea and management of marine resources. EIFCA CVM film
Nov 2016	Paired workshops held in Suffolk, Norfolk and Lincolnshire, to capture values, issues and actions. 6 workshops in total, 24 – 30 attendees at each workshop - 145 values and issues recorded, 253 actions identified. Majority of Eastern IFCA staff and several Authority members participated.
Jan 2017	MCS supplied EIFCA with the project raw data output for Eastern IFCA’s inclusion in our 2017 Strategic Assessment, which informs Business Plan and priority work areas for 2017/18.

<p>March 2017</p>	<p>Dr Peter Richardson MCS Biodiversity Programme Manager, presented project outcomes to the EIFCA Authority.</p>  <p>Spring 2017 edition of MCS <i>Marine Conservation</i> magazine featured article about CVM method of engagement, which strongly features Eastern IFCA. The MCS circulates 7,500 copies of this magazine (6,500 copies directly to their members). Please see the full article attached “CVM_Spring_HQ pdf”</p>
<p>April 2017</p>	<p>Julian Gregory and Sandra Cowper gave CVM project presentation to Suffolk Coast Forum. Presentation extremely well received; SCF members were keen to promote the project/film and support EIFCA achieve jointly shared actions.</p>
<p>May 2017</p>	<p>Eastern IFCA’s Community Voice Project is featured on the SCF webpage - http://www.greensuffolk.org/about/suffolkcoastforum/</p>

The final report which is being produced by Sue Ranger from the MCS is expected imminently. It will be analysed by officers and used to inform ongoing stakeholder engagement work. A more detailed project overview and a 15min film which explains what the Community Voice Method is all about, can be found on our website <http://www.eastern-ifca.gov.uk>.

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 research and environment work on the Authority’s website and newsletter.

Judith Stoutt, Senior Marine Science Officer

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 26

29th Eastern Inshore Fisheries and Conservation Authority meeting

7 June 2016

Report by: Julian Gregory –CEO

Association of IFCA Minutes

Purpose of report

The purpose of this paper update members on a meeting of the Association of IFCA held on 7th March 2017.

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 twelve Directors, nine 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 met on 7th March 2017 and a copy of the unconfirmed minutes can be found at Appendix A.

Appendices

Appendix A - Unconfirmed minutes of the Association of IFCA minutes 7th March 2017.

The Association of IFCAs
Members Forum Meeting
7th March 2017 – 10:30 – 14:00
To be followed by the
Association of Directors Meeting

DEFRA, Nobel House, Conference Room D

Draft Action Minutes

Attendance for the Meeting

Chair: John Lamb
CEO: Stephen Bolt

Attendance: Al Brown, Les Weller, Paul Whomersley, David McCandless, Ian Davis, Sarah Murray, Julian Gregory, Hillary Cox, Anthony Markley, Tim Dapling, Will Wright, Samantha Davis, Tony Tomlinson

Minutes: Sally Standring

Defra: Anne Freeman
MMO: Phil Haslam

Apologies for absence: Carri Nicholson, Mike Hardy, Robert Arckless, Elaine Hayes, Tim Robbins, Caroline Lacey, Nigel Peters, Stephen Atkins, Robert Clark, Evie Davies, Andy Guy, Tony Goldson

SB opened the meeting with a reminder of fire alarms. He also informed the members that Paul Whomersley has now been appointed Director; issues that were being raised and discussed today were the appointment of Chair and Vice Chair. He confirmed that there were only two nominees which were John Lamb for Chair and Tony Tomlinson for Vice Chair. The COG paper agreement was also to be discussed along with bilateral meetings with MMO and Defra. The Annual Plan had been proposed.

1) Anne Freeman – Defra Update

Anne joined the start of the meeting for her update on Brexit and Engagement with the IFCAs. She confirmed that they have reorganized the team as a standalone directorate. Nigel Gooding is heading up the Brexit and 'Business as Usual' work that Anne and her team is now part of. Gemma Harper will continue to have close links with the IFCAs. She went onto give a brief outline of Governments plans for Brexit and the fisheries. Anne also believes that

Article 50 may be triggered by the end of March. She confirmed that Defra is in the gathering scoping stage, feeding into central government commissioning evidence. Her team has been busy looking at legislation. However, Defra's aim is to work more closely with IFCA's by gathering intelligence from IFCA's and feeding this into central government. She suggested crib sheets of key questions from Chief Officers would be extremely helpful.

