



5th EIFCA Meeting

To be held at:

**The Boat House
Harbour Square, Wisbech, PE13 3BH**

25th April 2012

1030 hours

Revised Agenda

Meeting: 5th Eastern IFCA Meeting
Date: 25 April 2012
Time: 10:30hrs
Venue: The Boathouse Business Centre,
1 Harbour Square, Nene Parade,
Wisbech, Cambridgeshire, PE13 3BH



"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."

Agenda

- 1 Welcome by the Chair and reflections on the past year
- 2 To note apologies for absence
- 3 Declaration of members' interests

Action items

- 4 Election of Chair and Vice Chair
- 5 To receive and approve as a true record, minutes of the 4th Eastern IFCA Meeting, held on 26 January 2012
- 6 Matters arising (including actions from last meeting)
- 7 To receive a report on meetings of the Finance and Personnel Sub-Committee held on 26 January 2012 and 15 March 2012
- 8 To receive and approve the Finance Officer's report on payments made and monies received during the period 13 January 2011 to 12 April 2012
- 9 To receive and note the Finance Officer's Quarterly Management Accounts
- 10 To receive and approve bank mandates for the Authority
Members are advised that the Joint Committee's bank manager will be in attendance after the meeting to view original identification for nominated signatories in order to complete the new Bank Mandate. The forms of identification required are listed below:
 1. *Passport or Driving Licence*
 2. *Utility Bill (not mobile phone bill, received within the last 3 months)**Members who are prepared to act as signatories are asked to bring identification with them. Those who already bank with Barclays are excluded from this requirement."*
- 11 To receive and approve the Authority's 1st Annual Report to Defra
- 12 To receive and approve a report recommending the replacement of *FPV Protector III*
- 13 To receive and note the dates and locations of planned community engagement meetings
- 14 To receive and approve a report on the Marine Strategy Framework Directive
- 15 To receive and approve a report on the annual review of the Authority's Standing Orders and the impact of the Localism Act 2011 on the Members' Code of Conduct
- 16 To resolve that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for item 17 on the grounds that it

involves the likely disclosure of exempt information as defined in Paragraphs 1 and 7 of Schedule 12A of the Act

- 17 To receive and approve a report, legal correspondence and background information relating to the WFO1992 hand worked cockle fishery

Information items

- 18 North Norfolk Coast FLAG – verbal presentation by Mr Ian Groves
- 19 2nd Eastern IFCA Annual Plan 2012-2013
- 20 1st Eastern IFCA Environment and Research Plan
- 21 Eastern IFCA Enforcement and Compliance Strategy
- 22 Eastern IFCA Code of Conduct for Inspections
- 23 Eastern IFCA Financial Administrative Penalty (FAP) guidance
- 24 Angling 2012 update
- 25 Wash Fishery Order 1992 management update
- 26 Recruitment into the Authority's agreed personnel structure
- 27 Vessel working group report
- 28 KEIFCA Tamesis charter 2012-2013
- 29 Area IFCOs quarterly reports
- 30 Vessels quarterly reports
- 31 Senior Research Officer quarterly report
- 32 Senior Marine Environment Officer quarterly report

Any other business

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

Duncan Vaughan
Chief Executive Officer
18 April 2012

4th EIFCA Meeting Minutes

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



A meeting of the Eastern Inshore Fisheries & Conservation Authority took place in The Council Chambers, Suffolk County Council, Endeavour house, Ipswich, on Thursday 26th January 2012 at 1330 hrs.

Members Present:

Mr S Bagley	MMO Appointee
Mr C Donnelly	Natural England Representative
Cllr T Goldson	Suffolk County Council
Mr R Handford	EA Representative
Cllr B Hannah	Norfolk County Council
Mr N Lake	MMO Appointee
Mr C Morgan	MMO Appointee
Mr T Pinborough	MMO Appointee
Cllr K Sale	Suffolk County Council – EIFCA Chairman
Mr R Spray	MMO Appointee
Mr J Stipetic	MMO Representative
Cllr H Thompson	Norfolk County Council – EIFCA Vice Chairman
Mr S Worrall	MMO Appointee
Mr C Vanstaen	MMO Appointee

EIFCA Officers Present:

D Vaughan	Chief Executive Officer
E Hannam	Deputy Chief Executive Officer
C M Hurley	Finance Officer
A Woods	IFCO – Area 3

Present by Invitation:

Ms L Humphries	MMO
Mr B Smart	MMO
Mr J Sooben	MMO

Apologies for Absence:

Apologies for Absence were received from Councillors Callaby (NCC), Turner (LCC) and Williams (LCC), Mr Barham and Dr Bolt (MMO appointees)

EIFCA12/01 Chairman's Announcements

The Chairman advised that Cllr Hannah was now a member of the Authority, replacing Cllr Dobson on behalf of Norfolk County Council. As Mr Dobson had been a member of the F&P sub-committee members were advised that Cllr Hannah had acted as substitute for the sub-committee meeting held earlier in the day.

It was Resolved that Councillor Hannah be elected to the Finance & Personnel Sub-Committee.

Proposed: Councillor Goldson

Seconded: Mr Worrall

All Agreed

EIFCA12/02 Declaration of Members Interests

Messrs Bagley, Brewster and Lake declared an interest in item 14, as they were WFO 1992 Entitlement Holders.

EIFCA12/03 Presentation on marine planning by the Marine Management Organisation

Mr Sooben the Marine Planning Liaison team manager, with the MMO, gave a brief overview on the MMO approach to marine planning, how it relates to IFCA's and how they hope to help develop sustainable development taking into account the increasing demand on the marine environment. Emphasis was made on the holistic approach, involving everyone who enjoys or uses the marine environment.

EIFCA12/04 Presentation on the Inshore Vessel Monitoring System (IVMS) trial by Koen Vanstaen

Mr Vanstaen gave a presentation on the IVMS which had been developed by Succour Fish. The system had been developed following Lyme Bay being closed to scallop fishing. As the whole area was not covered by reef it meant potential scallop fishing opportunities were being missed, consequently the system was devised to allow use of gear to be monitored as well as the area in which a vessel was situated. Being based on mobile phone technology the cost of monitoring was also cheaper allowing vessels to be monitored every few minutes. The system was also considered suitable for smaller vessels as the unit could be powered by a single solar panel, negating the need to carry a large battery.

Mr Worrall felt the system had great potential however, he was concerned about who would receive the data and the ongoing cost. There was also concern about the timescale for the conclusion of the trial. Mr Vanstaen indicated the trial project would complete at the end of March with analysis taking until June/July it would therefore be the summer before more information was available.

Councillor Hannah questioned whether the data would be acceptable as evidence in prosecutions, Mr Vanstaen felt it should be noted that prosecutions always involved actual observation, but the IVMS would be a tool to prepare an enforcement vessel.

Mr Pinborough then questioned whether trials had been carried out on species which did not fall into potting and trawling, he could not envisage the system being useful in enforcing a handworked fishery. Mr Vanstaen advised that trials had taken place on dredgers, trawlers. Potters and netters, he believed trawling was the most contentious activity.

Members were advised that all over 12m vessels were required by the MMO to have such a system installed, although the type of system was still being decided on. Mr Lake queried why it was necessary for vessels working within EIFCA to carry two boxes. The CEO advised the intention was to wait for the outcome of the MMO's research however EIFCA's interest was in the gear deployment

aspect which may not be a requirement covered by the MMO system. The CEO also advised that it was his belief that all vessels, regardless of size should be fitted with a box whilst the MMO only required vessels over 12m to be fitted.

Mr Stipetic was concerned that this would not cover nomadic vessels who could be fishing illegally, the CEO advised the system was only being investigated at this stage if the decision was made to go ahead then scenarios such as this would have to be considered.

Mr Worrall felt it was vital to have a unit which met the needs of all the regulators and hoped the MMO system included the monitoring of gear which would negate the need to have two units installed. Mr Vanstaen agreed the IFCA should work in partnership with the MMO and hoped the unit would make this possible. Mr Stipetic agreed to investigate whether the MMO were considering a system which would be versatile enough to meet the CEOs requirements.

EIFCA12/05 Minutes of the 3rd EIFCA Meeting held on 26th October 2011

Members worked through the Minutes and noted that all actions which required addressing had been carried out.

Members agreed to approve the Minutes

Proposed: Councillor Goldson

Seconded: Mr Worrall

EIFCA12/06 Matters Arising

EIFCA11/69 – Navigating the Future: The CEO advised that following the previous meeting it had been agreed all IFCAs would be working on this project collectively. When more information was available it would be provided at a future meeting.

EIFCA12/07 Report on a meeting of the Marine Protected Area Sub-Committee and workshop held on 30th November 2011

Members were advised the meeting had considered four major items:

- 1 Opening of a Mussel Fishery: it had been agreed to open a handwork fishery with immediate effect and reassessment would take place in the spring with a view to opening a dredge fishery.
- 2 *Sabellaria*: discussion took place on what measures were needed to protect the Ross Worm species, the outcome of which was that more information was required on potting.
- 3 WFO Licence Tolls: the members had agreed to the discussion document being circulated
- 4 WFO Management: members considered a detailed project plan for future management.

The Workshop had focused on the requirements and expectations for the opening of a cockle fishery.

All Agreed to accept the report.

EIFCA12/08 Report on a meeting of the Finance and Personnel Sub-Committee held on 26th January 2012

Members were advised that at the meeting held earlier in the day the proposed budget for 2012/2013 had been approved and the forecast figures for 2013/2014 and 2014/2015 had been noted.

A Hospitality budget had been set, however an agreed procedure for expenditure was still being discussed.

Reports on staff probationary periods had been discussed and approved.

Members also discussed the anticipated significant underspend and made a decision to recommend the creation of an Operational Reserve for the money to be put in to. The CEO advised the main thought was to investigate spending the money on IVMS, however if it was not used for this purpose it would go to other New Burden duties.

Members Agreed to accept the report.

EIFCA12/09 Finance Officer's report on payments made and monies received during the period 13th October 2011 to 12th January 2012

It was Resolved to accept the report of payments made amounting to £326,595.88 and receipts amounting to £66,467.96 during the period 13th October 2011 to 12th January 2012.

Proposed: Cllr Goldson

Seconded: Mr Morgan

All Agreed

EIFCA12/10 Finance Officer's Quarterly Management Accounts

The report contained the payments made and monies received set out in context with the quarters' apportioned budget for the year. The Finance Officer advised comparison figures had been provided showing the proportion of the budget at 9 months and the actual expenditure at 9 months.

It was Agreed to note the Quarterly Management Accounts

EIFCA12/11 Provisional budget for 2012/2013 and provisional forecast for 2013/2015

Members were advised that the provisional budget had previously been considered by the F&P sub-committee and it was their view they should be accepted.

Mr Morgan noted the £27,000 for IT support and that it was predicted to increase to £35,000 he felt this was a lot of IT support. The CEO advised Defra had provided funding under the transitional process to provide new IT equipment as the existing IT arrangements was considered a 'business risk' the £27k was for NCC to provide support going forward, the increase in future years was to reflect the increased requirement for shorebased officer to go onto the system.

Mr Morgan also queried the operating costs for FPV Sea Spray he noted they were to cover operation costs and hiring of vessels, Mr Morgan felt it would make more sense to increase the operating cost and keep the vessel use inhouse. The CEO advised that whilst decisions were being made regarding what the future fleet at EIFCA should consist of there was a likelihood that for a period of time there may be a need to hire a patrol asset, hence the need to have sufficient funds to hire or contract a vessel. He also advised that in order to ensure Suffolk was suitably covered the vessel Thamesis owned by KEIFCA had been hired for use in the Suffolk Rivers.

Mr Pinborough questioned whether the IT teething problems had been resolved, he was advised by the CEO that as a result of the delay in the system being installed the maintenance contract for 2011/2012 had been scrapped, he added that the new IT route had had to be gone down as EIFCA had to get secure gcsx connections.

Members Resolved to approve the budget for 2012/2013 and to note the forecast for 2013/2015.

Proposed: Councillor Goldson
Seconded: Councillor Hannah

EIFCA12/12 Providing the Planning & Communication Sub-Committee with the delegated authority to approve and submit the Authority's Annual, Environment and Research plans 2012/2013 to Defra

Members were reminded that one of the High Level Objectives was to produce Annual, Environment and Research Plans. The CEO requested that the Authority provide delegated powers to the P&C sub-committee to view and submit the plans to Defra.

Mr Vanstaen was concerned that other members should be given the opportunity to view these plans prior to submission in order to provide comment. The CEO advised the sub-committee would meet on 15th February therefore all comments would be required prior to this date for consideration, he would circulate the Annual Plan to all members.

It was Resolved to give delegated powers to the Planning & Communication sub-committee to approve the Annual, Research and Environment Plans to Defra.

Proposed: Councillor Goldson
Seconded: Mr Worrall

EIFCA12/13 Report following a consultation on establishing Wash Fishery Order 1992 tolls

Following the closing date for responses to the consultation document the replies had been analysed and members were provided with a summary of the outcome.

The consultation document had been divided into 5 parts, therefore members considered the responses in this manner.

Part 1: Timescale: It was questioned whether the tolls should be set for a further 5 year period or extended to 10 years to coincide with the expiry of the WFO 1992. There was some thought

that it should remain at its current level until there was some indication how the fisheries were likely to go, however, the current agreement with the Minister would expire on 31st March and a new structure need to be submitted for consideration prior to this date.

- Members Agreed to apply a five year timescale to the tolls, after which they would be reviewed.

Part 1: Toll Increase: Responses provided divided opinion on whether the tolls should be linked to inflation or a fixed annual increase should apply.

- Members Agreed to link toll increases to inflation.

Part 1: Date of Issue of a licence: It had been suggested all licences should be renewed from the 1st April in any year, however industry members preferred to take out a licence when it was required.

- Members agreed to maintain the status quo and issue licences on request.

Part 2: Offsetting: Ministerial advice was that expenses incurred in setting up the WFO could be recovered in the price of a licence, members were asked to consider whether they wished to recoup the cost of setting up the WFO 1992.

As this cost was historical and it would be impossible to ascertain how much had been spent on developing the Order members felt at this stage the costs should not be recovered but when the WFO expired future costs could be ascertained and recovered.

- Members agreed not to recoup costs for setting up the order at this time.

Part 3: Use of money for propagation: The general consensus among those who responded was that the sum collected for propagation of the fishery should not alter. As this was a long standing arrangement Officers felt this should sum should not be altered.

- Members agreed to retain the current charging system for propagation.

Part 4: Use of money for regulation: In the past it had only been possible to apply a charge for propagation however current legislation meant it was possible to add a further charge to recover the cost of managing the fisheries.

Responses indicated that any costs recovered should reflect the method of fishing, ie. a dredge fishery should attract a higher levy than that for a handworked fishery, however, it was mainly non

industry responses which supported the inclusion of an additional levy for regulation.

- Members considered applying a different level of levy depending on the type of fishing taking place and Agreed to maintain the current situation whereby a handwork licence would cost less than that for a dredge fishery.

Moving on from this it then had to be ascertained what level of costs should be recovered. Councillor Goldson noted this meant there would be an additional charge on the licence fees and wondered if this indicated there was likely to be more fishing opportunity in the future, the DCEO advised that the additional funding would not mean there were more fish on the grounds but it could be used to look into other areas such as the razor fishery, mussel propagation etc. The CEO advised this was a mechanism to ensure the Authority were receiving money to assist in the maintenance of work being carried out under the WFO through contributions from those who directly benefit.

- After considerable discussion during which the industry concern that they may be forced out by increasing tolls was expressed, Members agreed to apply an additional charge towards management of the fisheries.
- This was not a unanimous decision with 9 votes in favour and 1 against.

Members discussed the methods by which the additional charge could be applied, either based on a fixed fee adjusted annually in line with inflation or based on a royalties system. There was also discussion on whether other fisheries managers' recoup these costs and at what level. This then led to debate on the cost of survey work and why the industry should pay for in depth surveys when the requirement is put on the Authority by NE. This was refuted by Mr Donnelly who felt NE had been funding the monitoring of work in the Wash for a long time and felt it could be said that this work should be funded by those making the challenge on the fisheries, e.g the industry. He also did not believe the additional information requested by NE made a significant difference to the cost of the survey work and it was up to managers to ensure activities carried out were not damaging to sites, NE only provided information to help with this.

Having considered the table comparing value of fisheries with licence tolls in other districts members believed there was a need to apply a contribution to management but that it should remain proportional.

- **It was Resolved that 5% of the overall cost of a cockle survey should be applied to a handwork licence and 10% to the cost of a dredge licence.**

Proposed:
Seconded:
5 votes in favour

Mr Spray
Mr Worrall

**2 votes against
3 abstentions**

Finally the workshop to consider procedure for opening a cockle fishery was considered, the consultation process had provided very little comment, mostly it was procedural change which would be made and letters would be sent to the fishermen in due course.

Members agreed to accept the report.

EIFCA12/14 Dates and locations of planned community engagement meetings

Members were advised these meetings had been organised for all interested parties to be kept up to date with the decisions made by the Authority, all members were also welcome to attend. Mr Morgan requested that in future meetings be held in the evening. It was agreed this would be passed on to the area officers.

At this point Councillors Hannah and Thompson left the building.

EIFCA12/15 Report establishing a Memorandum of Understanding between EIFCA and Natural England

Unfortunately since the papers had been circulated to members the MoU had been reviewed and slight amendments were required.

It was Resolved to provide delegated powers to the Chairman and Vice Chairman of the Authority to sign of the MoU once the amendments had been made.

**Proposed: Councillor Goldson
Seconded: Mr Worrall**

EIFCA12/16 Vessel Working Group Report

The report was provided for information and Members agreed to accept the report

EIFCA12/17 Area IFCOs quarterly reports

Councillor Goldson queried the lack of comment regarding Haddock in the area 4 report, but was advised by the CEO that no Haddock was being caught at this time.

Members agreed to accept the report

EIFCA12/18 Vessels quarterly reports

Members agreed to accept the report

EIFCA12/19 Senior Research Officer quarterly report

Members agreed to accept the report

EIFCA12/20 Senior Marine Environment Officer quarterly report

Members agreed to accept the report

EIFCA12/21 Recent Recreational Sea Angling matters by Tom Pinborough
EIFCA MMO Appointee

Mr Pinborough requested that the Authority note the requests for support from EIFCA relating to Sea Angling initiative 'litter pick' and 'know your fish sizes campaign'

There being no other business the meeting closed at 1629 hours.

25th April 2012

To receive a report on a meeting of the Finance and Personnel Sub-Committee held on 15 March 2012 January 2012

The Chief Executive Officer (CEO) advised that negotiations had taken place with staff and Unison as part of the employment terms and conditions review but had not been completed before the appointment of the new Head of HR. The Head of HR wished to have some time to reflect on the proposals and on their rationale as a foundation for the future staff structure of the Authority, before concluding the negotiations. As a result, it was possible that these negotiations would not be completed before the end of the financial year 2011/12. Therefore, Members were asked to agree that any beneficial remuneration for officers resulting from the completed review should be backdated to 1 April 2012. The budget agreed by the Authority for 2012-13 included provision for the likely outcomes of the review. It was resolved to approve the recommendation in the report to backdate to 1 April 2012 any beneficial remuneration for officers resulting from the employment terms and conditions review.

Members considered the report concerning the recruitment of a CEO and the advice of the CEO that he had resigned his post and would be leaving the Authority on 13 May 2012. The Committee agreed to begin the process of recruiting a replacement CEO as soon as possible. It was further Resolved that the Deputy CEO should be asked to fill the role of Acting CEO for the period that the post would be vacant, and that an appropriate allowance for the additional duties involved in this role should be paid.

The Committee agreed to approve the recommendation in the report to extinguish the Executive Officers' customary right to accrue TOIL from 1 April 2012. It was further Resolved to make a payment to each Executive Officer, equivalent to the number of hours of accumulated TOIL set out in the report at the relevant contractual hourly rate for the post, in recognition of the exceptional circumstances affecting their workloads in 2011-12.

The Committee agreed to reward the exiting Chief Executive Officer with an honorarium in recognition of his performance during his time in post.

The Authority is asked to receive the report.