Anne also gave a brief update of the SI which she confirmed is now ready to go out to consultation. She believes that the process can be shortened possibly to early summer as there is no legal minimum requirement for this process.

Various questions and points were raised following Anne's update. The concerns were the uncertainty of the workshops for the fisheries and whether this will be inshore focused or to include offshore. Anne confirmed that at this stage it will be mainly inshore however thinks that it may to be a broader focus.

It was agreed that regulatory services need to be involved with Bilateral meetings. It was agreed that IFCA and Defra should hold urgent bilateral meetings.

Phil Haslam – MMO Update

The accredited training is now up and running for which Phil is seeking continued support. He confirmed the joint working, IT development and EMFF is moving forward. The MMO has appointed a new IT director, Andrew Waring and his deputy, Michael Roth. He also confirmed that EMFF money needs to be spent within two years. Phil advised that Defra were meeting with the MMO at the end of March. John Lamb pointed out the importance of a bilateral meeting. Various questions and concerns were raised and discussions followed. **Action 1) – Bi-laterals – Phil / Stephen to develop a format for the meeting. SB to coordinate the meeting.** JL commented that diaries will need to be changed to accommodate this meeting.

Following Phil's departure, the MMO appointee process was discussed and the most recent draft needed further comment. SB stated that the protocol has yet not been agreed. **Action 2) – MMO Appointees – SB to resend the latest proposed protocol to the members.**

Action 3) – Intelligence – All IFCA's to ensure the MMO have all intelligence as requested from Phil.

John took the opportunity to congratulate Paul Whomersley on becoming a Director and formally welcomed him to the meeting. He confirmed that Steve Watt has now left and would like to thank Steve for his hard work and dedication over the years and to wish him well for the future. Les Weller confirmed that Mike Hardy is now well on the way to being fully recovered. Robert Arckless is resigning his position following his recent MBE award in the

New Year. The members send congratulations to Robert and thank him for his dedication and hard work over the years in representing the AIFCA He has been a huge supporter of the AIFCA and a member who will be sorely missed.

2) Minutes from the last Association meeting 6th December 2016

All agreed minutes from the last Association meeting.

- i) Matters arising not on the agenda

MPA Funding – following a request from the Chief Officers SB had collated a bid for circa £200k from Defra. This process has stalled due to lack of Defra staff and illness however SB has continued to chase Defra and will update members accordingly. **Action 4) JL had asked SB to chase this up again. SB to discuss the issue with Rob Matthews.**

3) Annual appointment of Chair and Vice Chair

SB explained that as per the Articles, the Chairman and Vice Chairman are appointed by the Directors annually by simple majority. SB sent the nominations out with the papers and received two nominees – John Lamb for Chairman and Tony Tomlinson for Vice Chairman. All Directors nominated John Lamb as Chairman. SB temporarily took over the Chairmanship for this action. All Directors voted Tony Tomlinson as Vice Chairman. Therefore, John Lamb and Tony Tomlinson were duly elected as Chair and Vice Chair of the Members Forum and Board of Directors.

4) CEO report/Update

Items to note:

- **Third quarter finance report**

Third quarter finance report includes the Asset register. Science Direct is going ahead as previously agreed. Additional spend on insurance and formal audit. This has resulted in going above budget but efforts are being made to partially recover by the end of the financial year. Extra has been used for publicity and workshops which resulted in dipping into reserves. John asked why the licenses and insurance has more than doubled which SB confirmed that this is for capital equipment – side scanners for maintenance etc. AIFCA is also paying for insurance on this equipment so will be an ongoing cost. SB also confirmed that there will be a potential overspend on next year. JL also asked for confirmation on the increase of training costs. SB explained that this training was for the accreditation that was previously agreed the Association would pay for.

Items for Decision:

- **Chief Officers Group “Inshore fisheries management in England – future considerations” paper.**

COG paper – future considerations paper – SB thanked NEIFCA for this work.

David McCandless gave an overview of the paper. He explained the IFCA model in detail and the collective recommendations for inshore fisheries management reform following the EU referendum and subsequent negotiations. David stated that there could be a strong case for extending the 6nm boundary to 12nm. MPA work could be extended from inshore to offshore as there is scope for extending the work that the IFCAs do. CFP post Brexit offered enhanced potential opportunities for extending inshore fisheries and improving overarching governance. Options for the IFCAs to continue and increase engagement in the consideration making process with Defra and Defra group going forward.