Nichola Freer
Head of Human Resources and Training

18th April 2012

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

List of Background Papers

- 1) Minutes of the Finance and Personnel Sub-Committee Meeting 15 March 2012

**Finance Officer's Report on Payments Made and Monies Received during the period
13th January 2012 to 31st March 2012**

Payments made during the period 13th January 2012 to 31st March 2012

	MONTH10	MONTH 11	MONTH 12	TOTAL
	£	£	£	£
Transfers to ESFJC Salaries & Wages Acct.	65,000.00	70,000.00	0.00	135,000.00
Rent, Rates & Service Charges	1,196.67	8,539.06	0.00	9,735.73
General Establishment	12,932.95	6,692.49	3,073.99	22,699.43
Legal Fees	0.00	1,160.47	0.00	1,160.47
Staff Travelling & Subsistence	1,092.63	1,218.02	244.20	2,554.85
Members' Allowances	372.13	641.93	149.81	1,163.87
Training & Fisheries Management	2,360.59	2,495.83	5,701.33	10,557.75
Moorings/Harbour Dues	0.00	74.03	200.00	274.03
Three Counties Operating Costs	401.64	4,941.91	3,339.39	8,682.94
ESF Protector III Operating Costs	1,533.41	12,231.41	1,962.82	15,727.64
Vehicle Operating Costs	990.54	771.49	1,054.03	2,816.06
Wash & North Norfolk Coast EMS Project Fund	33.37	1,244.57	297.00	1,574.94
Wash Estuary Strategy Group Fund	1,649.78	1,674.65	266.10	3,590.53
Research Fund	1,393.92	21,951.09	180.11	23,525.12
VAT (Recoverable)	2,941.59	11,504.12	2,492.36	16,938.07
Petty Cash	50.00	0.00	0.00	50.00
TOTAL PAYMENTS MADE	91,949.22	145,141.07	18,961.14	256,051.43

Monies received during the period 13th January 2012 to 31st March 2012

	MONTH 10	MONTH 11	MONTH 12	TOTAL
	£	£	£	£
Treasury Deposit Interest	164.12	54.85	47.06	266.03
Bank Interest	707.97	0.00	82.12	790.09
HM Revenue & Customs VAT	0.00	0.00	14,830.86	14,830.86
Wash Fishery Order - Licences	0.00	0.00	1,820.00	1,820.00
Wash Fishery Order - Mussel Samples	0.00	0.00	1,350.00	1,350.00
Research Fund	477.48	0.00	30,000.00	30,477.48
Wash & North Norfolk Coast EMS Project Fund	0.00	0.00	5,500.00	5,500.00
Wash Estuary Strategy Group	500.00	2,500.00	150.00	3,150.00
AIFCA	0.00	0.00	36,651.87	36,651.87
Sale of Equipment	375.00	0.00	159.80	534.80
Miscellaneous Recharges & Credits	0.00	30.00	48.70	78.70
TOTAL MONIES RECEIVED	2,224.57	2,584.85	90,640.41	95,449.83

Agenda Item No 9

EIFCA Management Accounts

Financial Year 2011/2012

	ACTUAL Year	BUDGET Year
	£	£
<u>SALARIES & WAGES</u>		
Staff Remuneration	534,762	611,570
Pension	96,428	113,200
National Insurance	42,512	46,160
Loss of Office Payments	16,000	0
TOTAL	689,702	770,930
<u>GENERAL EXPENDITURE</u>		
Accommodation	62,978	58,300
General Establishment	51,175	82,625
Fishery Officer Expenses	20,472	31,620
Members Travel	4,523	5,100
Training & Fisheries Management	17,747	15,800
TOTAL	156,895	193,445
<u>VESSELS</u>		
Moorings & Harbour Dues	15,299	16,037
<u>Three Counties</u>		
Operating Costs	57,343	59,325
Vessel Hire (Thamesis)	16,500	0
<u>ESF Protector III</u>		
Operating Costs	104,363	119,340
<u>Pisces III</u>		
Operating Costs	3,325	1,630
TOTAL	196,830	196,332
<u>VEHICLES</u>		
Operating Costs	19,282	20,013
TOTAL	19,282	20,013
TOTAL EXPENDITURE	1,062,709	1,180,720
<u>INCOME</u>		
Bank Interest	-6,276	-4,000
Legal Fees	-285	0
Other	-695	0
TOTAL INCOME	-7,256	-4,000
EXPENDITURE LESS INCOME	1,055,453	1,176,720
NEW BURDEN MONEY	70,412	394145
TOTAL	1,125,865	1,570,865

25th April 2012

To approve a bank mandate for EIFCA's bank accounts and to authorise signatures for EIFCA's cheques, BACS and bank transfers

Owing to impending changes in the Authority's staff the current Bank Mandate requires amending.

In order that the Authority is able to function effectively whilst ensuring that financial activities are conducted on behalf/in the name of the Authority in a proper and auditable manner, a bank mandate is required to be agreed by Members. A bank mandate states the arrangements for the appropriate signatories for the Authority's cheques, bank transfers, direct debits, standing orders and BACS. A suggested bank mandate has been developed and is included below for consideration:

Treasurer's (Current) Account (A/C No 70348333), Active Saver Account (A/C No 70348341)

The Chief Executive Officer, Head of Marine Conservation, Head of Marine Protection and the Finance Officer are nominated for the signing of cheques and for the transfer of payment for goods and services from the Treasurer's Account.

Instructions and cheques up to £10,000 should be signed by any two of the following: - Chief Executive Officer, Head of Marine Conservation, Head of Marine Protection and the Finance Officer.

Instructions and cheques over £10,000 should be signed by either the Chair, Vice Chair of the Authority or any designated member(s) of the Authority plus any one of the following: Chief Executive Officer, Head of Marine Conservation, Head of Marine Protection and the Finance Officer.*

**A designated Member is one who resides locally and is willing to act as a signatory for cheques over £10,000 which require a signature between Authority meetings.*

EIFCA Salaries & Wages Account (A/C No 80384414)

The existing mandate for the Authority's Salaries & Wages Account states that the signatories for the account are the Chief Executive Officer and the Finance Officer.

Cheques, BACS and transfers up to £5,000 require one signature and those over £5,000 require two signatories.

It is suggested that this mandate be maintained as it allows for the payment of salaries and salary related payments e.g. to HMRC and paying over Pension Contributions to the Norfolk Pension Fund in a timely manner.

It is suggested that this mandate include further signatories ie. Head of Marine Conservation and Head of Marine Protection.

It is the officers' recommendation that Members consider this mandate and resolve to nominate appropriate signatories.

The Authority is asked to receive the report.

Please be advised that the Joint Committee's bank manager will be in attendance after the Statutory Meeting to view original identification for nominated signatories in order to complete the new Bank Mandate. The forms of identification required are listed below:

- 1. Passport or Driving Licence***
- 2. Utility Bill (not mobile phone bill), received within the last 3 months***

Would all members who are prepared to act as signatories please bring identification with them. Those who already bank with Barclays are excluded from this requirement.

Christine Hurley
Finance Officer

25th March 2011

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

List of Background Papers

- 1) Agenda Item 5 from Statutory Meeting on 29th July 2009
- 2) Email from Norfolk Audit Services dated 23rd March 2011

25th April 2012

To receive and approve the Authority's 1st Annual Report to Defra

An Annual Report must be submitted by each Inshore Fisheries and Conservation Authority to Defra by 30 November each year. The format and content is to a large degree stipulated by Defra, however the requirement to develop and submit an Annual Report is set out within Section 178 of the Marine and Coastal Access Act 2009. The Annual Report is to be a mirror document to the Annual Plan detailing the status of action items identified within the Annual Plan.

A draft of the 1st EIFCA Annual Report (2011-2012) was developed by officers and was circulated to all Authority Members and Officers on 4 April 2012 in addition to Defra and the CEOs of all other IFCA's for comment. Comments received were considered and incorporated as appropriate by Officers (comments were forthcoming from Mr Donnelly, Mr Worrall, Defra and EIFCA Officers).

NB. In future years Defra would like additional narrative and case studies highlighting particular issues that the authority has worked on included within the Annual Report. Discussions have already occurred with various officers regarding the fulfilment of this requirement for future reports.

The Authority is asked to receive the report and approve the Authority' 1st Annual Report 2011-2012 and to instruct officers to submit the document to Defra as required in legislation.

Duncan Vaughan
Chief Executive Officer

18th April 2012

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List of Background Papers

- 1) 1st EIFCA 2011-2012 Annual Report
- 2) 1st EIFCA 2011-2012 Annual Plan
- 3) Guidance to Inshore Fisheries and Conservation Authorities on Annual Planning and Reporting Requirements under s.177 and s. 178 of the Marine and Coastal Access Act 2009). DEFRA. February 2011
- 4) Marine and Coastal Access Act 2009
- 5) Comments on the draft report received via email from EIFCA Members and Defra.

25th April 2012

Report on the replacement of ESF Protector III

During the first meeting of the Vessel Working Group (VWG) Members were reminded of the current situation that the Authority had agreed to make 25% savings over a period of 4 years. ESF Protector III is reaching the end of its working life. To meet the 25% saving it was agreed that the vessel should be removed from service. The current operating cost is £120,000 per year. However, from 1st April 2013 the budget has been set at £40,000, thus it is no longer possible to retain ESF Protector III.

At present EIFCA's vessel replacement fund currently stands at £351,000. The sale of ESF Protector III, based on the two valuations received will potentially add a further £210,000-£450,000 to EIFCA's vessel replacement fund. The estimated total in EIFCA's vessel replacement fund after the sale of ESF Protector III is a possible £561,000-£801,000.

With the budgetary restraint from 1st April 2013 and maximizing on the best sale price, it was felt ESF Protector III should be advertised for sale as soon as possible, giving the longest lead time.

The Authority is asked to receive the report and approve the recommendation that ESF Protector III be offered for sale to maximize on the best sale price.

The Authority is also asked that delegated powers be given to the Chairman and Vice Chairman to consider any offer which is received.

Simon Lee
Skipper/Senior Enforcement Officer
April 2012

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List of Background Papers

- 1 Minutes of the VWG held on 21st December 2012
- 2 Minutes of the VWG held on 15th February 2012

25th April 2012**To receive and note the dates of the planned Community Engagement Meetings**

The establishment of community feedback surgeries was agreed at the 3rd Authority meeting on 26 October 2011, (minute **EIFCA11/76**). The first meetings were held in the weeks following the 4th EIFCA meeting on January 26, with varied attendance. These meetings contribute to Success Criterion 7.2c – 'By April 2013, as a minimum, each IFCA to hold proactive biennial stakeholder meetings to inform and consult with all interested parties in the IFCA District'.

The meetings are organised and promoted within the area by the relevant area officer. Whenever possible, the meetings will be hosted by the relevant area officer and attended by the Community Development Officer and the Head of Marine Conservation. The meetings are an opportunity for all stakeholders within the area to meet the staff and discuss any concerns or provide feedback in an informal 'drop-in' style session. At these community engagement meetings there will also be a brief presentation of the outcomes of the quarterly Authority meeting to keep stakeholders informed.

The dates, times and locations of the meetings for 2012 are as follows;

<u>Area</u>	<u>Officer</u>	<u>Location</u>	<u>First Quarter (25/04/12)</u>	<u>Second Quarter (25/07/12)</u>	<u>Third Quarter (31/10/12)</u>
1	Jason Byrne	Boston Borough Council Municipal Buildings West Street Boston, PE21 8QR	01/05/12 1400 (Council Chamber)	31/07/12 1400 (Meeting Room)	06/11/12 1400 (Committee Room)
2	Ian Dye	Masonic Centre North Lynn Business Village Kings Lynn, PE30 2JG	02/05/12 1300	01/08/12 1300	07/11/12 1300
3	Adrian Woods	The Cottage 8 Loudon Road Cromer, NR27 9EF	16/05/12 1930	22/08/12 1930	21/11/12 1930
4	Alan Garnham	The Kingfisher Hawthorn Drive Ipswich, IP2 0QX	02/05/12 1930	08/08/12 1930	26/01/12 1930

The Authority is asked to note the dates of the planned community engagement meetings.

The Authority members are asked to attend the meetings where possible.

Lucy Ritchie
Community Development Officer
April 2012

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List of Background Papers

1 Agenda Item 15, 4th EIFCA Meeting, 26 January 2012

25th April 2012**Marine Strategy Framework Directive (MSFD) report – implications for EIFCA**

Combined the European Union has one of the world's largest maritime territories. Natural marine resources make a significant contribution to Member States economic prosperity and social well-being. Pressure on these resources is high and they need to be managed to ensure that they remain healthy, productive for the use of future generations. The Marine Strategy Framework Directive (2008/56/EC) (the Directive) has been developed to tackle the threats to Europe's marine environment to ensure co-operation and collective action amongst Member States. It fits well with the UK Governments vision for clean, healthy, safe, productive and biologically diverse seas.

Entering into force in July 2008 and transposed into UK law in July 2010 through the Marine Strategy Regulations 2010, the directive outlines a transparent, legislative framework for an ecosystem-based approach to manage human activities. The directive requires all Member States with marine waters to develop and implement cost effective measures to achieve or maintain Good Environmental Status in the marine environment by the year 2020 at the latest.

Good Environmental Status shall be determined on the basis of 11 qualitative descriptors (Figure 1). Each Member State will consider each of the descriptors and identify which descriptors to use to determine Good Environmental Status for that region. The establishment of Marine Protected Areas, including areas already designated or to be designated under the Habitats and Birds Directives, Marine Conservation Zones and other international or regional agreements, is an important contribution to the achievement of Good Environmental Status.

Each Member State is required to develop a marine strategy specific to its waters. This strategy must be coherent and co-ordinated across Member States sharing a marine region/subregion.

Figure 2 demonstrates the linkages between the directive and existing EU legislation. The role of national public bodies at different levels in implementing the directive and achieving Good Environmental Status is shown below in table 1.

Table 1: Key requirements set by directive for each Member State

Deadline	Action
By July 2010	Transpose the Directive into domestic law.
By July 2012	Undertake an initial assessment of marine waters
By July 2014	Establishment of a monitoring programme to measure progress toward Good Environmental Status.
By December 2015	Programme of measures for implementing Good Environmental Status developed.
By December 2016	Programme of measures for implementing Good Environmental Status implemented.

The initial assessment requires Member States to analyse the predominant features and characteristics of its waters. This will include the current environmental status of those waters and identify the predominant pressures and impacts on that status. Member States will establish a set of environmental targets and associated indicators

so as to guide progress towards Good Environmental Status. This assessment will account for existing data and use consistent methodologies across marine regions and subregions.

The Marine and Coastal Access Act 2009 include measures to protect and manage UK waters which will help achieve the aims of the Directive. These include the development of a Marine Policy Statement developed by the Secretary of State, acting as a framework for developing Marine Plans and providing direction for marine licensing. Marine Plans will include the need to achieve Good Environmental Status in UK waters and help steer the activities of public bodies.

IFCAs are not mentioned specifically in the Marine Strategy Regulations but fall into this category. As a key delivery body in the marine realm, the Authority will be guided by the Marine Policy Statement, adhering to the high level marine objectives. IFCAs are inputting into the development of Marine Plans within their district including at the various stages of strategy development. The Eastern Plan area is the first plan to be developed with the MMO presenting to the Authority on their progress (26 Jan 2012).

In addition, Defra has imbedded many of the key elements of the Directive in the Success Criteria set out in the Eastern-IFCAs annual plan.

The UK Government and Devolved Administrations are currently holding a consultation on the initial stages of implementation of the MSFD. The purpose of this consultation is to seek views on the:

- draft initial assessment of the state of the UK's seas;
- proposals for UK characteristics of Good Environmental Status; and
- proposals for more detailed UK targets and indicators of Good Environmental Status.

The consultation document is available to view at:

www.defra.gov.uk/consult/2012/03/27/marine-strategy-framework-1203/

The closing date for the consultation is 18 June 2012. Because the closing date for the consultation is prior to the next Authority meeting this precludes officers preparing a paper for that meeting. Members are therefore asked to review the consultation document and provide comments to the Acting Chief Executive Officer by 8 June 2012. It is intention that officers submit a response on behalf of the Authority if the delegated authority to do so is provided.

The Authority is asked to receive the report and to delegate powers to the Acting Chief Executive Officer to submit, on behalf of the Authority, a response to the consultation document.

Lynsey Smith
Research Officer
April 2012

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List of Background Papers

- 1) EC. Directive 2008/56/EC of the European Parliament and of the Council of 17 June 2008 establishing a framework for community action in the field of environmental policy (Marine Strategy Framework Directive). OJ L 164, 25.06.2008. p.19.
- 2) EIFCA 2012-2013 Annual Plan

- 3) Eftec Envico (2010) Economic and Social Assessment for the Marine Strategy Framework Directive at:
<http://randd.defra.gov.uk/Default.aspx?Menu=Menu&Module=More&Location=None&ProjectID=17287&FromSearch=Y&Publisher=1&SearchText=me5103&SortString=ProjectCode&SortOrder=Asc&Paging=10#Description>
- 4) Dapling T.M., Clark R.W.W., & Vause B.J., Medley, P., C.R.C. Carleton (2010) 'Navigating the Future'. Developing Sustainable Inshore Fisheries. The UK Inshore Fisheries Sustainability Project Summary Report. Sussex Sea Fisheries Committee, Shoreham-by-Sea. Sussex.
- 5) Marine and Coastal Access Act 2009
- 6) The Marine Strategy Regulations 2010 at:
http://www.legislation.gov.uk/ukxi/2010/1627/pdfs/uksi_20101627_en.pdf
- 7) The consultation document at: www.defra.gov.uk/consult/2012/03/27/marine-strategy-framework-1203/
- 8) information on the MSFD including consultation Q&A and factsheets at:
<http://www.defra.gov.uk/environment/marine/msfd/>

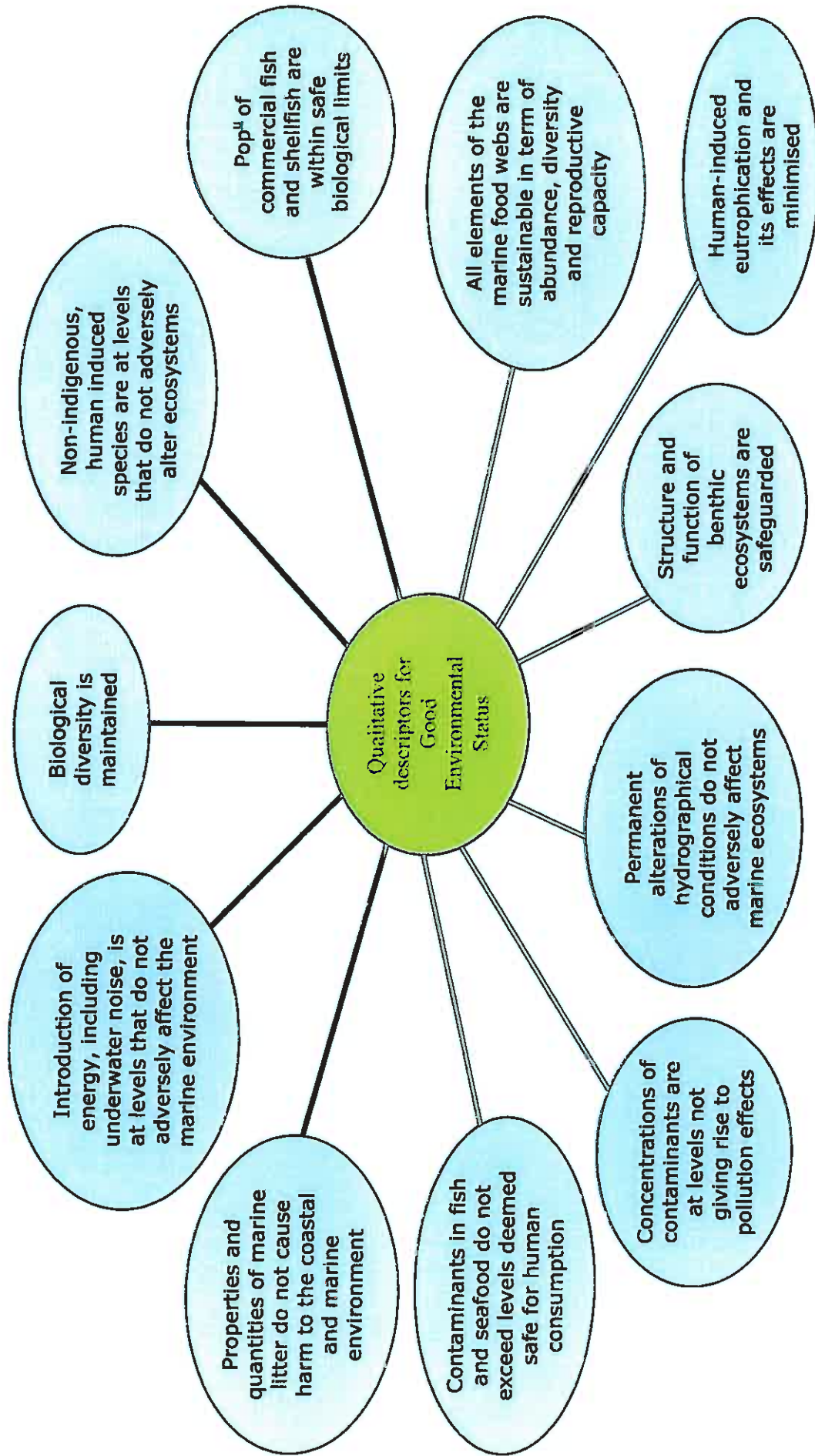


Figure 1. Qualitative descriptors used to determine Good Environmental Status.

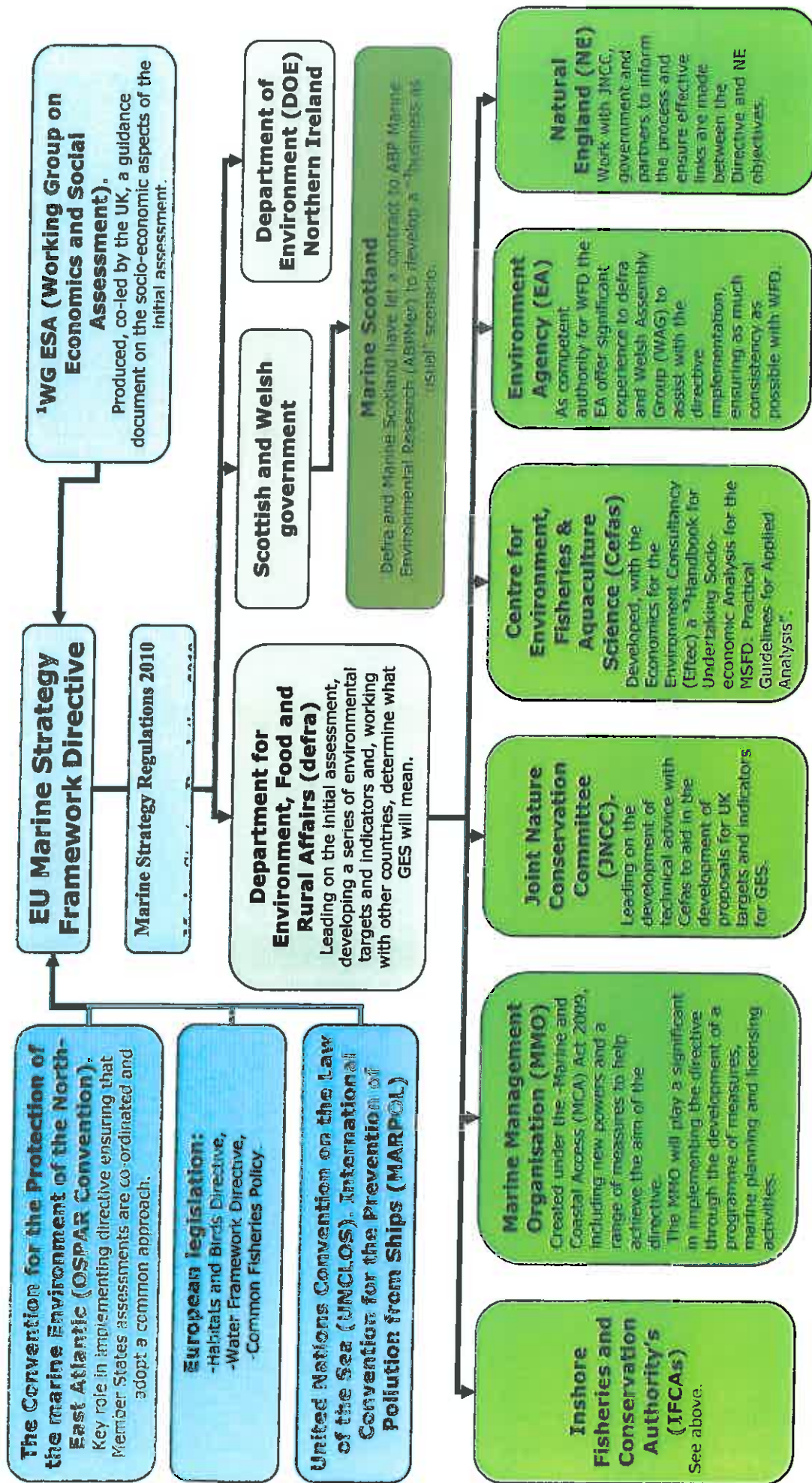


Figure 2. Diagrammatic representation of links between existing legislation and the directive demonstrating the implementation of the directive at a local level

Glossary

Good Environmental Status: The state of marine waters where these provide ecologically diverse and dynamic oceans and seas which are clean, healthy and productive. The use of the marine environment is at a level which is sustainable.

Ecosystem-based approach: Ensure that fishery management decisions do not adversely affect the ecosystem function and productivity, so that harvesting of target stocks (and resultant economic benefits) is sustainable in the long-term.

Environmental target: a statement on the desired condition of the different components of, and pressures and impacts on, marine waters in respect to each marine region or subregion.

Marine waters: Waters, the seabed and subsoil within the extent of territorial waters is measured extending to the outmost reach of the area where Member State has and/or exercises jurisdictional rights.

Marine Protected Area's: An area set up to conserve marine biodiversity, in particular species and habitats of European and national importance. They include Special Areas of Conservation (SACs) for habitats of European importance, Special Protected Areas (SPAs) for birds (also known as Natura 2000 sites), and Marine Conservation Zones (MCZs) for nationally important habitats and species.

Marine region: The following sea regions identified under Article 4 of the directive designated for the purpose of facilitating implementation of this directive and are determined taking into account hydrological, oceanographic and biogeographic features: The Baltic Sea, the North-east Atlantic Ocean, the Mediterranean Sea the Black Sea.

1 WG ESA (Working Group on Economics and Social Assessment).

The guidance document on the socio-economic aspects of the initial assessment uses the DPSIR (Drivers, Pressures, Status, Impact, Response) framework. The working group consists of Member States, representatives from EC, European Environment Agency (EEA), the United Nations Environment Programme (UNEP) and regional sea conventions such as OSPAR etc.

2 Business as usual scenario: Developed by ABPmer for the MSFD to support the initial assessment, notably helping to estimate the cost of degradation of the marine environment, as required by the Directive. The project will look at trends in uses of the marine environment, changes in drivers and pressures and hence the expected future state of the environment focusing on both the descriptors for Environmental Status and key ecosystem services going from 2007/8 to 2030. It will be an important input in the UK's own impact assessment and will help with further work to develop policy scenarios for future phases of the directive.

3 Handbook for Undertaking Socio-economic Analysis for the MSFD: Practical Guidelines for Applied Analysis: Developed by Cefas and Etec to guide the internal work of the project. It outlines the scope of the socio-economic requirements of the directive and shows how these requirements can be delivered through the use of economic tools, in particular cost-benefit analysis

25 April 2012

To receive and approve a report on the annual review of the Authority's Standing Orders and the impact of the Localism Act 2011 on the Members' Code of Conduct

The Localism Act 2011

1. The Localism Act 2011 introduces new provisions regulating the conduct of local authority members. In particular, the Act repeals Part III of the Local Government Act 2000. This means that the requirement for a national, statutory code of conduct for members is being abolished.
2. Instead, the Act requires local authorities to promote and maintain high standards of conduct by their members and to adopt a local code of conduct complying with the Nolan principles of selflessness, integrity, objectivity, accountability, openness, honesty, and leadership. This code of conduct must include provision for the registration and disclosure of pecuniary and non-pecuniary interests and, for the first time, criminal offences are to be introduced for failures relating to disclosable pecuniary interests. Details of the interests to be disclosed and registered and the related offences will be set down in regulations to be published by Parliament shortly.
3. In addition, the Act will require local authorities to publish their members' register of interests on their website subject to the need to protect 'sensitive' interests, disclosure of which could put the member or anyone connected with them at risk of harm.
4. Local authorities must also have arrangements for investigating written complaints against members and for reaching decisions on such complaints.
5. Local authorities are expected to have in place a code of conduct that complies with the regulations from 1 July 2012.

Impact on the EIFCA

6. IFCA's are statutory joint committees or committees of county councils, and are unusual in local government in that their membership includes non-elected appointees with the same status and voting rights as the county councillor members. The Marine and Coastal Access Act 2009 specifically applied to IFCA's certain provisions of the legislation governing councils, including those provisions relating to public access to information and meetings, and those relating to the regulation of members' conduct contained in Chapter 1 of Part III of the Local Government Act 2000.
7. Like other IFCA's, the Authority adopted the statutory members' code of conduct under the Local Government Act 2000 which all local authorities in England were required to adopt. This meant that all Authority members, whether elected or appointed, were subject to the same code of conduct and were expected to meet the same requirements for general behaviour and for disclosure and registration of interests.
8. Under the current code, Authority members are required to disclose 'personal' interests and 'prejudicial' interests. Members with a 'personal' interest in a matter

must declare the interest as soon as they are aware that it exists, but can take part in decisions on the matter; members with a 'prejudicial' interest in a matter may not take any part in considering it and must leave the room when it is discussed at a meeting. A 'personal' interest in a matter is generally defined as affecting the well-being or finances of a member, their family or close associates more than it affects most other people who live in the area. A 'personal' interest becomes 'prejudicial' if it could reasonably be perceived by an informed member of the public as likely to affect the member's ability to make a judgement in the public interest.

9. Under the Localism Act, members will be required to declare 'disclosable pecuniary interests', 'non-disclosable pecuniary interests' and 'non-pecuniary interests', all of which are to be defined in regulations, as will be the criminal offences to be associated with 'disclosable pecuniary interests' .
10. Lincolnshire, Norfolk and Suffolk County Councils are proposing to adopt county-wide codes applicable to all the local authorities within their counties. The new codes will be agreed by the County Councils at their annual meetings in May 2012 in order to meet the requirement to have a new code in place from 1 July 2012. So that the EIFCA can continue to have a code that provides common standards for all of its members, it will need details of the codes its partner authorities are adopting, as well the relevant regulations. This information will not be available in time for the Authority's meeting on 25 April 2012 and the next Authority meeting is scheduled to take place on 25 July 2012, after the date from which a new code must be in place.
11. However, as the Eastern Inshore Fisheries and Conservation Order 2010 permits the Authority to delegate any of its functions to a sub-committee, member or employee of the Authority, power to agree a new code of conduct can be delegated to the Finance & Personnel Sub-Committee which is scheduled to meet on 27 June 2012.
- 12. Therefore, it is recommended that:**
 - (i) officers should be asked to draft a new code, taking into account the codes adopted by Lincolnshire, Norfolk and Suffolk County Council and the requirements of the Localism Act and its associated regulations, for approval by the Chair of the Finance & Personnel Sub-Committee;**
 - (ii) the draft code should then be circulated to all Authority members for comment;**
 - (iii) the Sub-Committee should receive a report containing the results of the consultation and the proposed new code of conduct for the Authority, for consideration at its meeting on 27 June 2012.**
- 13. The Authority is asked to approve these recommendations.**

Annual review of the Authority's Standing Orders

14. The Authority's standing orders provide that they should be reviewed annually at its April meeting. There is also a need to amend the standing orders to reflect the creation of the role of contracted Clerk. Appendix 1 contains the proposed amendments to the standing orders to reflect the role of the Clerk. Wording to be removed has been crossed out and the replacement wording is highlighted.

15. As additional amendments to the standing orders are likely to be required following the adoption of a new code, it is proposed that a full review of the standing orders is carried out to incorporate the new code and best practice in IFCA governance, and that this review is considered at the Authority's meeting on 25 July 2012.

16. Therefore, the Authority is recommended to:

- (i) approve the amendments to the standing orders as set out in Appendix 1, and**
- (ii) agree that a full review of the standing orders will be carried out at its meeting on 25 July 2012.**

Mary Clancy
Contracted Clerk to EIFCA
17 April 2012

Proposed amendments to standing orders

Joint Committee Standing Orders

For clarity, relevant articles of the Eastern Inshore Fisheries and Conservation Order 2010 have been included in italics within this document.

Definitions

Chief Executive Officer: the person appointed in that capacity by the Authority

Deputy Chief Executive Officer: the person employed in that capacity by the Authority

Clerk: the person appointed in that capacity by the Authority

Member: Council, General and Additional Members

Council Member: County Councillors appointed to the Authority by their respective County Council (*Art. 5(2)(a)*)

General Member: individuals appointed to the Authority by the Marine Management Organisation and an officer employed by the Marine Management Organisation as their representative on the Authority (*Art. 5(2)(b)*)

Additional Members: employees of the Environment Agency, Natural England appointed to the Authority by their respective employers (*Art. 5(2)(c)*)

Authority: Eastern Inshore Fisheries and Conservation Authority

Joint Committee: Council Members, General Members and Additional Members comprising the Authority

MMO: Marine Management Organisation

Membership of the Authority

- 1 The Authority shall be comprised of 21 members of which 7 are council members, 12 are general members and 2 are additional members (*Art. 5*).

Terms of appointment/resignation/suspension/termination

- 2 These are determined by:
 - a. the appointing body of a member (*Art. 6*);
 - b. Nolan Rules
 - c. a ten year maximum tenure commencing the 1st of October 2010 following guidance from the Commissioner for Public Appointments;
 - d. certain conditions (*Art. 9-12*).
- 3 To fulfil the expectation of the Joint Committee, Members will be expected to attend no less than 50% of Meetings annually (April - March) to which they have been appointed.

Meetings of the Joint Committee

- 4 The Joint Committee shall hold meetings for the transaction of general business, the meetings to be held at such a location as Members think fit in each of the months of January, April, July and October on a date convenient to the Members. The time of

the meetings shall be fixed by the Chair and notice of the same and all subjects to be dealt with shall be given by the ~~Chief Executive Officer~~ **Clerk** five clear working days before any such meetings.

- 5 No business shall be done at any meetings of the Joint Committee unless six Members are present thereat and at least one of these Members is a Council Member and one is a General Member (*Art. 13(1)*).
- 6 The Chair or any three Members may at any time summon a special or extraordinary meeting for any cause he/she or they may consider urgent upon giving notice to the ~~Chief Executive Officer~~ **Clerk**, who shall in compliance therewith summon such meetings to be held within three clear working days of receiving such notice; Members are to be informed of the special purpose for which the meeting is summoned.
- 7 The Minutes of the proceedings of each meeting shall be duly entered by the ~~Chief Executive Officer~~ **Clerk** in a book kept for that purpose.
- 8 At every meeting of the Joint Committee providing copies have been circulated to members prior to the meeting, the Minutes shall be taken as read, subject to correction as to any mistake, omission or inaccuracy and the signature of the Chair affixed as confirming the same.
- 9 Unless specifically requested by a Member, the agendas, minutes, papers and supporting documentation for meetings will be circulated in electronic form.

Chairing of meetings

- 10 At the first meeting of the Authority held after the beginning of the financial year the Joint Committee shall elect one of their number to the post of Chair for the period beginning with the meeting at which the Chair is appointed and ending with the first meeting of the Authority held after the beginning of the following financial year. The Chair may stand for re-election to the position of Chair for a further year. The Chair on serving two terms or failing to be re-elected to the position of Chair after one year shall not be eligible for election to the post of Chair or Vice Chair for a period of two years.
- 11 At the first meeting of the Authority held after the beginning of the financial year the Joint Committee shall elect one of their number to the post of Vice-Chair for the period beginning with the meeting at which the Vice-Chair is appointed and ending with the first meeting of the Authority held after the beginning of the following financial year. The Vice-Chair may stand for re-election to the position of Vice-Chair for a further year. The Vice-Chair on serving either one or two terms is eligible to be elected to the position of Chair.

The Chair and Vice-Chair of the Joint Committee shall be Council Members, and one shall be a Council Member of one County Council and one a Council Member of either of the other County Councils.

Note: Art. 14(1) does not specify that the Chair and Vice-Chair be Council Members.

- 12 The Chair and Vice Chair of Sub-Committees may be any Member of the Joint Committee.
- 13 Should the Chair and Vice-Chair of the Joint Committee both be absent from a meeting, the Authority shall elect one of their number who is a Council Member as Acting Chair of such meeting (*Art. 14(2)*).

Note: Art. 14(2) does not specify that the Acting Chair of the meeting in the absence of the Chair be a Council Member.

- 14 The Chair of any meeting shall have in case of equality of votes a second or casting vote.

- 15 No substitutes will be allowed for Members of the Joint Committee. Substitutes for members of Sub-Committees will only be permitted to be drawn from Members of the Joint Committee.
- 16 After confirmation of the Minutes of the previous meeting, the business to be conducted at any meeting will be dealt with in the order set out on the Agenda, but the Chair shall regulate all matters of procedure or vary the order of business so as to give precedence to any question of urgency.
- 17 All Motions and Amendments shall, if required by the Chair be reduced into writing and signed by the mover and delivered to the ~~Chief Executive Officer~~ **Clerk** as soon as seconded.
- 18 Every Amendment which has been moved must be disposed of before any further Amendment is moved.
- 19 If any Amendment be carried, it shall displace the original Motion and become the question upon which any further Amendment may be moved.
- 20 If an Amendment is negated, a further Amendment may be moved to the original motion under consideration.
- 21 The mover of every original Motion shall be entitled to reply at the close of the debate thereon, and immediately after his reply the question shall be put from the Chair. The mover of an Amendment shall not be entitled to reply, excepting when the Amendment has been carried, and become the question under consideration. No other Member shall speak more than once on either the original Motion or any Amendment unless the Chair gives his permission to explain, or the attention of the Chair be called to a point of order.
- 22 The Joint Committee and Sub-Committees will not **seek** comments nor take questions from the general public present at the meeting. Any items that the general public wish to raise at a meeting should be submitted to the Chief Executive Officer in writing prior to the meeting. The Chief Executive Officer will consider with the Chair whether or not to raise the matter at the meeting. The general public are able to make written or verbal submissions to Members prior to the meeting if they so wish.
- 23 Additional Members and the General Member employed by the MMO, may, following consent from the Chief Executive Officer, attend a meeting with a colleague or colleagues who can speak on behalf of that organisation to provide additional information that the Members may find beneficial.

Voting

- 24 Voting shall be **ascertained** by a show of hands **unless** the Chair otherwise directs or a division shall be taken by the ~~Chief Executive Officer~~ **Clerk** calling the names of the Members present and recording their answers which shall be duly entered in the Minutes of the Meeting.
- 25 The Mover and Seconder of any motion of which notice has been given, may with the consent of two thirds of the Members present at the meetings at which it has to be considered, withdraw the same.
- 26 No resolution previously agreed to by the Joint Committee shall be altered or rescinded within six months and due notice of the same, stating the precise nature of the proposed alterations or cause for its rescission has been given in the notice calling the meeting excepting under very special circumstances when for urgent and unforeseen reasons the meeting may unanimously deem it desirable to vary or rescind the same.

- 27 Any Joint Committee Standing Order with the exception of Standing Order Number 31, may be suspended at any time by a vote of the majority of the Joint Committee present at any meeting.
- 28 Papers for, and the proceedings of the Joint Committee or any Sub-Committee held in private session shall be treated as confidential or exempt in accordance with the requirements of the Local Government (Access to Information) Act 1985. Members will be provided with the minutes of the meetings (which will include a summary of exempt or confidential matters in accordance with the above Act) as soon as the minutes are available.
- 29 The use of audio/visual recording devices by any person at a meeting of the Joint Committee is not allowed unless the majority of the Joint Committee present at the meeting specifically authorises their use.
- 30 Members are required to operate within the Joint Committee's Code of Conduct. Council Members must also abide by their County Council's Code of Conduct and Standing Orders.
- 31 Only Council Members may vote on the setting of the Joint Committee's annual budget.

Note: Art. 16(3) provides Council Members a veto on total expenses incurred by the Authority.

Sub-Committees

- 32 The Chair and Vice-Chair shall be ex-officio members of every Sub-Committee.
- 33 Each Sub-Committee shall appoint its own Chair and Vice Chair and hold its meetings at a place and on a date convenient to Members having regard to the requirements of the Local Government (Access to Information) Act 1985.
- 34 In the absence of both the Chair and Vice-Chair of a Sub-Committee the Chair or Vice-Chair of the Joint Committee shall act as Chair.
- 35 A Sub-Committee shall comprise of at least nine Members.
- 36 The quorum of a Sub-Committee shall be one third of the membership.
- 37 Every Sub-Committee shall report to the Joint Committee.
- 38 The ability of any Sub-Committee to make either resolutions or recommendations is to be clearly stated in any paper considered and approved by the Joint Committee that recommends the establishment of a Sub-Committee.

Discharge of Functions

- 39 All expenses incurred by the Authority are to be defrayed by the relevant Council. (Art. 16(1)).
- 40 Orders for the payment of money which the Joint Committee from time to time may issue to the respective County Councils shall be signed by the Chair or Vice-Chair in the event of the Chair's absence, and the Chief Executive Officer.
- 41 In accordance with Section 101(1) & (10) of the Local Government Act 1972 the Chief Executive Officer, (after consultation with the Chair and Vice-Chair), be authorised to instigate and take legal proceedings for offences against any legislation which the Joint Committee are empowered to take legal proceedings against.
- 42 Standing Orders should be annually reviewed at the April Joint Committee Meeting.
- 43 In the absence of the Chief Executive Officer, the Deputy Chief Executive Officer is delegated to fulfil the Chief Executive Officer's responsibilities.