NEIFCA will amend the document to include recreational sea angling and governance and has submitted the document for publication. David proposed to the meeting that this should be a formal public document going forward. Discussions followed. Tim Dapling also commented that the document must be agreed very quickly and he proposed that the Association endorsed the paper. John Lamb thanked everyone involved in the paper and proposed that the Chair, Vice Chair and CEO of the Association and the Chair, Vice Chair and Secretary of the Chief Officers group form a mandated task group to meet urgently with Defra and MMO bilateral and Defra, MMO and IFCAs trilaterally. It was unanimously agreed that this paper should come from the Association. John Lamb then proposed the attendance of the proposed meetings as outlined above and this was unanimously agreed. **Action 5) SB to urgently organise the above meetings.**

Annual Plan 2017/18 – Comments had been received on the distributed annual plan in particular from K&E who have put forward detailed proposals and it was agreed to revise the annual plan. It was agreed that SB and WW will work together to come up with a revised draft for circulation and comment. **Action 6) SB and WW to work together on the revised annual plan and circulate for comment.**

Proposal for a wider Association Members forum meeting June 2017 – SB proposed to alternate these meetings between internal and external guests. He has proposed that our next meeting in June is widened to invite stakeholders to a ‘workshop’ type event to examine the Association and IFCA role going forward. The invites should extend to include eNGOs, NFFO, Defra, MMO, NE and EA. All agreed that the meeting in June should include

a wider stakeholder invite. **Action 7) SB & SS will organise the wider meeting. WW and TD volunteered to assist.**

Items for discussion

Update for fairer funding review – SB explained that the fairer funding review could potentially impact on both new burdens and core funding. SB has engaged with the LGA and the DCLG as well as Defra and will seek to ensure the IFCA's funding does not fall between the cracks hence the urgency to get this item on the agenda. John Lamb suggested that all IFCA's contact their local authorities and if anyone does respond to feed it back to SB. WW proposed that all IFCA committees identified someone to look at this issue. **Action 8) All IFCA's to feedback response from local authorities to SB**

Items for Information – External advisory group – SB confirmed that a Brexit steering group was sitting above this advisory group (which the Association attends) and has sent a request for him to be involved in the meeting as the IFCA's need the correct representation at all these groups.

SDAAC – SB had been invited to chair the meeting. SB will distribute minutes to members. **Action 9) SB to send minutes via email.**

NE Displacement project – SB confirmed that Duncan Vaughan (NE) has commissioned ABPmer a short piece of work looking at the potential displacement of fisheries activities in MPAs and develop a displacement tool. This is due at the end of March. Cornwall, D&S and Southern have agreed to trial the tool.

5) Unfinished items from CEO report

- Environment Audit Committee (EAC) are currently carrying out an enquiry "MPA revisited". The Association (SB) has presented and oral written evidence which is available on the EAC website. It was noted that inshore management and in particular IFCA received good press from this. The EAC will produce written summary and recommendations for the enquiry to which Defra are likely to respond. WW suggested we reflect this in the papers to show how the Association has input into the process.
 - All members and Directors had seen the letter sent from Keith Hiscock. All unanimously agreed not to sponsor his book. **Action 10) SB to inform Keith Hiscock of the member's decision.**

Date of next meeting – 6th June 2017 – Venue to be confirmed

Action Number	Action	By Whom
1	Bi-laterals – Phil / Stephen to develop a format for the meeting. SB to coordinate the meeting.	Phil Haslam & SB
2	MMO Appointees – SB to resend the latest proposed protocol to the members.	SB
3	Intelligence – All IFCAs to ensure the MMO have all intelligence as requested from Phil.	ALL
4	MPA funding - JL had asked SB to chase this up again. SB to discuss the issue with Rob Matthews.	SB

Items for Decision

Action Number	Action	By Whom
5	Bi-lateral meetings - SB to urgently organise the above meetings	SB
6	Annual Plan - SB and WW to work together on the revised annual plan and circulate for comment.	SB/WW
7	Wider Association Meetings - SB & SS will organise the wider	SB/SS WW/TD

	meeting. WW and TD volunteered to assist.	
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Items for Discussion

Action Number	Action	By Whom
8	Fairer Funding - All IFCAs to feedback response from local authorities to SB	ALL
9	SDAAC - SB to send minutes via email.	SB
10	SB to inform Keith Hiscock of the member's decision	SB

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

29th Eastern Inshore Fisheries and Conservation Authority meeting

7 June 2017

Purpose of report

To advise member of the decision and associated rationale on the emergency bass byelaw discussed at the 27th Authority meeting on 15 February 2017.