25th April 2012

Eastern IFCA Enforcement and Compliance Strategy

Officers have developed an Enforcement and Compliance Strategy. Success Criterion 3: *A fair, effective and proportionate enforcement regime is in place*, places a duty on to the Authority to develop a risk based enforcement framework. This obligation, in-conjunction with a requirement to have clear guidance on the enforcement actions that an IFCA can instigate in order that it can issue Financial Administrative Penalties (FAPs) has led to Officers developing an Enforcement and Compliance Strategy. The Strategy has been developed by drawing on similar documents already developed by the Marine Management Organisation, Eastern Sea Fisheries Joint Committee and other IFCAs.

In order that the Authority can fulfil the remainder of the outstanding Defra High Level Objectives under Success Criterion 3, an Enforcement Plan and an Enforcement Risk Register require developing. Officers deem it inappropriate to further this work until the Head of Marine Protection is in post and a replacement Chief Executive Officer has been recruited and is in post.

Duncan Vaughan
Chief Executive Officer

18th April 2012

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

List of Background Papers

- 1) EIFCA Enforcement and Compliance Strategy (enclosed)
- 2) EIFCA 1st Annual Plan 2011-2012
- 3) Guidance to Inshore Fisheries and Conservation Authorities on the establishment of a common enforcement framework. Defra. February 2011



Compliance and Enforcement Strategy

On 1st April 2011, the Eastern Inshore Fisheries and Conservation Authority (the Authority) was fully vested under the Marine and Coastal Access Act 2009 (MaCCA).

The Authority took over the fisheries and conservation management responsibilities from Eastern Sea Fisheries Joint Committee within the new district. The Authority's district¹ covers all tidal waters (out to six nautical miles from the 1983 baselines²) within Lincolnshire, Norfolk and Suffolk County Council borders.

Fisheries management only succeeds with an integrated approach encompassing communication, research and enforcement.

Full compliance with EU, UK and in particular local fisheries and environmental legislation is the overall aim of the Authority. This aim is best achieved through the adoption of an adaptive co-management approach to fisheries management. The key to achieving high compliance is ensuring that those users who are potentially affected have a real opportunity to engage with the Authority over the local management approach to be taken. By engaging in the management process, the Authority and all users get a far better understanding of the requirements of the other interested parties. Conflicts of interest will not always be resolved but, having gained an understanding of why actions are taken; affected users are far more likely to accept the approach taken.

Where consensus with the management approach is not achieved or where the potential gain is significant, the risk of illegal activity increases. The risk is even greater where an effective enforcement deterrent is not in place. The deterrent is only effective where the risk of enforcement action is high (whether perceived or in reality) and the consequences are serious. In recognition of the need to have an effective deterrent, fines applicable to byelaw offences have risen from a maximum of £5,000 to £50,000.

The Authority uses various compliance measures to ensure, where possible, that no person(s) illegally engaged in fishing related activity removes fishing opportunities for others or gains an unfair market advantage by breaking the rules and that law abiding person(s) are not disadvantaged by being compliant. It will also seek to use appropriate compliance and enforcement measures, where it considers it to be necessary, to ensure that the marine environment is not adversely affected by fishing activities.

¹ The Eastern Inshore Fisheries and Conservation Authority Order 2010

² means the baselines as they existed at 25th January 1983 in accordance with the Territorial Waters Order in Council 1964 (1965 III p.6452A, as amended by the Territorial Waters (Amendment) Order in Council (1979 II p.2866).

BETTER REGULATION

Where the Authority undertakes compliance activity, it will work in accordance with the Hampton Principles of Better Regulation as set out in the Regulators' Compliance Code³ and the Legislative and Regulatory Reform Act 2006 (as amended⁴). In carrying out its functions, the Authority will ensure that:

- I. any action taken, including compliance related or investigative, is proportionate to specific, identified, risk or need for intervention;
- II. it is accountable for its regulatory activity – to its stakeholders, its partner organisations, Ministers, local taxpayers, the general public and the Courts;
- III. its actions are consistent, in that it should make similar (but not necessarily the same) decisions about activity in similar circumstances, in accordance with its delegated responsibilities, statutory objective and guidance;
- IV. its regulatory actions are transparent, by publishing information to its regulated stakeholders indicating what enforcement action it can take and may take in appropriate circumstances;
- V. all its activities and, in particular those that would place a "burden" on a regulated person (such as monitoring, inspection, investigation and compliance actions), are targeted using a risk based approach⁵, ensuring such action is for a specific identifiable need, for example, limiting random inspections to specific identified compliance requirements;
- VI. Inshore Fisheries and Conservation Officers (IFCOs) appointed by the Authority are highly trained, competent and adhere to the inspection code of practice⁶; and
- VII. it works closely with partner organisations to make best use of available resources and share information.

ENFORCEMENT ACTION

The Authority will endeavour to use an adaptive co-management approach, where compliance is achieved through engagement, understanding and advice. Where compliance is not achieved by this approach, the Authority has a range of enforcement actions available to it:

Verbal Warning

A verbal warning is issued when a minor infringement in legislation is detected. This approach is used to remind person(s) of relevant legislation and is recorded. If the person(s) commits a similar offence, the individual involved may face a higher level of enforcement action.

Advisory Letter

Where it is believed that breaches of the law may have been committed and it is appropriate to do so, an advisory letter may be sent reminding the person(s) of the need to obey the law. This may be sent without prejudice to other purely civil remedies⁷.

Official Written Warning

³ <http://webarchive.nationalarchives.gov.uk/+http://www.bis.gov.uk/policies/better-regulation/improving-regulatory-delivery/implementing-principles-of-better-regulation/the-regulators-compliance-code>

⁴ <http://www.legislation.gov.uk/ukpga/2006/51/contents>

⁵ Fisheries risk matrix is available on the Authority's website

⁶ Eastern IFCA code of practice for inspections

⁷ Civil remedies are procedures and sanctions, used to prevent or reduce criminal activity as an alternative to using formal court proceedings

Where there is evidence that an offence has been committed but it is not appropriate to implement formal prosecution proceedings, an official written warning letter may be sent to the regulated person(s), outlining the alleged offending, when it occurred and what regulation(s) were breached. It will also set out that it is a matter which could be subject to prosecution should the same behaviour occur in the future. This may be sent without prejudice to other purely civil remedies.

Simple Caution

A simple caution (known previously as a Home Office Caution) may be offered by the Authority. Issuance of a simple caution may be deemed to be the most appropriate means to deal with the offence(s), particularly where there is no identified financial gain. A simple caution is only offered when the Authority is prepared to instigate legal proceedings and prosecute if the person(s) decides to decline the simple caution.

Financial Administrative Penalty

The Authority may issue a Financial Administrative Penalty (FAP), the level of which may be up to £10,000⁸, as an alternative to criminal prosecution in certain circumstances. Further information on FAPs is available from the Authority.

Prosecution

The ability to take criminal prosecutions is essential in discouraging serious non-compliance; the purpose is to secure conviction and ensure that the offender can be punished by a Court at an appropriate level, thus acting as a deterrent to any future wrong doing to both the offender and others who may engage in similar criminal behaviour.

A prosecution may be commenced where it is felt that the matter is too serious or not suitable for another form of disposal such as a fixed administrative penalty, warning or caution.

In order to prosecute, the Authority has to be satisfied both that there is:

- 1) sufficient evidence of the alleged offending and;
- 2) that there is a clear public interest in taking criminal proceedings.

The Authority will only commence a prosecution if it is satisfied that there is a realistic prospect of conviction against each suspect on each charge on the available evidence. If a case does not pass this test, it will not go ahead regardless of how important or serious it may be.

If a case passes the sufficiency of evidence test, the Authority⁹ will consider whether it is appropriate to prosecute, or whether it is appropriate to exercise one of the enforcement options available to it as set out above. In determining the correct response in any individual case, the Authority will always take into account the public interest in prosecuting.

The following lists of public interest factors in favour and against prosecution are not exhaustive and each case must be considered on its own facts and on its own merits:

- whether the implications of the offending for the enforcement of the regulatory regime undermines the management approach taken;
- the impact of the offending on the environment, including wildlife, and also, where applicable, having regard to the objectives of Marine Protected Areas;
- with regard to offences affecting fish and fish stocks, whether recovery species are involved and any issues as to quota status;
- the financial benefit of the offending or other financial aspects of the offence, including the impact on other legitimate operators;

⁸ The Sea Fishing (Penalty Notices) (England) Order 2011

⁹ Consideration to prosecute is undertaken by the Chief Executive Officer, Chair or Vice Chair of the Authority under its Standing Orders

- whether the offence was committed deliberately or officials were obstructed during the course of the offending / investigation;
- the previous enforcement record of the offender;
- the attitude of the offender including any action that has been taken to rectify or prevent recurrence of the matter(s);
- where offences are prevalent or difficult to detect and the deterrent effect on others by making an example of the offender.

A prosecution is less likely to be required if:

- the court is likely to impose a nominal penalty;
- the seriousness and the consequences of the offending can be appropriately dealt with by an out-of-court disposal which the person(s) accepts;
- the offence was committed as a result of a genuine mistake or misunderstanding;
- the financial gain or disturbance to sensitive marine habitat can be described as minor and was the result of a single incident, particularly if it was caused by a misjudgement;
- there has been a long delay between the offence taking place and the date of the trial, unless there are key mitigating circumstances that caused the delay;
- the person(s) played a minor role in the commission of the offence; the suspect is, or was at the time of the offence, suffering from significant mental or physical ill health.

5th EIFCA MEETING

15

Agenda Item: 22

25th April 2012

Eastern IFCA Code of Conduct for Inspections

Officers have developed a Code of Conduct for Inspection based on a standardised IFCA Code of Conduct for Inspections. Success Criterion 3: A fair, effective and proportionate enforcement regime is in place has a specific High Level Objective (HLO) that Authority Officers have recently completed. HLO 3.2a within the Authority's 2011-2012 Annual Plan stated:

A code of conduct for inspections both at shore and at sea is created by 30th October and reviewed annually. The code of conduct is published on each IFCA's website and available from each IFCA's office by 30 April each year.

A delay at a national level in finalising a Code of Conduct has led to the Code of Conduct being submitted to the Authority for information at this meeting. The Code of Conduct supersedes the Codes of Conduct applicable to inspections previously used by the Authority. The Code of Conduct is now available on the Authority's website.

Duncan Vaughan
Chief Executive Officer

18th April 2012

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

List of Background Papers

- 1) EIFCA Code of Conduct for Inspections
- 2) EIFCA 1st Annual Plan 2011-2012

5th EIFCA MEETING

Agenda Item: 23

25th April 2012

Eastern IFCA Financial Administrative Penalty (FAP) guidance

The Sea Fishing (Penalty Notices) (England) Order 2011 came into force on 6 April 2011. This legislation enables IFCAs to consider and offer Financial Administrative Penalties as a punitive measure in cases of fisheries offences. In order for the Authority to consider this type of punishment it has to have in place and publicised two documents:

- 1) Financial Administrative Penalty guidance
- 2) An Enforcement and Compliance Strategy.

As of 1 April 2012 both of these documents were published on that Authority's website. The Authority's Enforcement and Compliance Strategy has also been considered by the Authority at this meeting. The guidance which is enclosed with this paper was developed nationally by the Marine Management Organisation and all ten Inshore Fisheries and Conservation Authorities.

Duncan Vaughan
Chief Executive Officer

18th April 2012

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

List of Background Papers

- 4) EIFCA Fixed Administrative Penalty (FAP) guidance (enclosed)
- 5) 5th EIFCA Meeting Paper 19: Enforcement and Compliance Strategy
- 6) The Sea Fishing (Penalty Notices) (England) Order 2011

Financial administrative penalties for fisheries offences

Issued by the Eastern Inshore Fisheries Conservation Authority with respect to the Marine Management Organisation guidance
Updated 24 January 2012



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Introduction

1. These instructions take effect from 6 April 2011.
2. This guidance is not exhaustive, nor is it a definitive statement of the law. The relevant legislation is [the Sea Fishing \(Penalty Notices\) \(England\) Order 2011 SI 2011 No 758](#)¹.
3. Your local inshore fisheries and conservation authority (IFCA) office (see Appendix 1) will be able to provide further advice.
4. Similar schemes are operated by the Marine Management Organisation in England and the fisheries administrations in Northern Ireland, Wales and Scotland.

At a glance

5. The financial administrative penalties system has been designed to complement the existing enforcement system rather than replace it. You may be offered a penalty² as an alternative to criminal prosecution in certain circumstances. A penalty will only be offered where there is reason to believe that a person has committed an offence for which an administrative penalty may be issued ("penalty offence", see Appendix 2 for a list of relevant penalty offences).
6. This scheme applies to penalty offences committed in relation to sea fishing (as listed in the Schedule to the Order) in England, and by English and Welsh fishing vessels wherever they operate (Wales and the Welsh Zone excepted) or by other fishing vessels within English waters of British fishery limits. In accordance with the regulations, and where appropriate, the master, owner, charterer, representative, operator and/or legally liable person may be issued with a penalty notice.
7. In the event of a penalty offence being detected and an administrative penalty being offered, payment of the penalty within 28 days will discharge your liability to be prosecuted for the offence. However you will be under no obligation to accept and pay the penalty if you wish to have the matter dealt with via court proceedings. Non-payment of the penalty will not constitute an offence in itself.
8. Administrative penalties will not be offered for:
 - obstruction, failure to comply with requirements made by inshore fisheries and conservation officers (IFCOs³) or preventing another person from complying, and assaults or threats to IFCOs or those assisting them – these will be referred for prosecution
 - offences under an EU recovery plan which attract automatic licence suspension when no further penalty will apply

¹ www.legislation.gov.uk/ukxi/2011/758/made

² "Penalty" in this document refers to a financial administrative penalty under the Sea Fishing (Penalty Notices) (England) Order 2011.

³ In this document inshore fisheries and conservation officer (IFCO) can be read as marine enforcement officer (MEO) or British sea fishery officer (BSFO) where applicable.

- certain illegal, unregulated and unreported (IUU) offences pertaining to the operation and engagement of IUU listed vessels.

9. Written warnings and simple cautions⁴ may still be issued, however please note that a written warning, simple caution or a financial administrative penalty may not always be issued for a first or subsequent offence where the authorities believe that the offending is of such a nature that court proceedings are more appropriate.

10. Repeat offending may result in increased penalties or automatic referral for prosecution.

11. Guidance on the Eastern IFCA's enforcement policy can be obtained on the website or by contacting the IFCA (see Appendix 1).

Detection and investigation

12. Investigations into suspected fisheries offences will be undertaken by IFCOs in accordance with the IFCA's Compliance and Enforcement Strategy.

13. Within six weeks of finalising the investigation a decision will be made regarding action to be taken for the offences detected, at which time you will be notified of the decision in writing.

14. An administrative penalty may be issued by the IFCA for the relevant EU, national⁵, byelaw offences listed in Appendix 2 for which the IFCA has jurisdiction. All penalty notices issued by an IFCA will be authorised by the IFCA Head of Service.

Consideration of an administrative penalty

15. Where there is evidence which gives an authorised officer reason to believe that a penalty offence has been committed, the facts of the case will be assessed against the following criteria for the purpose of deciding whether an administrative penalty is appropriate:

- **The severity of the infringement:** how serious the offence is including, where appropriate, environmental impact.
- **Previous infringement history** including what action was taken as a result of any previous infringements.
- **Other offences detected at the same time as the offence** in question and the nature of these offences – these may add to the seriousness of the overall infringement.
- **Value of catch:** this may affect the decision if the potential financial gain of the offence exceeds the proposed penalty. The value of the illegal catch will be determined wherever possible by the previous week's average prices at the most appropriate market. This can include markets outside the UK if, for example, the

⁴ A simple caution (as opposed to a conditional caution) as defined by the Criminal Justice Act 2003 may be used to dispose of an offence.

⁵ Including Several and Regulating Orders.

vessel concerned routinely lands abroad. Data from statutory returns may be provided by the MMO for the calculation of the value of catch.

- **Volume of catch:** This is particularly relevant to by-catch offences but may also factor in other offences where the volume of illegal catch is significant.
- Whether the species involved is subject to **stock recovery measures**.

16. Where a single investigation results in the discovery of more than one offence then the offences will be broken down, categorised and given individual penalties to a maximum combined value of £10,000. The Eastern IFCA may at its discretion decide not to offer a penalty notice but refer the matter for prosecution.

Determining level of penalty

17. There are four basic levels of administrative penalty depending on the nature of the offence committed and where it is deemed appropriate for a financial administrative penalty (FAP) to be offered. These range from £250 to £2,000 as set out in the first column of the table below.

Table 1: Penalty levels

	First offence	Second offence	Further offences
Level 1	£250	£500	Referred for prosecution
Level 2	£500	£1,000	Referred for prosecution
Level 3	£1,000	£2,000	Referred for prosecution
Level 4	£2,000	£4,000	Referred for prosecution

18. All penalty offences have been categorised (see Appendix 2). Each category of offence has been rated according to the seriousness of the breach in question to determine the basic penalty level. These levels also take into account historical analysis of court penalties while offering an incentive for you to opt against referral for prosecution.

Offence categories and penalty levels

Category	Penalty level	First offence	Second offence	Further offences
1 Marketing offences	1	£250	£500	Referred for prosecution
2 Miscellaneous	2	£500	£1,000	
3 Technical conservation (Gear)	3	£1,000	£2,000	
4 Technical conservation (Catch)	3	£1,000	£2,000	
5 Recovery offences	3	£1,000	£2,000	
6 Control offences (including Registered Buyers and Sellers and UK licence offences)	3	£1,000	£2,000	
7 Access	4	£2,000	£4,000	
8 Illegal, unregulated and unreported fishing offences	4	£2,000	£4,000	
9 Undersize fish offences (UK, EU, byelaw)	2	£500	£1,000	
10 IFCA access offences	3	£1,000	£2,000	
11 IFCA technical conservation (catch)	2	£500	£1,000	
12 IFCA technical conservation (gear)	2	£500	£1,000	
13 IFCA permit	1	£250	£500	

These penalties may be subject to adjustment in accordance with paragraphs 20 and 22.

20. Where the identified financial gain (connected to or resulting from the offence) is greater than the proposed level of penalty, the penalty offered will be increased by multiples of the relevant basic penalty level (£250, £500, £1,000 or £2,000) until the value of the penalty is greater than that of the identified financial gain.

21. This could include **where appropriate**, offering a penalty of up to £10,000. If the financial gain is greater than £10,000, or the financial gain in relation to the offence is deemed to be of a serious nature, a FAP will not be offered and the offence will be referred to court.

22. Where multiple offences are detected, the identified financial gain will only be considered once in relation to the penalty offences. Where the financial gain has already been considered in the calculation of a penalty, the remaining penalty offences will be offered at the relevant basic penalty level in accordance with paragraph 17. As stated in paragraph 16, multiple penalty notices may be issued to a total combined value of £10,000.

23. The financial administrative penalty will be increased to the next level available if the person offered the penalty has received a penalty for the same category of offence in the previous two years. This could include, in the case of a second offence attracting a level 4 penalty, offering a basic penalty of £4,000 which may be increased to a maximum of £10,000 to cover the identified financial gain.

Emergency byelaws

24. Where an emergency byelaw is in force, the penalties for offences created by such a byelaw will be in accordance with existing penalties for similar byelaws in Appendix 2.

Penalty notices

25. Once a decision has been made that an administrative penalty should be offered, a penalty notice will be issued by the IFCA to those deemed liable for the penalty offence. This will detail the circumstances of the offence and the level of the penalty being offered. Notices will be hand-delivered or sent by post, and will state how payments should be made if the offer of a penalty is accepted.

26. A penalty notice can be withdrawn before or after the payment of the penalty if it is issued in error, if it contains technical errors or is issued to the wrong person. Where a penalty notice is withdrawn, any monies paid will be repaid in full, but in appropriate circumstances a new penalty notice may be issued.

Payment of the penalty

27. All penalties must be paid within 28 days of issue of the penalty notice.

28. In accordance with the relevant regulations, liability for an administrative penalty lies with the master, owner, charterer, operator, representative and/or legally liable person. We will accept payment of the penalty by any one person as counting as payment for all others who are liable.

29. For example, where a fishing vessel master and owner are found to be legally responsible for a penalty offence and have both been issued with a £1,000 penalty notice for which they are jointly and severally liable, the IFCA will not expect the master and owner each to pay £1,000. Instead, if the owner pays the £1,000, the notice issued to the master will be treated as having been paid.

30. Once payment has been received from a legally liable person in respect of a joint offence, a written notification ("notice of deemed payment") will be sent to the other legally liable person(s) stating that payment has been received in respect of the penalty offence(s), and indicating that their penalty is being treated as having been paid.

Objection to payment of the penalty

31. As payment of the penalty may have consequences for all the persons to whom it was issued, measures have been put in place to allow any of those persons jointly and severally liable to contest the process. A written notice of objection must be sent by post or delivered by hand within 28 days of the penalty notice being issued, or within five days of the notice of deemed payment being given if the person(s) are opposed to their penalty being treated as having been paid.

32. Where this happens, your penalty will not be treated as having been paid, with the result that, if the penalty remains unpaid at the end of the 28 day period, the case will be referred for prosecution in the usual way. (This will not affect those who have

actually paid, or who do not object to having their penalty notice treated as having been paid.)

33. Should a prosecution result in conviction, the penalty you have paid will be applied towards any fine imposed by the court and any excess will be repaid to you. Should the court case result in acquittal, the penalty will be repaid to you in full.

Payment of a penalty in relation to non-British registered fishing vessels

34. The financial administrative penalty scheme applies to all relevant legally liable persons as stated in paragraph 6, however a penalty will only be offered to a foreign fishing vessel if the penalty is accepted at the time it is offered, or the vessel may be detained to port for prosecution. 28 days will still be permitted for payment of the penalty, however should no payment be made by the end of the 28 day period court proceedings will be issued and, if applicable, the vessel detained to port.

35. If, following payment of the penalty, you wish the matter to be referred for prosecution you must give written notice requesting that proceedings be brought. The notice must:

- a) indicate that the person giving the notice wishes proceedings to be brought in relation to the offence(s) to which the penalty notice relates
- b) be given within 28 days, beginning with the date the penalty notice was issued.

36. Should a prosecution result in conviction, the penalty you have paid will be applied towards any fine imposed by the court and any excess will be repaid to you. Should the court case result in acquittal, the penalty will be repaid to you in full.

Central register of penalties

37. Details of all penalties will be held in a central register. If you choose not to pay a penalty and are found not guilty in court, no infringement will be recorded on the database and will not count as a previous offence in any future decisions.

Methods of payment

38. Payment in cash is not permitted. Payments must be made either by cheque or by electronic transfer. Please use one of the following payment methods in Appendix 3, quoting the reference number from the penalty notice (which will be in the form "PFVnnnnDE" – for example PFV1234DE).

39. You must make your payment in time to allow it to be cleared before the end of the 28 day payment period. If paying by cheque you should **allow five working days** for cheques paid to be cleared.

40. Payments in euros must be sufficient to cover the total penalty value after conversion into sterling and relevant bank charges.

Receipt of payment

41. You will be issued with a receipt and a record of the penalty notice will be kept. In some circumstances, the fact that you have paid a penalty notice might have evidential value in court proceedings.

42. If you do not pay the penalty notice within the 28 day period, the offence will be referred for prosecution.

Amendments to guidance

43. This guidance document will be amended and reviewed as necessary to accommodate changes to legislation relevant to the financial administrative penalty scheme.

Data sharing and the Data Protection Act

44. Information may be shared or input may be sought from other enforcement bodies as may be appropriate, subject to the Data Protection Act.

Appendix 1: IFCA contacts

Northumberland IFCA
Unit 60B
South Nelson Road
Cramlington
Northumberland
NE23 1WF
Tel: 01670 731 399
Email: nifca@nifca.gov.uk
Web: www.nifca.gov.uk

North Eastern IFCA
Town Hall
Quay Road
Bridlington
YO16 4LP
Tel: 01482 393 690
Email: ne-ifca@eastriding.gov.uk
Web: www.ne-ifca.gov.uk

Eastern IFCA
Unit 6, Bergen Way
King's Lynn
Norfolk
PE30 2JG
Tel: 01553 775 321
Email: mail@eastern-ifca.gov.uk
Web: www.eastern-ifca.gov.uk

Kent and Essex IFCA
Paragon House
Albert Street
Ramsgate
Kent
CT11 9HD
Tel: 01843 585 310
Email: info@kentandessex-ifca.gov.uk
Web: www.kentandessex-ifca.gov.uk

Sussex IFCA
Unit 6, Highdown House
Shoreham Airport
Shoreham-by-Sea
BN43 5PB
Tel: 01273 454 407
Email: admin@sussex-ifca.gov.uk
Web: www.sussex-ifca.gov.uk

Southern IFCA
64 Ashley Road
Parkstone
Poole
Dorset
BH14 9BN
Tel: 01202 721 373
Email: enquiries@southern-ifca.gov.uk
Web: www.southern-ifca.gov.uk

Devon and Severn IFCA
Old Foundry Court
60A Fore Street
Brixham
Devon
TQ5 8DZ
Tel: 01803 854 648
Email: office@devonandsevernifca.gov.uk
Web: www.devonandsevernifca.gov.uk

Cornwall IFCA
St Clare Offices
St Clare Street
Penzance
Cornwall
TR18 3QW
Tel: 01736 336 842
Email: enquiries@cornwall-ifca.gov.uk
Web: www.cornwall-ifca.gov.uk

Isles of Scilly IFCA
Council of the Isles of Scilly
Town Hall
St Mary's
Isles of Scilly
TR21 0LW
Tel: 01720 424 808
Email: maritime@scilly.gov.uk

North Western IFCA
1 Preston Street
Camforth
Lancashire
LA5 9BY
Tel: 01524 727 970
Email: office@nw-ifca.gov.uk
Web: www.nw-ifca.gov.uk

Appendix 2: Penalty offence categories

Category 1: Marketing offences	
ECMA	Labelling
ECMB	Grading – size
ECMC	Grading – freshness
ECMX	Marketing – other offences
Category 2: Miscellaneous Offences	
ECCX	Catch – other offences (including quota regulation by-catch offences)
ECXA	Failure to display port letters and numbers on vessel or craft or Fisheries Activity Database
ECXB	Failure to display port letters and numbers on gear
ECXC	Failure to produce a certified fishroom plan or ullage tables or stowage plan
ECXE	Failure to provide a boarding ladder
ECXF	Failure to permit use of communications equipment
ECXL	Illegal or failure to use marker buoys
ECXM	Failure to notify gear (if subject to effort management regime)
ECXN	Failure to retrieve or notify lost gear
Category 3: Technical conservation measures (gear) offences	
ECAX	Fishing in restricted areas – other offences
ECGA	Incorrectly stowed gear
ECGB	Mesh size – required percentage of target species – towed gear
ECGC	Beam size
ECGD	Illegal attachment
ECGE	Illegal bottom side chafer
ECGF	Illegal topside chafer – type A
ECGG	Illegal topside chafer – type B
ECGH	Illegal strengthening bag
ECGJ	Illegal chafing piece
ECGK	Illegal cod line
ECGL	Illegal lifting strap
ECGM	Illegal round strap
ECGN	Illegal flapper
ECGO	Illegal strengthening rope
ECGP	Illegal torquette
ECGQ	Carriage of undersize nets
ECGR	Gill nets or passive gear – carriage or use or length or mesh size
ECGS	Illegal square mesh panel or failure to use square mesh panel
ECGU	Excess meshes in circumference
ECGV	Trawl or geometry
ECGW	Twine thickness
ECGX	Gear offences – other
UKGA	Square mesh panel – failure to use square mesh panel
UKGB	Square mesh panel – undersize mesh
UKGC	Square mesh panel – dimension
UKGD	Square mesh panel – position in trawl

UKGE	Trawl geometry
UKGF	Twin rig trawl restrictions
UKGG	Illegal scallop dredge
UKGX	Other UK gear offences
Category 4: Technical conservation measures (catch) offences	
ECCA	Enter mackerel box with undeclared mackerel catch (see ECAD)
ECCB	Failure to attain 95 per cent bivalve molluscs when fishing with dredges
ECCD	Catching herring for industrial use
ECCE	Landing cut out scallops or lobster tails
ECCF	Fishing for or retaining species – no quota allocated or exhausted
ECCJ	Illegal fish processing
ECCK	Salmon and sea trout
ECCL	Gill net catch composition requirements
UKAC	Retaining bass from bass nursery area
UKAD	Landing crab claws
Category 5: Recovery stock offences	
CODA	Failure to catch 30 per cent nephrops in north sea (80 to 109 mm)
CODB	Failure to meet catch composition (110 to 119 mm) saithe
CODC	Carriage or use of gear (100 to 119 mm)
CODD	Cod catch exceeding 20 per cent (32 to 119 mm)
CODE	Illegal headline panel (70 to 99 mm)
CODF	Illegal square mesh panel (70 to 99 mm)
CODG	Twine thickness
CODH	Exceeding net circumference (70 to 89) (90+)
CODI	Gear structures (multiple twine equal top and bottom quadrilateral mesh)
CODJ	Beam trawl – technical restrictions
CODK	Fixed nets – exceeding 30 per cent cod (mesh size range less than or equal to 139 mm)
CODL	Illegal fishing in restricted or closed cod box
CODM	Failure to notify gears for management period
CODN	Failure to notify specific gear for each trip
CODP	Fishing in excess of authorised days
CODQ	Unauthorised gear (carriage or use of)
CODR	Failure to notify entry or exit in cod recovery area
CODT	Landing more than permitted quantity in non-designated ports (greater than 2 tonnes)
CODX	Other cod-related offences
DSSA	Retaining greater than 100 kg deep sea species without a permit
DSSB	Failure to record effort in log book
DSSC	Landing greater than 100 kg deep sea species at non-designated port
DSSF	Prohibition on shark finning
DSSG	Discarding of shark bodies
DSSH	Exceeding theoretical ratio of 5 per cent shark fins
DSSI	Failure to keep records of shark fins
DSSJ	Breach of notification requirement – landing shark fins
ECRA	Landing recovery species into non-designated port
ECRB	Failure to have a stowage plan or inaccurate stowage plan

ECRC	Failure to stow recovery species separately
HKEA	Hake catch exceeding 20 per cent (55 to 99 mm non-beam trawls)
HKEB	Hake catch exceeding 5 per cent (55 to 99 mm beam trawls)
HKEC	Twine thickness
HKED	Exceeding permitted meshes in circumference
HKEE	Illegal headline panel
HKEF	Unauthorised towed gear (carriage or use gear) (hake)
HKEG	Unauthorised fixed gear (carriage or use gear) (hake)
HKEJ	Landing more than permitted quantity in non-designated port (hake)
HKEN	Failure to notify entry or exit into biologically sensitive area
PELA	Landing greater than 10 tonnes of pelagic species at non-designated port
PELB	Failure to give accurate 4 hour notification of landing
PELD	Failure to weigh fish on landing
PELF	Misrecording or under declaration of pelagic species
SOLA	Fishing in excess of authorised days
Category 6: Control offences (including Registered Buyers and Sellers and UK licence offences)	
DSSK	Breach of licence permit conditions
ECCM	Failure to move fishing area (trigger level exceeded in two hauls)
ECLA	Failure to carry log book
ECLB	Failure to complete log book
ECLC	Failure to complete landing declaration
ECLD	Incorrect or failure to record species – log book (including 10 per cent margin of tolerance)
ECLE	Incorrect or failure to record species – landing declaration
ECLF	Incorrect or failure to record catch location
ECLG	Incorrect or failure to record gear type
ECLH	Incorrect gear measurements
ECLJ	Illegal log book change
ECLK	Failure to record transshipment details or submit transshipment declaration
ECLL	Failure to submit a log book or log sheet
ECLM	Failure to submit a landing declaration
ECLN	Late submission of log book
ECLO	Late submission of landing declaration
ECLP	Incorrect or failure to record effort (Western Waters and recovery areas)
ECLQ	Failure to provide sales notes
ECLR	Inaccurate sales notes
ECLS	Late submission of sales notes
ECLT	Inaccurate or failure to provide transport documentation
ECLU	Failure to submit or inaccurate takeover declaration
ECSA	Failure to maintain or have on board a fully operational satellite tracking device
ECSB	Failure to provide position reports at required frequency
ECSC	Provision of false information to Fisheries Monitoring Centre
ECSD	Interfering with transmission of satellite position reports
ECSE	Proceeding to sea without authorisation
ECSF	Failure to provide manual position reports when requested

ECXD	Failure to produce valid EU fishing licence or authorisation
ECXH	Incorrect or failure to send hailing in report
ECXJ	Incorrect or failure to give prior notification of arrival into port
ECXK	Transshipping at sea (EU waters)
ECEA	Failure to submit log book data by electronic means
ECEB	Failure to submit log book data by electronic means daily or at specified times
ECEC	Failure to submit landing declaration by electronic means
ECED	Failure to submit landing declaration by electronic means within 24 hours of landing
ECEF	Failure to submit transshipment declaration by electronic means
ECEG	Failure to retain return message
ECEH	Failure to retain elog data until landing declaration submitted
ECEI	Failure to transmit manual fishing reports daily or at specified times
ECEJ	Unauthorised departure from port with non-functioning elog
ECEK	Failure to submit sales note by electronic means
ECEL	Failure to submit sales note by electronic means within 24 hours
ECEM	Failure to submit takeover declaration by electronic means
ECEN	Failure to submit takeover declaration by electronic means within 24 hours
ECEO	Failure to submit prior notification by electronic means
ECEX	Other electronic reporting offences
ECTA	Transshipping recovery species without weighing or control observer
ECTB	Transshipping pelagic recovery species without notification
ECTC	Landing transhipped unweighed pelagic species into non-designated port
ECLX	Log book offences – other
UKCA	Fishing without the authority of a licence
UKCB	Non-carriage of a valid licence
UKCD	Non-carriage of valid registration papers
UKCE	Failure to register a vessel fishing for profit
RBSB	Registered buyer – failure to comply with conditions of registration
RBSC	Registered buyer – failure to keep or produce records
RBSD	Unregistered buyer
RBSE	Buying of fish from unlicensed vessel
RBSG	Registered seller – failure to comply with conditions of registration
RBSH	Registered seller – failure to keep or produce records
RBSI	Unregistered seller
RBSJ	Sale of fish from unlicensed vessel
RBSL	Auction site – failure to comply with conditions of registration
ECPA	Fishing with engine power in excess of licence
ECPB	Use of uncertified engine
ECPC	Failure to provide certification documentation
ECPD	Failure to notify new/replacement or modified engine
UKCF	Offence – licence conditions (such as potting box)
UKCG	Offence – UK quota (including closed fishery to UK vessels)
UKCH	Offence – vessel quota (over quota cases)
UKCL	Offence – licence conditions – designated ports (not recovery species)

UKCM	Licence condition – hake (HKE), megrim (LEZ) or anglerfish (ANF)
UKOX	Offence – other licensing offences
ECXX	Other EC offences – other offences
UKAX	UK legislation – other offences
Category 7: Access offences	
ECAA	Illegal fishing in British fishery limits – access
ECAB	Illegal fishing within 6 mile limit – designation
ECAC	Illegal fishing within 12 mile limit – designation
ECAD	Illegal fishing within mackerel box (see ECCA)
ECAE	Illegal fishing within herring boxes
ECAF	Illegal fishing within east coast sprat box
ECAG	Illegal fishing in South West herring box (Celtic Sea)
ECAH	Illegal fishing in north of Scotland box
ECAJ	Illegal fishing within Norway pout box
ECAK	Illegal fishing in plaice box
ECAL	Illegal fishing in Irish Sea (Cod Recovery Plan)
ECAM	Illegal fishing in north sea (Cod Recovery Plan)
ECAN	Contravention of hake recovery measures
ECAO	Illegal fishing in sandeel box
ECAP	Illegal fishing within 12 mile limit by beam trawlers
ECCN	Illegal fishing in real time closure area
UKAA	Closed fishery – scallops
UKAB	Fishing for bass in bass nursery area
ECUA	Unauthorised fishing in Western Waters by Spanish vessels
ECUB	Unauthorised fishing in Western Waters by French vessels
ECUC	Unauthorised fishing in Western Waters by Dutch vessels
ECUD	Unauthorised fishing in Western Waters by Belgian vessels
ECUE	Unauthorised fishing in Western Waters by German vessels
ECUF	Unauthorised fishing in Western Waters by Danish vessels
ECUG	Unauthorised fishing in Western Waters by Swedish vessels
ECUH	Unauthorised fishing in Western Waters by Irish vessels
ECUL	Unlicensed fishing by Faroese vessels
ECUM	Unlicensed fishing by Norwegian vessels
ECUX	Unlicensed fishery – other offences
Category 8: Illegal, unreported and unregulated fishing offences	
IUUA	Failure to give prior notification
IUUB	Transshipping in community waters (third country vessel)
IUUC	Failure to obtain a validated catch certificate (imports)
IUUD	Illegal targeting of fish subject to a moratorium or prohibited
IUUE	Illegal transshipping or operation with IUU vessel
IUUF	Illegal operation or supply or employment of Community listed IUU vessel
IUUG	Falsification or use of falsified documents
IUUH	Illegal movement of controlled consignment
IUUI	Disclosure of confidential commission information
Category 9: Undersized fish offences (EU, UK, IFCA)	
ECFA	Undersize fish – retained or stored or offered for sale
UKFA	Undersized – crabs

UKFC	Undersized – lobsters
UKFD	Undersized – scallops
UKFX	Undersized – other UK undersize fish offences
CWCA	Undersized fish (byelaw)
DSCA	Undersized fish (byelaw)
EACA	Undersized fish (byelaw)
KECB	Undersized fish (byelaw)
NECA	Undersized fish (byelaw)
NWCB	Undersized fish (byelaw)
SCCA	Undersized fish (byelaw)
SHCB	Undersized fish (byelaw)
SUCA	Undersize fish (byelaw)
IFCA	Undersize fish (regulated or several or hybrid order)
IFCG	Undersize fish (emergency byelaw)
Category 10: IFCA access offences	
CWAA	Illegal trawling by vessel (exceeded length or kilowatts)
CWAB	Trawling in prohibited area
CWAC	Illegal use of purse seines and ring nets by vessel (exceeded length)
CWAD	Illegal fishing for shellfish (exceeded length)
CWAE	Illegal fishing (gillnets) in temporary closed area
CWAF	Illegal scallop dredging during specified times (1900 to 0700)
DSAA	Illegal fishing (time/month)/ trawlers exceeding daily catch rate
DSAB	Illegal trawling in start bay
DSAC	Illegal use of trawl/trammel net within restricted area
DSAD	Illegal fishing in temporary closed area (shellfish)
DSAE	Illegal fishing in river exe
DSAF	Illegal spearfishing in Lundy Marine Conservation Zone
DSAG	Illegal fishing (trawling or nets) in Lundy Marine Conservation Zone
DSAH	Illegal use of pots or traps in Lundy Marine Conservation Zone
DSAI	Illegal use of fixed engine (prohibited area)
DSAJ	Illegal fishing (excess vessel size)
DSAK	Illegal netting (Tamar, Plym, Yealm)
DSAL	Illegal scallop dredging in Salcombe Estuary
DSAM	Illegal mussel dredging in Dart Estuary
DSAN	Removal of seafish from Lundy no take zone
DSAO	Illegal netting in River Exe
EAAA	Illegal removal or disturbance of shellfish during temporary closure
EAAB	Illegal trawling within 3 mile limit
EAAC	Illegal inland fixed engine
EAAD	Illegal fishing with towed gear for bivalve molluscs
KEAA	Illegal fishing within 6 mile limit (size or power)
KEAB	Illegal vessel size (length or beam)
KEAC	Illegal fishing in closed bivalve bed
KEAD	Illegal fishing in closed cockle bed
KEAE	Illegal fishing in temporary shellfish closed area
KEAF	Illegal fishing in specified areas during closed period
KEAG	Removal of herring after fishery closed

KEAH	Illegal fishing in bass nursery area
NEAA	Illegal trawling within 6 mile limit or 3 to 6 mile limit (size or power)
NEAB	Illegal dredging during closed season/dredging within 3 mile limit
NEAC	Illegal fishing in temporary shellfish closed area
NEAD	Illegal cockle fishing during closed season or temporary closure
NEAE	Illegal use of fixed engine (specified area)
NEAF	Removal of seafish from Flamborough no take zone
NHAA	Illegal trawling (vessel size)
NHAB	Illegal use of purse seine or ring net or encircling net
NHAC	Illegal pair trawling
NHAD	Illegal fixed engine (specified area or times)
NHAE	Illegal dredging – number of dredges
NWAA	Illegal fishing in specified areas (vessel size or greater than 221 kilowatts)
NWAB	Illegal fixed engine or beach seine or drift net (specified areas or periods)
NWAC	Illegal use of multiple trawls
NWAD	Use of illegal towed gear (plaice)
NWAE	Illegal fishing with bottom towed gear
NWAF	Illegal use of seine nets
NWAG	Illegal mobile net (specified areas)
NWAH	Illegal fishing for winkles (other than by hand picking)
NWAI	Illegal fishing (mussels or cockles) (temporary or seasonal closure)
NWAJ	Illegal fishing during temporary closure (shellfish)
NWAK	Illegal fishing for mussels (south of Penmaen-Bach point)
SCAA	Illegal fishing (dredges)
SCAB	Illegal fishing (vessel tonnage or size)
SHAA	Illegal trawling (mechanically powered)
SHAB	Illegal fishing by vessel over 12 metres
SHAC	Use of unregistered vessel
SHAD	Illegal shellfish dredging during specified times (1600 to 0800)
SHAE	Illegal scallop dredging (numbers of dredges or specified time 1900 to 0700)
SHAF	Illegal fishing for cockles during closed season
SHAG	Illegal fishing for oysters during closed season (March to October)
SHAH	Illegal fishing in shellfish temporary closed area
SHAI	Illegal fixed engines (specified areas or times)
SUAA	Illegal removal of periwinkles during closed season (15 May to 15 September)
SUAB	Illegal removal of oysters during closed season (1 May to 31 October)
SUAC	Illegal use of fixed engine (prohibited area 1 May to 30 September)
SUAD	Illegal fishing (excess vessel size)
SUAE	Illegal trawling (1 May to 31 October)
SUAF	Illegal dredging (1 June to 31 October, within 3 mile limit)
IFCB	Illegal fishing or dredging (regulated or several or hybrid order)
IFCC	Use of unlicensed vessel (regulated or several or hybrid order)
IFCH	Illegal fishing or access (emergency byelaw)
Category 11: IFCA technical conservation (catch) offences	
CWCB	Removal of v-notched or mutilated lobster