29 March 2017

Emergency Bass Byelaw - Impact Assessment and Recommendation

Executive Summary

Bass stocks are in a poor state and European Regulations have been implemented which aim to reduce bass fishing mortality. A stated aim of the European measures is to provide protection to spawning aggregations which is reflected in a prohibition of hook and line fishing activity (the only means by which bass can be targeted in 2017) during the 'typical' spawning period, February and March.

Bass have been found in spawning condition within Eastern IFCA's district during May and evidence indicates that bass spawning aggregations occur between March and June in the Southern North Sea. As such, an Emergency byelaw is being considered which would prohibit hook and line fishing during this period for the protection of these spawning aggregations.

Legal advice has indicated that it would be lawful to introduce such a byelaw using the emergency byelaw procedure but that the introduction of further restrictions using this process would be 'amenable to challenge.'

Consultation has been undertaken to determine the potential for impacts on the industry and to determine whether the proposed byelaw would be proportionate. In addition, further information has been sought from Cefas and the MMO to help inform the final decision.

The impact assessment has indicated that the impacts (costs) on the fishers would be disproportionate and would outweigh the beneficial effects of the byelaw. This is primarily a reflection of following:

- The low levels of bass fishing mortality contrasted by the high economic importance of bass landings to fishers (particularly smaller scale fishers) which contributes a significant proportion of annual income;
- Hook and line fishing is unlikely to have a significant impact on the bass stocks resultant of relatively low fishing mortality which is evidenced by historical landings data. This reflects the inefficiency of the gears used (demersal long-lines);
- New advice has indicated that bass will enter the district primarily to feed but leave to spawn. As such any benefits of the byelaw would be degraded given that most fishers have indicated that they would fish outside of the six-nautical-mile boundary or in neighbouring IFCA districts (which limit the overall reduction in fishing mortality);
- New advice has indicated that the 'later' spawning period is not unique to the EIFCA district, which undermines the rationale that there is a distinct driver which applies within the district to justify additional burdens on fishers within the district.

Therefore, this report concludes that the Emergency Bass Byelaw should not be implemented.

Introduction

Bass (*Dicentrarchus labrax*) are thought to be particularly vulnerable to over-fishing and recent assessments of bass stocks show that stocks have continued to decline year-on-year. Advice published by the International Council for the Exploration of the Sea (ICES) has, since 2013, recommended reductions in commercial landings. Prior to this, in 2012, it was recommended that there should be no increase in commercial landings. The ICES advice for 2017 indicates that Spawning-stock biomass is now below B_{lim} (limit reference point for spawning stock biomass i.e. the lowest level) and that when a precautionary approach is applied there should be a zero catch (commercial and recreational) in 2017.

European measures for fishing opportunities in 2017 further restricted fishing opportunities with regards to bass⁶ but fell short of the 'total closure' recommended by ICES advice. The measures allow targeting of bass only by hook and line, with a prohibition on that method during February and March, with a stated aim to protect spawning aggregations during this period.

Driver for Eastern IFCA intervention

Evidence indicates that bass spawn until the end of June in the southern North Sea and as such, the European Regulations will not prevent fishing mortality of bass in spawning condition. The Authority agreed in principle to implement an Emergency Byelaw at the 27th Eastern IFCA Meeting (15th February 2017) the intended effects of which is to prevent targeted fishing mortality on bass whilst

⁶ Council Regulation (EU) 2017/127

they are forming spawning aggregations, essentially extending the European prohibition as per the stated aim of the European proposal.

Members also agreed to delegate the final decision with regards an emergency byelaw to the Chair, Vice-Chair and CEO and that such will be informed by an associated impact assessment and consultation with the fishers likely to be effected by a byelaw.

Consultation with potentially impacted stakeholders

Officers contacted all fishers for whom contact details were available by post or email, informing them of the consultation and providing a questionnaire. The questionnaire was designed to provide information to assist in the production of the impact assessment.

In addition, the questionnaire was published on the Eastern IFCA website (<http://www.eastern-ifca.gov.uk/bass-emergency-byelaw-consultation/>) and officers attended meetings where the matter was discussed (including one meeting arranged specifically to discuss the measures).

The outputs of the consultation include a combination of responses by way of completed questionnaires, letters, meeting summaries and telephone conversations.

Outputs of the consultation

The consultation included acquisition of quantitative and qualitative information. Fishers were asked to provide 'sensitive' economic information which was, for the most part, not provided. However, almost all responses included comments / narrative regarding the potential impacts (including at meetings and during other dialogue).

The outputs of the consultation are considered in two parts; concerns raised by fishers and an assessment of potential costs derived from data provided by fishers and in the context of other available evidence.

Key concerns

The key concerns raised by fishers are summarised below:

- *There are limited 'other' fishing opportunities for the majority of fishers*

Four main species make up the majority of catch for fishers who also take bass; cod, skate, sole and dogfish. Cod have not migrated into inshore waters this year and the 'typical' peak in catch during the winter months was entirely missed. Skate quotas are very low for under 10m and non-sectors (currently 200kg per month). Furthermore, dogfish are of low economic value and the most abundant species (spurdog) is a 'no-take' species at present (EU Regulations).

- *Fishers typically take relatively small amounts of bass but this has a disproportionately large economic impact*

Consultation responses and dialogue with the industry has indicated that hook and line fishers rarely target bass but catch them as part of a mixed fishery. Given the high value of bass (£14 per kilo, Jan 2017 – Area 3 Report), fishers have indicated that they often rely on bass by-catch to make a trip profitable. Several responses indicated that a prohibition between April and June would effectively put them out of business and/or require them to stop fishing for that period.

- *Wider impacts of the prohibition*

In addition to the direct impacts on fishers (i.e. loss of earnings), responses indicated that there is the potential for wider impacts. Several respondents indicated that a prohibition on bass fishing would likely increase pressure on other fisheries and most notably, the sole fishery.

Sole are generally targeted using trawls or nets, both of which have a greater 'ecosystem impact' than hook and line fishing. In addition, by-catch mortality of bass is thought to be greater for these two methods which could ultimately increase fishing mortality of bass without any economic benefit to the fishers.

Representation was also made that fish markets could be impacted (again in the context of other fisheries performing poorly) which could result in impacts on associated staff (e.g. delivery drivers, market officers etc.).

- *Not enough evidence to support the prohibition*

Several fishers indicated that there was not sufficient evidence to implement an emergency byelaw to protect bass stocks. In particular, the ICES advice was called into question given a) the limited number of surveys conducted to infer a status of the entire stock and b) that bass abundance has increased in the Eastern IFC District over the last ten years.

Costs to the fishing industry

Tables 1 and 2 below indicate the importance of bass in the context of the 'main fisheries' highlighted in the consultation.

The relative importance of bass has increased during the period 2010 to 2015 (inclusive) with a higher proportion of a fisher's overall catch being made up of bass.

Table 1 highlights the relatively small amounts of bass landed by hook and line within the Eastern IFC District⁷. The total landed by this metier peaked in 2014 at 9 tonnes; noting that the allowance as per the European Regulations is 10 tonnes per vessel per year. This is likely to be an under-estimate of total landed weight given that bass landed in quantities of less than 30kg (previously 25kg) do not require reporting to the MMO (via Registered Buyers and Sellers) and are therefore unrecorded.

Further Cefas advice and dialogue with fishers has indicated that the low levels of bass landings are a reflection of the fishing methods employed by East coast fishers. Bass caught by hook and line within the EIFCA district are caught as a by-catch within a mixed fishery (which primarily targets cod) using demersal long-lines. Bass are thought to be relatively generalist with regards to feeding (and particularly during spawning periods) but generally target mid-water or surface-water prey. On the East coast, bass have been noted to target herring shoals near the surface (pers comms – Cefas).

It is worth noting also, during the 2015 C-Bass tagging study⁸, Cefas commissioned a local fisher to locate productive bass fishing grounds in order to capture and tag bass. The fisher is reported to have taken two weeks to locate such grounds using long-lines given the inefficiency of the method.

Table 2 indicates the economic importance of bass catch given its high value. The proportion of the total catch is likely to over-estimate their importance as several other species contribute to the income of fishers which were not highlighted in the consultation. The Fleet Economic Performance Dataset (2008-2015)⁹ indicates that circa 24% of annual fishing income is generated by bass catch. This is further corroborated by analysis of MMO landings data which indicate that, with regards to vessels which have an authorisation to fish for bass by hook and line¹⁰, the percentage contribution is likely to range from 0 to 76% with an average of 18.3%. Bass accounted for more than 24% of total annual landings for 17 out of the 24¹¹ vessels with bass authorisations for hook and line fishing.