CWCC	Removal of crawfish parts
CWCD	Removal of berried lobster or crawfish
CWCF	Removal of crab parts or exceeding 30 kg permitted netting by-catch
CWCG	Removal of parts of scallops
DSCB	Removal of crab parts
DSCC	Removal of shore crab
DSCD	Removal of berried and/or undersize lobster
DSCE	Removal of v-notched or mutilated lobster
DSCH	Failure to re-deposit shellfish
EACB	Use of edible crab as bait
EACC	Removal of soft-shelled or berried crab or lobster
EACD	Removal of crab and lobster parts
EACE	Failure to re-deposit shellfish
EACF	Removal of whitefooted crab
EACG	Removal of tope or part(s)
KECA	Removal of berried lobster
KECB	Removal of undersize mussels or collection of mussel seed without consent
KECC	Exceeding mussel maximum quantity limitation
KECE	Exceeding cockle maximum quantity limitation or failure to store correctly
KECG	Removal of oyster cultch
KECH	Illegal fishing for winkles (other than by hand picking)
KECI	Failure to re-deposit shellfish
NECB	Exceeding daily catch limit for cockles or removal of undersize cockles
NECC	Removal of v-notched or mutilated lobster
NECD	Removal of lobster parts
NECE	Removal of crab parts or exceeding 10 per cent permitted netting by-catch
NECF	Use of edible crab as bait
NECG	Failure to re-deposit shellfish
NECH	Removal of tope or part(s)
NHCA	Removal of v-notched or mutilated lobster
NHCB	Removal of soft-shelled or berried crab or lobster
NHCD	Removal of crab, velvet crab or lobster parts
NHCE	Use of edible crab as bait
NHCF	Failure to re-deposit shellfish
NWCA	Exceeding 1 tonne cockles or maximum 3 crew
NWCC	Failure to re-deposit shellfish
NWCD	Failure to riddle or return immature fish
NWCE	Removal of v-notched or mutilated lobster
NWCF	Removal of berried lobsters
SHCA	Removal of prawns from closed fishery (Poole Harbour)
SHCC	Failure to return cockle siftings evenly
SHCD	Removal of periwinkles from closed fishery
SHCE	Removal of oyster cultch
SHCF	Carriage of oysters
SHCG	Carriage of clams

SHCH	Failure to re-deposit shellfish
SHCI	Removal of berried lobsters
SUCB	Illegal removal of oyster cultch or other materials
SUCC	Removal of more than 200 scallops in 24 hours (trawling)
SUCD	Failure to re-deposit shellfish
IFCD	Illegal removal of cultch, spat or other material (regulated or several or hybrid order)
IFCF	Exceeding maximum catch limit (regulated or several or hybrid order)
IFCJ	Exceeding maximum catch limit (emergency byelaw)
IFCK	Illegal removal of cultch, spat or other material (emergency byelaw)
Category 12: IFCA technical conservation (gear) offences	
CWGA	Use of illegal scallop dredge
CWGC	Illegal use of fixed engine (prohibited area, depth, time of year)
CWGD	Use of mesh less than 250 mm in specified areas
DSGA	Use of illegal scallop dredge
DSGB	Fixed engine mesh size (greater than 71 mm, 90 to 93 mm), set depth
DSGC	Illegal pots for crustacea (escape gap)
EAGA	Use of illegal or unapproved gear in mollusc fishery
KEGA	Illegal oyster dredge
KEGB	Illegal bivalve mollusc dredge
KEGC	Illegal mussel dredge
KEGD	Illegal cockle dredge
KEGE	Illegal cockle gear (riddle)
KEGF	Use of unapproved cockle fishing instrument
KEGG	Illegal parlour pots (escape gap)
KEGH	Failure to mark pots and traps
KEGI	Illegal fixed engines
KEGJ	Exceeded fixed net soak time
KEGK	Failure to mark gear
KEGL	Illegal fishing using undersize gear (drift or trawl)
KEGM	Illegal demersal trawl
NEGA	Failure to clear trawl nets every 3 hours
NEGB	Failure to clear push net every 30 minutes
NEGC	Failure to clear shrimp and prawn nets every hour
NEGD	Illegal use of seine nets within 3 mile limit
NEGE	Illegal scallop dredge
NEGF	Illegal cockle fishing instrument
NEGG	Illegal or unmarked fixed engine
NHGA	Illegal fixed engine (authorisation/placement)
NHGB	Illegal dredge
NHGC	Failure to mark gear
NHGD	Illegal multi-rig trawling
NHGE	Exceeding permitted number of pots or gear hauling
NWGA	Illegal fixed engine (specified construction or conditions of use)
NWGB	Illegal or non-approved fishing gear (bivalve molluscs)
NWGC	Illegal otter trawl or beam trawl (prawns or shrimps)
NWGD	Use of illegal mesh size (trawl)

NWGF	Illegal mesh size (nets other than trawls in byelaw 4)
NWGG	Illegal mesh size (small mesh nets)
NWGH	Foul hooking
NWGI	Illegal pots or trap or creel (escape gap)
NWGJ	Failure to mark gear
NWVK	Illegal or unmarked gear (other than set and drift nets)
NWGL	Illegal or unmarked set and drift nets
NWGN	Illegal attachment
SHGA	Illegal cockle fishing instrument
SHGB	Illegal method of removal – periwinkles
SHGC	Illegal oyster dredge
SHGD	Illegal scallop dredge
SHGE	Illegal dredge or fishing method (oysters, clams, mussels)
SHGF	Illegally placed stake or stop net (Langstone Harbour)
SHGG	Foul hooking (mullet or bass)
SHGH	Illegal use of electric current
SHGI	Carriage of shellfish dredge, scoop or handrake (Poole)
SUGA	Illegal suction dredging for oysters
SUGB	Illegal use of fixed engine (headline depth)
SUGC	Illegal fishing (non-specified method)
SUGD	Excess number of pots or failure to mark gear
IFCE	Use or carriage of illegal gear (regulated or several or hybrid order)
IFCI	Use or carriage of illegal gear (emergency byelaw)
Category 13: IFCA permit offences	
CWPA	Fishing for lobster, crawfish or crab without a permit.
DSPA	Use of fixed engine without a permit
EAPA	Retention for scientific purposes without authorisation
EAPB	Failure to provide shellfish fishing activity data
KEPA	Fishing for cockles without a permit or conditions of permit
NEPA	Fishing for lobster, crab, velvet crab, whelk without a permit
NEPB	Failure to comply with conditions of shellfish entitlement or limited shellfish permit
NEPC	Fishing for cockles without a permit or conditions of permit
NEPD	Use of fixed engine without a permit or failure to comply with permit conditions
NEPE	Retention for scientific purposes without authorisation
NHPA	Fishing without a permit or failure to comply with conditions of permit
NHPB	Retention for scientific purposes without authorisation
NWPA	Fishing without a permit or failure to comply with conditions of permit
NWPB	Fishing without a permit or failure to comply with conditions of permit (fixed engine)
NWPC	Fishing without a permit or failure to comply with conditions of permit (mobile gear)
NWPD	Retention for scientific purposes without authorisation
SUPA	Retention for scientific purposes without authorisation
SUPB	Unlicensed removal of lobster

Appendix 3: Payment methods

By cheque

Cheques (sterling currency only) should be made payable to "Eastern IFCA", marked on the reverse with the reference number, and sent to:

Eastern IFCA
Unit 6, Bergen Way
King's Lynn
Norfolk
PE30 2JG

By electronic transfer

Transfers should note the reference number from the penalty notice, and should be directed as follows:

Amount in Sterling
Bank sort code: 20-46-65
Account number: 70348333
For credit of: Eastern IFCA
Reference number: PFVnnnnDE
Address: Barclays

25th April 2012

Angling 2012 Update

Recreational Angling is often quoted as the most popular recreational pursuit across England. However, exact numbers of participants are unknown, as is their impact on both fisheries and the local economy. A programme of information gathering is being undertaken to calculate the impacts and effects of the recreational sector. One part of this, known as 'Angling 2012' is a survey designed to estimate angling activity, catch and economic activity of recreational sea anglers in the England. It fits into a programme of other surveys by the Office of National Statistics to give participation rates and catch effort.

The Authority has agreed to the participation in this programme (Minute EIFCA11/22) and scheduled resource through its annual Research and Environment Plan (Unconfirmed minute P&C12/04). The Authority has committed significant officer time to make sure it can compile a dataset that will be useful at local spatial and temporal scales. These data have many potential applications, for example understanding changes in activity between each area over each season.

Area Officers have been conducting the surveys since mid-March and are now confident in conducting interviews and collecting data.

So far fishing activity and catch has been low. As spring continues it is likely that activity will increase and much more data will be obtained.

Recently CEFAS co-ordinated a follow-up meeting regarding Angling 2012 (13 April 2012). This allowed teething problems to be discussed, and solutions found as a collective. Discussions also included clarification on the creation of a database for storing the collected data.

Officer recommendations

- 1. The Authority is asked to receive this report.**
- 2. Authority members are invited to join the Area Officers during a survey at a local site if they wish.**

Luke Godwin
Marine Environment Officer (Data)
18th April 2012

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

List of Background Papers

1. Minutes: 1st Statutory meeting of the Eastern Inshore Fisheries and Conservation Authority (April 2011)
2. Unconfirmed minute: Planning & Communication Sub-Committee (April 2012)

25th April 2012

Wash Fishery Order 1992 management update

This paper is intended to provide the Authority with an update of activities officers have conducted to ensure the effective management of the Wash Fishery Order 1992 (WFO1992).

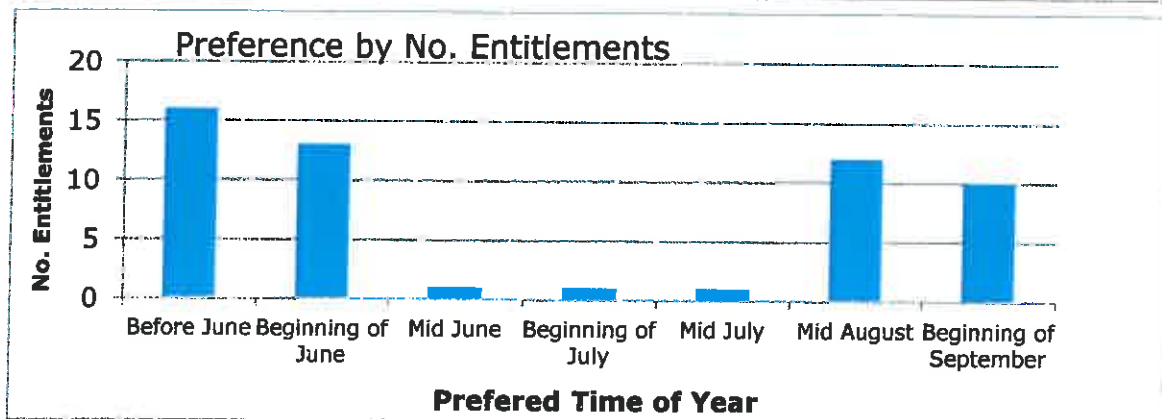
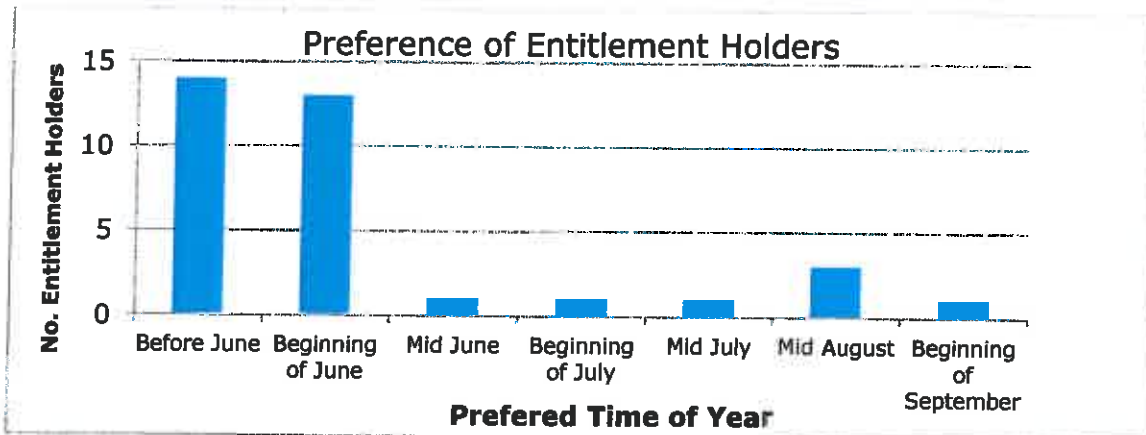
2012-2013 cockle fishery

The opening of the WFO1992 cockle fishery will be using the newly agreed Cockle Charter to assist in opening and managing the fishery in 2012. Fishermen have had regular letters from the Authority; this has included both information items, as well as invitations to respond.

A pre-fishery consultation was conducted on 6 March 2012 to ascertain fishermen's preference in relation to two items:

- 1) a suitable start date of the fishery;
- 2) the type of method a cockle fishery should pursue should sufficient stocks be available.

The start date of a fishery determines when the Authority is required to commence its cockle surveys in order that the stock assessment is appropriate.

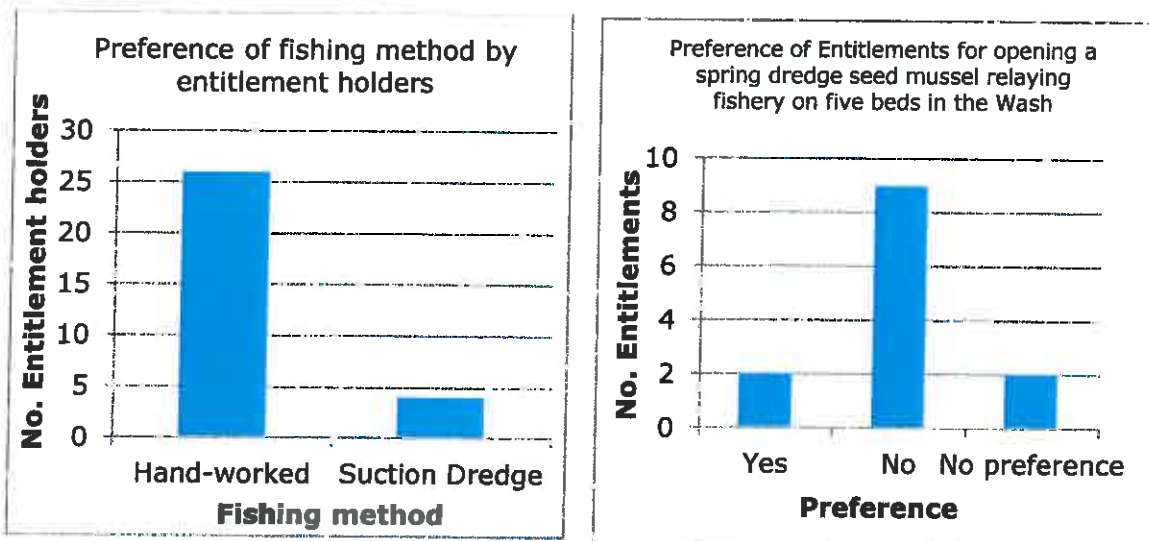


The responses to the consultation were split with 25 entitlement holders holding 27 entitlements expressing a preference for an early May/June opening whereas 4 entitlement holders holding 24 entitlements preferred a late August-September opening. In light of these responses the Authority commenced its cockle surveys in March

anticipating an early opening to the fishery. The cockle surveys are expected to be complete around the time of the Statutory meeting (weather dependant). Analysis will begin promptly.

Fishermen were informed of the results of the preference for a start date.

By recording the preference for method of fishery, the Authority has a firm steer on the preferred method for harvesting.



Regarding the type of fishery that entitlement holders would prefer this year 26 entitlement holders holding 27 entitlements expressed a preference for a hand worked fishery. 4 entitlement holders holding 21 entitlements expressed a preference for a suction dredge fishery.

Officers reiterate that it is the role of the Authority to:

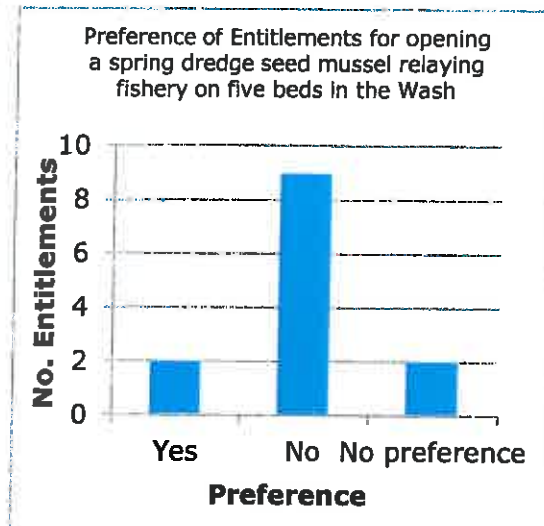
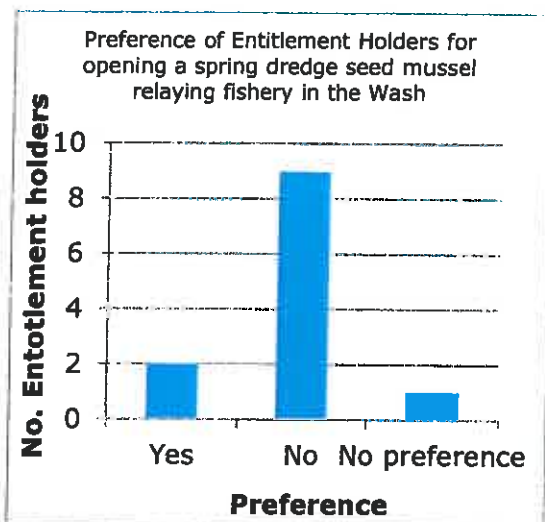
- manage the stocks;
- identify what fishing opportunities can legitimately take place and;
- seek guidance from the fishing industry on the fishery that they would like to pursue.

The Authority has a clear steer (through the Marine and Coastal Access Act 2009 and the Defra set seven Success Criteria and High Level Objectives), that the Authority is required to manage the marine resources within its district for the benefit of all marine users and to balance the interests of different stakeholders.

2011-2012 dredge relaying mussel fishery

On 16 March 2012 a consultation with WFO1992 entitlement holders was conducted to gauge the support for a dredge seed mussel relaying fishery. A decision was taken not to open this fishery on the basis of the consultation response which showed limited support for this fishery. Fishermen have been informed of this decision.

In total, 14 entitlement holders responded to the consultation within the allocated timeframe. 9 entitlement holders (holding 9 entitlements) expressed a view that there should not be a fishery. 4 entitlement holders (holding 5 entitlements) expressed a view that there would be a fishery. 1 entitlement holder holding 2 entitlements expressed no preference. 2 entitlement holders (representing 10 entitlements) responded after the close date.



Tolls and licence fees

Following the Authority's meeting on 25 January 2012, officers wrote to the Minister outlining the decision of the Authority to increase WFO1992 tolls and licence fees levied by the Authority. The letter detailed the actions that the Authority had carried out by way of consultation and the responses. A response was received from Defra on behalf of the Minister giving consent to update the tolls and licences. All entitlement holders and appropriate fishermen's associations were written to by officers detailing these changes, which came in force on 1 April 2012. A number of entitlement holders chose to renew their entitlements before the new charging regime came into force

Charter for the WFO1992 cockle fishery

On 3 April 2012, the agreed Charter for the WFO1992 cockle fishery was circulated to all WFO1992 entitlement holders, Authority officers and appropriate fishermen's associations.