Table 1. showing landed weight (in tonnes) of the 'main' fisheries (as highlighted in the consultation) caught within ICES statistical rectangles 35F1, 35F0, 34F1, 34F0, 33F1, 32F1¹² by hook and line (MMO landings data release 24/11/2016). The last row indicates the percentage of landings which were bass.

⁷ ICES statistical rectangles 35F1, 35F0, 34F1, 34F0, 33F1, 32F1

⁸ C-Bass study – unpublished, pers coms Victoria Bendall, Cefas

⁹ The Fleet Economic Performance Dataset 2008-2015 (SeaFish) -

http://www.seafish.org/media/Publications/Seafish_Fleet_Economic_Performance_Dataset_Digital_Version.pdf results from the consultation indicate that the vessels associated with the bass fishery fit within the 'under 10m hooks' segment of the assessment (based on vessel size and activity trends).

¹⁰ MMO data release 09/03/2017 – provisional authorisations for EU bass Regulations

¹¹ MMO landings data was only available for 24 of the 28 vessels identified as having bass fishing Authorisations (hook and line) which may fish within the Eastern IFC District.

¹² MMO landings data releases do not provide sufficient spatial granularity to distinguish fishing activity within the EIFC District only. The ICES statistical rectangles used in the analysis are likely to over-estimate fishing activity and reflect a precautionary approach.

Fishery	2010	2011	2012	2013	2014	2015
Skates and Rays	29.84	26.58	35.69	38.97	29.85	16.58
Dogfish	4.02	3.89	13.71	17.08	12.38	12.04
Cod	168.04	31.90	49.55	21.72	17.09	39.88
Sole	5.42	0.06	0.27	0.38	0.68	0.62
Bass	6.06	2.51	3.06	4.80	9.04	6.78
Total	213.37	64.95	102.28	82.94	69.05	75.89
<i>% of total which is bass</i>	<i>2.84</i>	<i>3.87</i>	<i>2.99</i>	<i>5.78</i>	<i>13.09</i>	<i>8.93</i>

Table 2. showing landed value (£) of the 'main' fisheries (as highlighted in the consultation) caught within ICES statistical rectangles 35F1, 35F0, 34F1, 34F0, 33F1, 32F1 by hook and line (MMO landings data release 24/11/2016). The last row indicates the percentage of value attributable to bass.

Fishery	2010	2011	2012	2013	2014	2015
Skates and Rays	£70,070.27	£58,812.61	£81,566.50	£80,958.81	£60,209.80	£32,930.20
Dogfish	£3,906.39	£1,893.45	£5,328.65	£4,294.70	£4,102.90	£3,890.52
Cod	£392,669.11	£93,201.80	£132,569.11	£59,432.08	£40,743.15	£87,788.99
Sole	£36,984.87	£574.13	£2,229.61	£3,034.26	£4,240.60	£3,916.37
Bass	£50,207.53	£25,644.16	£28,222.18	£45,539.17	£86,227.62	£71,736.30
Total	£553,838.17	£180,126.15	£249,916.05	£193,259.02	£195,524.07	£200,262.38
<i>% of total which is bass</i>	<i>9.07</i>	<i>14.24</i>	<i>11.29</i>	<i>23.56</i>	<i>44.10</i>	<i>35.82</i>

The consultation indicates a range of business models with regards to bass, with some fishers landing £200 of bass per year and others indicating a landed value of £16,000.

Given the relatively small profit margins of vessels within this fleet, estimated as between (less than) £5,870 and £16,350 per annum¹³, it is clear that bass form an important part of annual income. The potential impacts of an Emergency Byelaw are compounded by the seasonality of bass landing. Table 3 indicates that circa 40% of annual bass were landed during April, May and June of 2015.

¹³ The Fleet Economic Performance Dataset 2008 (SeaFish) indicates average annual net profit of £5,870 for 'low activity over 10 m vessels'. Vessels identified during the consultation were found to best fit within the 'low activity under 10m' or 'under 10m passive gear' segments however, no profit was provided for 'low activity under 10m' and so the similar 'low activity over 10m' segment was used to provide an estimate. Only an annual 'operating profit' was provided for 'under 10m passive gears' and as such, this is likely to be an overestimate of profit (i.e. does not take into account depreciation and interest as is the case for the 'low activity over 10m segment').

Given that some fishers annual landings rely heavily on bass landings and that this period is thought to constitute a significant proportion of annual bass landings (second to late Summer - September and October) there is the potential that some vessels would be unlikely to be profitable during the year in the context of an emergency byelaw. This is compounded by the relative poor performance of the cod fishery (during Winter 2016/17).

Table 3. showing landed weight (tonnes) and value (£) of the bass fishery during 2015 by month, caught within ICES statistical rectangles 35F1, 35F0, 34F1, 34F0, 33F1, 32F1 by hook and line (MMO landings data release 24/11/2016).

Month	Landed weight (tonnes)	% of landed weight	Landed value (£)	% landed value	number of different vessels	Proportion of fleet active
1	0.04	0.64	£441.07	0.61	2	10.53
2	0.07	0.96	£665.00	0.93	3	15.79
3	0.63	9.29	£6,373.49	8.88	6	31.58
4	0.89	13.16	£7,387.02	10.30	13	68.42
5	1.75	25.86	£17,479.22	24.37	15	78.95
6	0.28	4.13	£3,450.10	4.81	11	57.89
7	0.35	5.22	£4,056.78	5.66	7	36.84
8	0.39	5.72	£4,806.02	6.70	4	21.05
9	0.63	9.28	£7,497.34	10.45	5	26.32
10	1.64	24.18	£18,467.00	25.74	11	57.89
11	0.10	1.52	£1,093.26	1.52	5	26.32
12	0.00	0.03	£20.00	0.03	1	5.26
<i>Total</i>	<i>6.776</i>	<i>n/a</i>	<i>£71,736.3</i>	<i>n/a</i>	<i>19</i>	<i>n/a</i>

Nine respondents to the questionnaire had authorisation to fish for bass by hook and line and of these, 5 indicated that they would fish outside of the district. In addition, 20 fishers were asked if they were able to transit outside of the district at a meeting (Aldebrugh, 14 March 2017) and 14 indicated that they would (although not all of these had authorisations). There is likely to be an increase in vessel overheads associated with moving further offshore to fish (i.e. increased fuel etc.) although this cannot be monetised using the available evidence. The increased vessel costs could be offset by increasing catch. Other vessels will not be able to fish outside of the district.

An estimated monetary 'low' cost to the industry is £14,849. This is based on the landed value of bass catch taken within the district¹⁴ during April, May and June of 2016 (noting that 2016 data is still provisional).

An estimated 'high' cost to the industry is £57,320. This is based on 2015 landings for April, May and June of 2015 and adjusted to account for all 28 vessels with Authorisations fishing within the district during this period. It is conceivable that all Authorised vessels could take the estimated 40% of their annual allowance of 10 tonnes (per vessel) during this period (which, given the price of bass was £14 per kilo, (Jan 2017) would have a cost of £1,568,000) however this is very unlikely given the capabilities of the fleet and the historical levels of effort (as set out above).

It should be noted that both the 'low' and 'high' estimates are likely to be affected by factors such as the potential for unrecorded landings (i.e. those of less than 30kg) and the fact that the majority of fishers are thought to be capable of fishing outside of the district. Additionally, the figures do not reflect the wider costs associated with the prohibition (market workers, delivery driver etc.) or the indirect impacts of making individual fishers unprofitable for the year.

A best estimate is provided as the mean between the high and low cost - £36,085. Given that 28 vessels (at time of writing) are likely to exploit this fishery, the potential impact per vessel is estimated as £1,288. This is a modest economic impact however, in the context of a poor cod fishery (and low quotas of skate), variable reliance on bass (as a high proportion of annual income) and an estimated annual profit of between £5,870 and £16,350 per vessel within this fishery¹⁵, the relative scale of the impact is considered significant.

Benefits of Emergency Bass Byelaw

Ultimately the proposed Emergency Byelaw aims to enhance the long-term sustainability of the bass fishery. Given the reliance of many fishers on bass, long-term benefits of a sustainable bass fishery will be reflected in better economic returns within the fishery.

The basis of the proposed Emergency Bass Byelaw is, following the stated aim of the measures within the EU proposal to prevent fishing mortality on spawning aggregations, prohibit hook and line fishing during the 'later spawning period within the Eastern region'.

When forming spawning aggregations, bass are 'easier' to catch although this is primarily true of net-based fishing methods as opposed to hook and line fisheries. That said, a fisher is more able to take more bass if they manage to fish a spawning aggregation using hook and line.