Duncan Vaughan
Chief Executive Officer

18th April 2012

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

List of Background Papers

- 2) Wash Fishery Order 1992
- 3) Cockle and Mussel Management Measures
- 4) Communication over intention for cockle fishery 2012 letter dated 29 February 2012
- 5) Authority consultation letter dated 6 March 2012
- 6) Authority consultation 6 March 2012 - responses
- 7) Authority consultation letter dated 16 March 2012
- 8) Authority consultation 16 March 2012- responses
- 9) Mussel fishery and license toll fees 2012 letter dated 30 March 2012
- 10) Charter for the WFO 1992 cockle fishery letter dated 3 April 2012
- 11) Charter for the WFO 1992 cockle fishery



Wash Fishery Order 1992

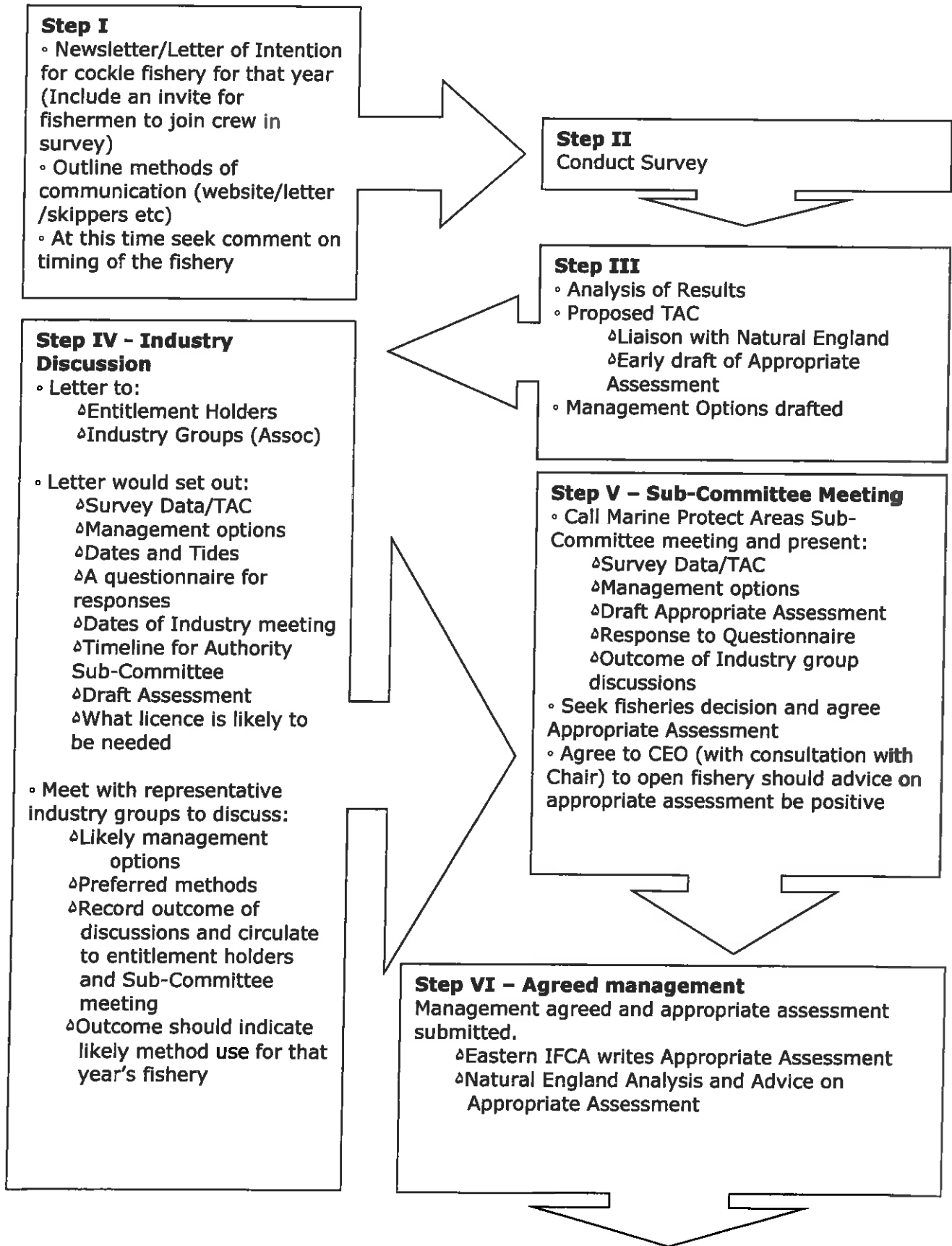
Charter for Opening a Cockle Fishery

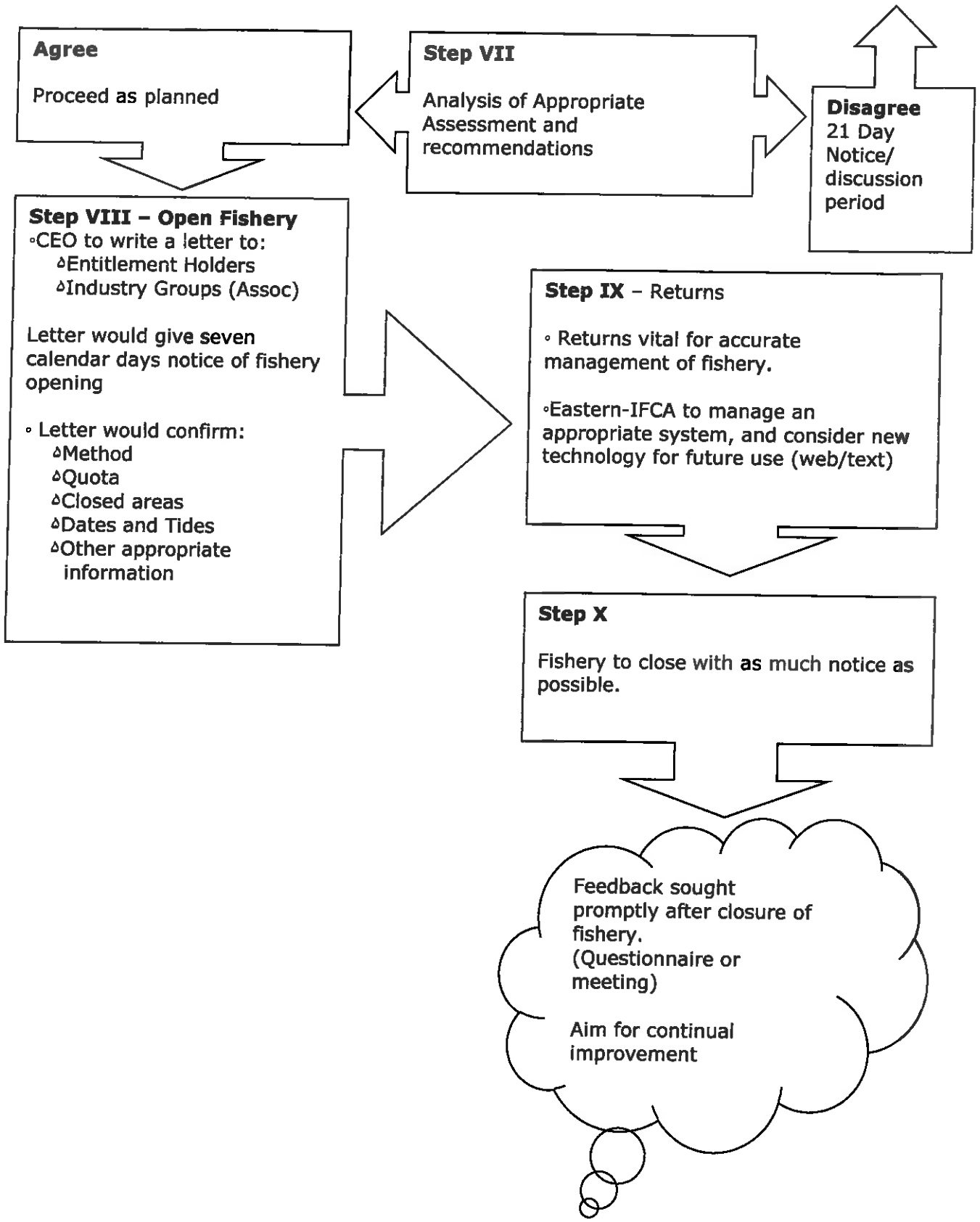
This document sets out the eleven steps that officers and the Authority intend to follow when opening a cockle fishery under the auspices of the Wash Fishery Order 1992. The document was developed in November 2011 at a workshop with the fishing industry and a wider stakeholder group. It was then circulated, and further consultation comment sought before being considered at the Authority's January Statutory Meeting held on 26 January 2012.

This document is a notice of intent only. This is neither a legal nor binding document.

Version 1.1 3 April 2012

The following chart sets out the steps involved in opening a cockle fishery under the Wash Fishery Order 1992





Agree
Proceed as planned

Step VII
Analysis of Appropriate
Assessment and
recommendations

Disagree
21 Day
Notice/
discussion
period

Step VIII - Open Fishery
 • CEO to write a letter to:
 Δ Entitlement Holders
 Δ Industry Groups (Assoc)

 Letter would give seven
 calendar days notice of fishery
 opening

 • Letter would confirm:
 Δ Method
 Δ Quota
 Δ Closed areas
 Δ Dates and Tides
 Δ Other appropriate
 information

Step IX - Returns

 • Returns vital for accurate
 management of fishery.

 • Eastern-IFCA to manage an
 appropriate system, and consider new
 technology for future use (web/text)

Step X

 Fishery to close with as much notice as
 possible.

Feedback sought
promptly after closure of
fishery.
(Questionnaire or
meeting)

Aim for continual
improvement

25th April 2012

Recruitment into the agreed Authority's personnel structure

Following the Committees agreement to the new structure in July 2011, there has been a lot of activity to recruit the right people into the vacant roles. I am pleased to confirm that all new posts have now been successfully recruited as follows:

Clerk

Mary Clancy, commenced 1 March 2012

Executive Officers

Nichola Freer – Head of Human Resources & Training, commenced 1 March 2012
Eden Hannam – Head of Marine Conservation (formally Deputy CEO), commenced 1 April 2012
Julian Gregory – Head of Marine Protection, commences on 6 June 2012

Officers

Olle Akesson – Research Officer, commenced 9 January 2012
Lynsey Smith – Research Officer, commenced 9 January 2012
Luke Godwin – Marine Environment Officer (Data), commenced 13 March 2012
Lucy Ritchie – Community Development Officer, commenced 13 March 2012
Sandra Cowper – Marine Environment Officer (Spatial Information) commenced 10 April 2012

With regard to the recruitment of the Chief Executive Officer, it was agreed at the Finance and Personnel Sub Committee meeting held on 15 March 2012 that this role should be recruited without any unnecessary delay. The Committee agreed to a review of the current CEO job description and as such Nichola Freer drafted an updated version which has been accepted by members of the Committee.

The Chief Executive Officer role has been advertised both internally and externally from 31 March 2012 with a closing date of 27 April 2012.

The selection process for this role was also discussed. As this is such an important role for the Authority, it is paramount that the right candidate is selected. A two stage interview process has been discussed that includes measuring behavioural competency as well as a presentation/case study. Nichola Freer is currently working on suitable material to use.

Cllr Sale is currently looking to confirm who is best able to contribute to the interview panel.

From 26 April 2012 until a new CEO is recruited Eden Hannam, Head of Marine Conservation will assume the duties of the CEO in an acting capacity and will be responsible for the operational decisions within this time.

Nichola Freer
Head of Human Resources and Training
18th April 2012

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

There are no Background Papers to this report

5th EIFCA Meeting

25th April 2012

Agenda Item: 27

Report on the Vessel Working Group

The second VWG meeting was held on the 15th February 2012.

Members were presented with the cost of two different vessels (10 metre RIB and 12 metre catamaran).

There was a mixed reaction with regard to the application of European funding. The Chairman suggested that no further debate would be beneficial reference funding until a clear strategy for the replacement of ESF Protector III was agreed.

The Project Manager gave a brief resume of the paperwork provided. Which included:

- information on the current vessels' running costs
- vessels owned by other IFCA's
- running cost for a large RIB.

The high daily running cost for ESF Protector III was also discussed

It was noted that if a new vessel were to be commissioned there was likely to be less boatyard availability and increased build time could be encountered due to the demand from the windfarms.

It was felt the types of vessel being built for the windfarms were not fit for purpose for fisheries protection.

The CEO advised members of the merits for having VMS tracking fitted to all vessels fishing in the district. He believed that the system could be brought in under a byelaw to manage the fisheries with a permit scheme. One of the conditions of the permit would require the installation of VMS. As to the question of how the byelaw would cover visiting vessels or those illegally fishing, it was the CEO's opinion that any nomadic vessels would be over 12m and would therefore have VMS fitted as part of the MMO guidelines, it would therefore be tracked. He also believed the industry would be quick to report any illegal fishing. Thus, it was questioned as to whether it was necessary to replace ESF Protector III, or was modern technology alongside a fast response RIB sufficient and robust enough to monitor vessels at sea. Some members reiterated that the presence of a vessel at sea proved to be an effective enforcement tool to deter illegal fishing and the Chairman felt it may be more effective to be prepared and have an asset in place ready to react.

Vessel replacement requirements:

- Enforcement
- Research capability
- Fast response
- Authority profile / visible deterrent
- Capability to stay out overnight / monitoring

This led to debate on the amount of time spent on the moorings. The Chairman suggested that ESF Protector III should be replaced with a similar vessel with the capabilities of increased research to reduce the amount of mooring time.

The CEO felt that replacing ESF Protector III with a similar vessel was unsustainable. Non replacement would increase staff availability and research on Three Counties. He also felt the Authority might consider halting the EHO sample collection carried out using ESF Protector III, as he believed the financial return was very low compared to the cost to the Authority and that the sample results were essentially a benefit to the industry and, therefore, the industry should consider funding the sample collection. The CEO suggested that the remaining workload of ESF Protector III could be met with the use of chartered vessels.

IFCOs felt that a small catamaran would provide additional research capability as well as a stable platform for enforcement duties, along with extended loiter time, although there was concern about launching a RIB over the stern in poor weather conditions.

As to the future sale of ESF Protector III it was suggested that an additional valuation should be sought and that she should be advertised at a slightly higher cost to allow for negotiation.

The third meeting of the VWG was held on the 12th April at Brightlingsea.

Julian Gregory was introduced to the members. Julian will take up his position as Head of Marine Protection in June. Due to the longevity and impact on fisheries protection Julian felt that it would benefit the Authority and his position to be part of the negotiation process.

Prior to the meeting members were taken on board Tamesis, the dual purpose vessel used by Kent & Essex IFCA. The purpose of the visit was to view the vessel first hand in order to consider the advantages and disadvantages of the vessel type. Two Kent & Essex IFCA Officers were present; they showed members around the vessel, answered questions about the launch and recovery of the RIB in inclement weather conditions and boarding at sea, they also provided approximate facts and figures reference fuel consumption.

There was a general acknowledgement that the sale of ESF Protector III would leave a gap in the Authority's enforcement capabilities. Members considered how a vessel like Tamesis could be adapted to meet the role required by EIFCA. Whilst it was clear a vessel like Tamesis could reach the speed required there continued to be concerns about the launching of such a RIB in non-favourable sea states and that the RIB was too small with limited available deck space.

The IFCOs present stated that in order to operate safely out to 6 miles a RIB would need to be at least 6 metres in length to enable enforcement of inshore vessels as well as allowing boarding's to be carried out on larger fishing vessels.

One solution would be a large 10m RIB, although officers still felt there was a need to have the option to stay out overnight. This could be overcome by having a quick vessel with a shallow draft which could access most ports, therefore reducing the need to steam back to the moorings or one of the major ports. Officers reiterated that there were instances during fisheries when it was necessary to stay at sea for more than the duration of one tide.

Previous discussions had focused on VMS being the major enforcement tool for the future. However it became apparent that the future type of mobile presence used for enforcement had not been defined nor the type of enforcement activity which would be needed in the future. Without an enforcement risk register and or knowledge of which byelaws were likely to remain or be superseded by new byelaws following a byelaw review, and the monitoring required for MCZ's it was agreed that to make a decision on

the future of ESF Protector III and/or its replacement was impossible without further investigation. A general consensus was that the workload would increase in the future so as a bare minimum the requirements for the current workload should be met.

The sale of ESF Protector III was considered, with discussion on whether the Authority should use a broker or try and avoid the commission fee and sell the vessel themselves. It was felt selling the vessel independently may take up a considerable amount of Officer's time.

It was further felt that no agreement should be signed for the charter of Tamesis at this time as the members had concerns about providing funding to another Authority.

Agreement was finally reached that whilst most members could say what type of vessel was required there was not a complete consensus, it was therefore agreed there needed to be key criteria laid down against which the optimum vessel, taking into account funding constraints, could be decided.

Agreed Requirements to date included:

- Ability to travel freely through the entire district, there should not be any 'No Go' areas due to the type of vessel
- The vessel should be capable of monitoring almost any duration of fishery and any type of activity
- Overnight capability
- RIB – minimum length 6m
- Fast Response
- Capable of boarding large vessels as well as smaller inshore vessels
- Research capability but would essentially be used for enforcement work

It was agreed that the HOMP needed to meet with the seagoing personnel and discuss the current criteria, at which time this list could be amended. It was emphasised that a bespoke vessel was not what was required as these inevitably incurred teething problems which could be both time consuming and costly.

Simon Lee
Skipper/Senior Enforcement Officer
April 2012

LOCAL GOVERNMENT (ACCESSTO INFORMATION) ACT1985

List of Background Papers

- 1 VWG minutes for the meeting held on 15th February 2012
- 2 VWG minutes for the meeting held on 12th April 2012

25th April 2012

Use of FPV Tamesis (Kent & Essex IFCA)

The Authorities vessels are moored at Sutton Bridge at the base of the Wash, with a long passage required for the vessels to access the river harbours and coastline of Suffolk. Over the last two years the Authority has explored ways to allow it to access the southern part of its district without increased cost by using the Kent & Essex IFCA Fisheries Patrol Vessel *Tamesis*. This use has focused mostly on surveys for shellfish in the Stour and Orwell estuaries at the time when the Authorities own research vessel *Three Counties* is undergoing its annual refit (usually in July each year). The Authority has also used this vessel in smaller projects of one to three days (which does not justify the two day passage each way of *Three Counties*).

The arrangement with Kent & Essex IFCA has been *ad hoc*, often managed by verbal agreement. Kent & Essex IFCA recently sought greater clarity in the programme of use so they can manage their vessel time appropriately. With the completion of the Authorities research/environment plan we have this surety required.

Officers recently met with Kent & Essex IFCA to discuss the shared management and the deployment of vessels in the Stour and Orwell estuaries currently agreed in an MOU. The use of vessels was discussed at this meeting. Projects identified for the southern Suffolk coast were:

- Continuation of the Stour and Orwell shellfish survey
- Surveying of proposed/possible MCZ's in southern Suffolk
- Small/juvenile fish surveying in southern Suffolk estuaries

As part of the MOU the use of this vessel was discussed between the two IFCA's. It was agreed that the appropriate day rate for *Tamesis* in 2012 would £1500 for a seven and a half hour shift and £1800 for a twelve hour shift. Shift times would be agreed between the skipper and the research project leader with an approximate total of 14 days usage.

Kent & Essex IFCA suggested that longer term agreements could see better utilisation of their vessel elsewhere and the possibility of a lower charter cost. Eastern Authority officers did not want to fetter the incoming CEO with a long term agreement, particularly since the vessel working group is yet to report with its findings. Other longer term options include slowly moving the refit of *Three Counties* until later in the year, exploring other charters or RIB usage and changes in other working patterns. Authority officers will review the usage of *Tamesis* at the end of the Calendar year once a new CEO is in post and the outcome of the vessel working group is known. Maintaining an option on *Tamesis* would also provide enforcement cover should *ESF Protector III* go in an early sale.

Authority members are asked to note the usage of the FPV Tamesis for managing waters in the southern Suffolk estuaries this year

Authority member are asked to note the cost of this use and the plan to review cost/usage at the end of the year.

Duncan Vaughan
Chief Executive Officer
April 2012

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985
There are no background papers to this report

5th EIFCA MEETING

Agenda Item: 29

25th April 2012

To receive the Area Fisheries and Conservation Officer's Quarterly Reports (Jan-March 2012).

The coastal jurisdiction for the Eastern Inshore Fisheries and Conservation Authority covers an extensive part of the English coastline. To manage this, the coastline has been roughly divided into four areas, each with a corresponding Officer.

The areas and officers are as follows:

	Area	Officer
Area 1	Donna Nook - Sutton Bridge	Jason Byrne
Area 2	King's Lynn - Blakeney	Ian Dye
Area 3	Cley to Lowestoft	Ady Woods
Area 4	Pakefield - Felixstowe Ferry	Alan Garnham

Attached are the four reports from each of the Area Officers on the notable activities over the last three months.

The Authority is asked to receive these reports.