Analysis of the available data (including from the consultation) and based on advice from Cefas, hook and line fishing mortality within the Eastern region, and

¹⁴ ICES statistical rectangles 35F1, 35F0, 34F1, 34F0, 33F1, 32F1

¹⁵ 2008 SeaFish – 'Low activity over 10m' and 'under 10m passive gear' – see footnote 7 above.

particularly within the Eastern IFCA district, is thought to be of limited impact to bass stocks given the relatively small amounts taken during the spawning period.

MMO data indicates that circa 2.92 tonnes of bass will be landed during the period April to June (inclusive), based on 2015¹⁶ landings. In the wider context of UK landings, this is not a significant amount (noting that each authorised vessel is permitted to land 10 tonnes of bass during 2017). However, bass from the Southern North Sea stock are thought to show a degree of 'site fidelity' within the eastern region. As such, the degree of impact fishing mortality may be underestimated by considering this in a UK context.

There is the potential that fishers increase bass fishing effort, partly in response to poor performance of other fisheries and given the 10-tonne annual allowance for bass (for Authorised vessels), there is significant latent capacity within the fleet. However, a significant increase is considered very unlikely due to the inefficiency of the fishing methods employed. Cefas advice has indicated that demersal lines are not an effective way to capture bass which primarily feed on small pelagics off the east coast (Lowestoft to Southwold).

In addition, bass are only thought to enter the 'inshore area' (i.e. within Eastern IFCA's District) to feed whilst in spawning condition. Such bass are thought to potentially form aggregations to do such (making them 'easier' to catch) but crucially, will be subject to fishing pressure when they form spawning aggregations outside of the district.

Ultimately the 'benefit' in terms of a reduction in fishing mortality will only be a reflection of that associated with vessels which cannot fish outside of the spawning grounds. This reduction may however be degraded as fishers take more bass to cover additional vessel overheads (i.e. fuel, wages etc.) related to a longer fishing trip.

As such it is unlikely that an emergency bass byelaw will have the intended beneficial impact on bass stocks.

Summary of cost versus benefit

- Income generated from bass landings form a significant proportion of total fishing income to the extent that some fishers would be unlikely to be 'profitable' over the year given that circa 40% of annual bass landings will be landed during April, May and June (during the proposed prohibition);
- Relatively small volumes of bass (circa 2.5 tonnes) are likely to be landed via hook and line which reflects that bass are typically caught as by-catch in a mixed demersal fishery;
- Bass are thought to enter the inshore area to feed whilst in spawning condition but move further offshore (i.e. outside of EIFCA district) to

¹⁶ MMO data for 2016 is still provisional and as such, the whole year is not considered in the assessment. Provisional landed weight of bass for Apr, May and Jun 2016 is 2.36 tonnes.

- spawn. As such, bass protected by an EIFCA byelaw within the district will be subject to fishing pressure when they ultimately leave to spawn;
- Many fishers who will be effected by an Emergency Byelaw will transit outside of the district to target the same bass, degrading the benefits of the byelaw.

Proportionality

Written legal advice has indicated that an Emergency Byelaw implemented on the premise of the paper presented at the 27th EIFCA Meeting (15th February 2017) would be proportionate and reasonable. However, further analysis of available evidence and consideration of the outputs from the consultation indicate that the byelaw would not be proportionate.

To impose additional burdens beyond those generally imposed (by the European Regulations) would need justification with respect to why such measures are required within the district above and beyond those outside it is required. A key element to such justification was initially the later spawning period of bass within the Eastern Region. However, this justification is degraded by further Cefas advice which has indicated that spawning during April, May and June is not distinct to the Eastern IFCA district. This has an impact on the proportionality of the measures.

Furthermore, given the above assessment of the potential costs and benefits of the measures above, the proposed prohibition appears to have the potential to disproportionately impact fishers within the Eastern IFCA district with only limited (or negligible) benefit.

Conclusion

Bass are an important commercial species within the Eastern IFCA district, particularly in relation to smaller vessels and in the context of a poor cod fishery. The 'monetised' economic impact of an Emergency Byelaw is considered to have the potential to have significant impacts on the industry.

The potential for impacts on the stock as a result of hook and line fishing are considered to be limited given the low levels of fishing mortality. The potential benefits of the byelaw are limited by the spatial extent of the district – bass protected through the bylaw will be subject to fishing mortality when they leave to spawn. This is compounded by indications that most fishers will likely fish outside of the district to target bass (increasing vessel overheads and potentially increasing overall fishing mortality).

On balance, the potential benefits of the emergency byelaw do not offset the potential for cost to the industry.