Eden Hannam
Head: Marine Conservation
17 April 2011

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

List of Background Papers

There are no background papers

From: Jason Byrne Fishery Officer (Area 1)
To: Duncan Vaughan Clerk & Chief Fishery Officer
Date: 13th April 2012
Ref: Quarterly Report Area1
Monthly Report: Jan, Feb, March 2012

Area 1: Donna Nook – Sutton Bridge

General

During January one of the Boston private lay holders lost approx. 400 tons of Mussels due to the sand silting up over the Mussels. Two meetings have taken place at Boston Borough Council with some of the Boston fleet to discuss some of their issues regarding the opening of this seasons Cockle fishery. In attendance of IFCA were myself, EH, DV, and chairman. Throughout this quarter commercial fishing activities have included potting for Crab, Lobster & Whelks, long-lining for Skate, Bass, Cod & Whiting, twin beaming for Brown Shrimps & Mussel dredging off private lays. Angler's vessel & shore based up & down the coast have also been catching a mixed bag of Cod, Skate, Whiting & Smoothound.

Port Summary

Chapel Point – Saltfleet

The beginning of this quarter saw recreational sea anglers vessel based from this part of the coast fishing in the Humber for Cod; reports from these anglers fishing the Humber have been exceptionally good as some of the North Norfolk anglers have joined up with the fishing in the Humber, back at this part of the coast the anglers vessel based have been targeting Cod, Whiting & Skate. A total of 21 trips were achieved throughout this quarter by one commercial vessel long lining for Cod, Skate, Whiting & Bass, & potting for Crab.

Skegness – Gibraltar Point

During this quarter a 30 ton Sperm Whale was found washed up on the beach, and hence this attracted a huge amount of attention. The Whale was buried with sand until it was disposed of correctly a few days later. Vessel based recreational sea anglers have been having good catches of Skate, Cod, Whiting. Sea anglers shore based have been mainly catching Cod & Whiting. One commercial vessel from this part of the coast has been potting for Crab, Lobster & Whelks and also long lining for Cod totalling in 23 trips throughout the quarter.

Boston

Towards the end of this quarter the Mussel fishery starting picking up again with good numbers of sales, nine vessels fished for Mussels off their private lays within the Wash throughout this quarter totalling in 115 trips being achieved. The majority of these Mussels were sold to the Dutch markets with only a small amount selling to Germany & France. The Brown Shrimp fishery has been very slow throughout this quarter from this Port as only three vessels have achieved five trips between them.

Fosdyke

Just a couple of commercial fishing vessels have visited the Marina this quarter having minor jobs carried out whilst still in the water. Pleasure boats were being lifted out of the water at the start of the quarter but were returning just several weeks later as the weather had been very good throughout March.

Sutton Bridge

Still no fishing activity has started up yet, just several cargo ships bringing in wood & steel to the Port.

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.

Chapel Point – Saltfleet

Number of vessel inspections:	5	
Species	Landings (kg)	Value of catch (£)
Cod	766	2,063.00
Whiting	317	485.00
Skate	173	422.00
Bass	11	88.00
Crab	38	45.60

Skegness – Gibraltar Point

Number of vessel inspections:	4	
Species	Landings (kg)	Value of catch (£)
Cod	1,410	4,062.00
Crab	1,330	720.00
Lobster	178	2,256.00
Whelks	1,375	773.00

Boston

Number of vessel inspections:	20	
Species	Landings (kg)	Value of catch (£)
Mussels	1,324,000	436,920.00
Brown Shrimp	1,156.5	2,328.00

Fosdyke

Number of vessel inspections:	0	
Species	Landings (kg)	Value of catch (£)
0	0	0

Sutton Bridge

Number of vessel inspections:	0	
Species	Landings (kg)	Value of catch (£)
0	0	0

Potting

Crab and lobster

Number of pots inside 6nm fished by vessels from within area:	610
Number of pots outside 6nm fished by vessels from within area:	600

Bio-sampling of brown crab and lobster

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

Whelk

Number of pots inside 6nm fished by vessels from within area:	300
Number of pots outside 6nm fished by vessels from within area:	0

Non Commercial Activities**Recreational Sea Anglers (shore based):**

Number of anglers inspected:	4	
Locations fished:	Species targeted:	Average catch (kg):
Skegness	Whiting	4 - 8
	Cod	6

Recreational Sea Anglers (vessel based):

Number of vessels inspected:	2	
Locations fished:	Species targeted:	Average catch (kg):
Humber	Cod	0
Skegness	Skate	9 - 15
	Cod	6 - 9
	Whiting	6 - 9
	Smoothound	5
Chapel Point	Skate	21
	Cod	6 - 12
	Whiting	9

Charter Angling Vessels:

Number of charter vessels inspected:	0		
Number of vessels in area:	0	Number of trips:	0
Species targeted:		Number of anglers:	0
		Total Landings (kg):	
0		0	
Locations fished throughout the month:	0		

Fishery Officer Duties**Training:**

Laptop training.

Other duties carried out:

Putting charts up in Chiefs office.

PAT testing office equipment.

Collecting shellfish samples from Tabs Head for the Environmental Health Officer with the two new research officers.

Surveying Cockles at Horseshoe Point.

Attended two meetings at Boston Borough Council Offices.

Wells with FO Dye doing inventory on Pisces Rib.

Immingham Docks to assist MMO with Cod landings on a vessel from Faroe Islands "Enniberg TN180".

Wisbech to lift RIB (*runner*) out of the water.

Cleethorpes, Hail Sand with FO Lee looking out for long lines and nets off beaches and also collecting GPS readings.

Attended staff meeting.

Attended enforcement meetings at S/B & office with enforcement officers.

Met up with UK Border Agency.

Fitted new jockey wheel to trailer.

Citrix familiarisation.

Collecting shellfish samples from Tabs Head for the Environmental Health Officer.

Angler 2012.

Area 2 on patrol.

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

Bass	8.00
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Cod	2.20 - 3.00
Whiting	1.40 - 2.00
Skate	2.30 - 2.60
Crab	1.20
Lobster	12.00 - 13.00
Whelks	50p - 65p
Brown Shrimp	1.97 - 2.06
Mussels	33p

From: Ian Dye Fishery Officer (Area 2)
To:
Date:
Ref: 4/12
Monthly Report:

Area 2: King's Lynn - Blakeney

General

Has been steady improvement throughout the district the last quarter with the new scallop fishery opening and closing within the quarter mainly due to larger vessels having very economical fishing methods. The brown shrimp fishery in kings lynn saw a slow increase throughout the quarter, the Brancaster mussels saw steady sales, crab and lobster fisheries at wells saw steady improvement throughout the quarter, once again the mussels at Morston report steady sales. Beach anglers have increased due to the weather warming.

Port Summary

King's Lynn

Eight vessels made 136 landings of brown shrimp totalling 33,890kg valued at £62,505. One vessel made one landing of pink shrimp totalling 108kg valued at £133.00. estimated figures of scallops are in the region of 28,000kg, no value given.

Brancaster

One vessel made four landings totalling 1,050kg of brown crab valued at £1,150, 450kg of lobster valued at £5,400, 250kg of whelks valued at £150, 100kg of skate valued at £230.

Wells

Three vessels made 42 landings totalling 6,100kg of brown crab valued at £6,710, 1,575kg of lobster valued at £19,170, 50,080kg of whelks valued at £30,048. One mussel producer sold 4,420kg of Mussel valued at £4,420.

Blakeney

Two mussel producers sold 9,000kg of market mussel valued at £9,000.

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.

King's Lynn

Number of vessel inspections:

28

Species	Landings (kg)	Value of catch (£)
Cockles hand worked	0	0
Cockles dredged	0	0
Mussel hand worked (Regulated)	0	0
Mussels W. Wall (Regulated)	0	0
Mussel dredged (Several)	0	0
Mussel dredged (Regulated)	0	0
Mussel dredged seed (Regulated)	0	0
Mussel dredged (not WFO)	0	0
Mussel dredged seed (not WFO)	0	0
Brown shrimp	33,890	62,505
Pink shrimp	108	133
Sole	0	0
Brill	0	0
Cod	0	0
Lemon sole	0	0
Skate	0	0
scallop	28,000	0

Brancaster

Number of vessel inspections:

3

Species	Landings (kg)	Value of catch (£)
Mussels (Regulated)	0	0
Mussels (Several)	7,500	7,500
Mussel dredged (not WFO)	0	0
Mussel dredged seed (not WFO)	0	0
Oysters	0	0
Brown shrimp	0	0
Brown crab	1,050	1,150
Lobster	450	5,400
Whelks	250	150
skate	100	230

Wells

Number of vessel inspections:

11

Species	Landings (kg)	Value of catch (£)
Brown crab	6,100	6,710
Lobster	1,575	19,170
Whelks	50,080	30,048
Velvet crabs	0	0
Brown shrimp	0	0
Cod	0	0
Mussels market	4,420	4,420

Blakeney

Number of vessel inspections:

0

Species	Landings (kg)	Value of catch (£)
Brown crab	0	0
Lobster	0	0
Mussels (Several)	9,000	9,000
Mussel dredged (not WFO)	0	0
Mussel dredged seed (not WFO)	0	0

Potting

Crab and lobster

Number of pots inside 6nm fished by vessels from within area:	10,000
Number of pots outside 6nm fished by vessels from within area:	6,000

Bio-sampling of brown crab and lobster

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

Whelk

Number of pots inside 6nm fished by vessels from within area:	3,000
Number of pots outside 6nm fished by vessels from within area:	1,800

Non Commercial Activities

Recreational Sea Anglers (shore based):

Number of anglers inspected:

0

Locations fished:	Species targeted:	Average catch (kg):
Cley	0	0
Hunstanton	0	0

Recreational Sea Anglers (vessel based):

Number of vessels inspected:

0

Locations fished:	Species targeted:	Average catch (kg):
North Norfolk	0	0

Charter Angling Vessels:

Number of charter vessels inspected: 0

Number of vessels in area: 0 **Number of trips:** 0 **Number of anglers:** 0

Species targeted: **Total Landings (kg):**

Tope
cod

Locations fished throughout the month:

Fishery Officer Duties**Training:**

Citrix training

Other duties carried out:

EHO sampling

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

Brown shrimp	1.84
Pink shrimp	1.23
Brown crab	1.10
Lobster	12.00
Mussel	1.00
Whelks	60p
Pacific oysters	0
Cod	0
Sole	0
Brill	0
Skate	2.30

From: Ady Woods I.F.C.O (Area 3)
To: Chief Executive Duncan Vaughan
Date:
Ref:
Quarterly Report: Jan – Feb – Mar 2012

Area 3: Cley to Lowestoft

General

For most of the months January and February they remained dull as expected for the time of year. With the sea temperature remaining cold for most of the time this kept everything in hibernation, although the last week of February saw a rapid rise in air and sea temperature which began to get frogs jumping and the sideways walkers crawling.

Those vessels trading in whelks, herring, and sprats had a reasonable time with mainly settled weather, along with reasonable catches. A few vessels have been netting, catching a range of fish, including Codling, Skate, Bass, Whiting, Sole, Dogfish and Herring.

Moving into March the weather continued to improve as did the crabbing, with some of the best catches coming out for the last 10 years. (There is talk of a 10 year cycle). The signs on the crabbing grounds look very promising for the future with lots of 'rubbish' coming up in the pots. (Rubbish being that below the Minimum Legal Size).

During March our first landing and incidental sightings have been loaded on to the UK Fisheries Monitoring, Control and Surveillance System (MCSS).

For the anglers, there fortunes haven't changed to much either, during January good amounts of whiting were being caught along with some flatfish from time to time, progressing into February the whiting disappeared and the flats picked up, (some good numbers / and size of dabs and flounders were being caught) and into March the flats are continuing also amongst catches, dogfish, schooly bass and the odd codling can be found.

Angling 2012 has got off to a start and currently I have visited 5 sites and spoken with seven anglers, of these only one angler stuck his head in the sand and refused to speak to me.

Port Summary

Cley-next-the-Sea

There has been no commercial activity at this port. There is talk of possibly two further vessels working from this port this coming season.

Weybourne

Towards the end of March one vessel began setting pots at this port, and hauled a few times, for small numbers of crabs. However it is known that, crabbing can be up to three weeks behind of that at Cromer on these beaches.

Sheringham

One vessel has been operating from here, launching on around 7 - 8 occasions to work tangle nets, having some respectful catches of Codling, Skate, and Bass.

At the very end of the 1st quarter two vessels have set pots with a third getting ready to set.

East & West Runton

One vessel from each of these ports, set pots mid March.

Cromer & Overstrand

As always, it was at Cromer where the twitchy feet began to get things moving, for this seasons crabbing, and as soon as word got out that a few new crabs were on the slab for sale, everybody wanted some, hence 13 of the 15 boats were set by early

March.

Mundesley to Caister

The vessel at Sea Palling has been targeting the whelk fishery landing in the region of 700kg per day for around four days a week, depending on the weather.

While along at Caister-on-Sea vessels here have as always been targeting the Herring fishery, with mixed results, early on in the month catches were good, however as the month progressed with more settled weather and high pressure it appeared that the fish had stopped swimming and catches soon fell from 150+kg – 10kg or less. While drift netting was slow one vessel did lay some long lines totalling around 500 hooks in total and never caught a thing.

Yarmouth/Gorleston

No commercial activity.

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>Cromer</u>		
Number of vessel inspections:		52
Species	Landings (kg)	Value of catch (£)
Bass	117	1,319
Cod	92	309
Crab	22,619	69,387
Dogfish	55	0
Herring	24	32
Lobster	465	5,137
Whiting	5	9
Whelks	150	157

<u>Sheringham</u>		
Number of vessel inspections:		8
Species	Landings (kg)	Value of catch (£)
Bass	37	444
Cod	206	567
Crab	160	491
Dogfish	33	0
Herring	12	16
Lobster	22	239
Skate	30	157
Whiting	9	16

<u>Cley, Weybourne, E Runton, W Runton, Overstrand, Mundesley & Bacton</u>		
Number of vessel inspections:		4
Species	Landings (kg)	Value of catch (£)
Crab	4,500	13,800
Lobster	62	651

<u>Sea Palling</u>		
Number of vessel inspections:		9
Species	Landings (kg)	Value of catch (£)
Crab	841	2,580
Lobster	109	1,376
Whelk	18,800	12,220

Caister & Gorleston**Number of vessel inspections:****8**

Species	Landings (kg)	Value of catch (£)
Cod	1,540	3,310
Herring	18,895	15,283
Pilchard	127	210
Spratt	990	1,881
Whiting	97	242

Potting**Crab and lobster**

Number of pots inside 6nm fished by vessels from within area:	500-920-
	4,625
Number of pots outside 6nm fished by vessels from within area:	300-250

Bio-sampling of brown crab and lobster

Number of brown crab measured during the month:	236
Number of lobsters measured during the month:	32

Whelk

Number of pots inside 6nm fished by vessels from within area:	200
Number of pots outside 6nm fished by vessels from within area:	0

Non Commercial Activities**Recreational Sea Anglers (shore based): January****Number of anglers inspected:****22**

Locations fished:	Species targeted:	Average catch (kg):
Weybourne	Codling/Whiting	0/2
Cromer	Codling/Whiting	1/1
Cromer Pier	Codling/Whiting	0.5/1.75
Overstrand	Codling/Whiting	0/0
Bacton	Codling/Whiting	1/1
Walcott	Codling/Whiting	0/0.75

Recreational Sea Anglers (shore based): February**Number of anglers inspected:****18**

Locations fished:	Species targeted:	Average catch (kg):
Weybourne	Various	2
Cromer Pier	Various	4

Recreational Sea Anglers (shore based): March

Number of anglers inspected:	9		
Locations fished:	Species targeted:	Average catch (kg):	
Cley-next-the-Sea	Various	0.00	
Salthouse	Various	0.00	
Weybourne	Various	0.20	
Cromer Pier	Various	2.25	
Mundesley	Various	0.20	
Caister	Codling	0.00	

Recreational Sea Anglers (vessel based): March

Number of vessels inspected:	5		
Locations fished:	Species targeted:	Average catch (kg):	
Trimingham	Various	1.50	

Fishery Officer Duties**Training:****Other duties carried out:****January**

- 5th Jan meeting attended at office
- 6th Jan at office having necessary files removed from pc to upload to new
- 9th Jan day trip onboard Protector III collecting EHO/DSP samples
- 10th Jan day trip onboard Protector III collecting EHO/DSP samples
- 11th Jan at office for laptop roll out
- 27th Jan a day spent on new laptop trying to upload Citrix which should have been installed in the first place
- 31st Jan at office enforcement refresher and also uploading Citrix for JCB and IGD also onto there laptops.

February

- Engaging with the Community following Stat meeting 8 fishermen and 2 others attended MCSS familiarisation
- MMO Marine planning drop in at Wells attended

March

- 2nd FLAG meeting attended
- 5th Staff meeting at Lynn
- 7th Enforcement meeting at Sutton bridge
- 12th Monthly mussel sample collected from Welland Wall
- 13th Enforcement meeting at Lynn
- 14th Initial introduction to Angling 2012 with Eden
- 20th Giving over the phone training to other officers on the new MCSS
- 22nd Visit Horseshoe Point in case of future enforcement
- 26th – 28th At sea on *Three Counties* for my 1st ever Cockle survey

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

Bass	12.00 - 11.00
Cod	3.00 - 2.30 - 3.80
Crab	3.17
Herring	0.95 - 1.50 - 1.15
Lobster	15.00 - 13.00 - 10.50
Pilchard	1.65
Skate	3.20 - 4.10
Spratt	1.25
Whelk	0.60-0.65
Whiting	2.50-1.75

From: Alan Garnham Fishery Officer (Area 4)
To: Chief Executive Officer
Date: 13th April 2012
Ref:
Quarterly Report: January – March 2012

Area 4: Pakefield – Felixstowe Ferry

General

January flew by caused by a late start with a bank holiday and my annual leave. The weather was mild and not many easterly winds so fishing took place although a lot of commercial boats were out of the water for general maintenance. Cod and roker were caught quite close in within six miles although sporadic and sometimes difficult to find. Most commercial boats were long lining using squid bait but the cost remained high at £35 per box so in order to reduce costs some fishermen caught spratt and immediately baited up long line baths whilst at sea and shooting their lines. This seems to have paid off as many fishermen reported good catches of cod and roker using the fresh spratt. One good cod weighed in at 42lb!!

Recreational beach fishing was very quiet as is usual for January and February with only the odd whiting, dab, and flounder being caught. The RSA boats have been out taking advantage of the quiet sea and bright sunshine and bagging up with a few cod around the 3lb mark.

Commercial fishing trends during February offered good landings of cod whiting and roker but poor landings of spratt and herring. After Valentine's day the weather changed and it appeared to affect the fishing with a total reversal on the fishing with poor catches of cod whiting and roker but huge quantities of spratt and herring. What I noticed is the juvenile bass measuring around 36cm -40cm have stayed close in all winter maybe it's down to the warmer winter causing the temperature to keep warmer.

Commercial fishermen reported many more seals showing up this spring and following the under 10m boats scavenging their nets.

March continued very dry (I can't remember it raining on one day during March). Temperatures were abnormally high with no overnight frost on the coast. Wind during the month was been very favourable with many days of slight variable wind direction with a high sitting over East Anglia during most of March. Fishing was productive as the sea was full of herring and sprats.

Many commercial boats at the end of March changed their gear over to summer fishing for netting and put the baths of lines away until the Autumn. Potters began to set more pots as the crabs began to move. Pots being hauled were full of star fish.

Lobsters as expected haven't moved and are rooted in. Good hauls of sole started and with good prices drew a few more of the boats out to begin the sole season. The cod run didn't happen during March a bit 'hit and miss' during the month with some liners reporting good quality cod all over 8lb offshore in the deeper water. Fishermen reported good catches of roker, but many have been returned due to small quota.

Angling 2012 has now got under way and to date I have spent two days on Kessingland and Southwold beaches but no anglers seen on these particular visits.

My computer has been linked up with the Citrix system and with a little training on the MCSS system from Ady I am up and running with a few entries under my belt. The laptop computer system via Norfolk county council has been difficult with getting 'live' and staying live. Problems are continuing without a great deal of support and finally I am booked in 2nd week of April to take the laptop to Norfolk Council to upload

Microsoft word 2010.

On 28th March I visited Cefas to have a meeting with Victoria Bendall and Stuart Hetherington two scientists who have managed to gain European fisheries funding for a shark and ray project in our area between The Wash and the Thames Estuary. I am very supportive of this in fact they will be coming along to give a presentation and meet staff at our April staff meeting. Hopefully we can strike up a relationship and begin working together over the same issues.

On 29th March together with the CEO I visited the Police Operational Air Support Unit at RAF Wattisham where we were given a demonstration on the surveillance capabilities and the possibilities of hiring in the craft for enforcement operations in the future.

It's been a busy quarter with progressions of the proposed MCZ areas within the Suffolk area for both Netgain and Balanced Seas.

Furthermore many local meetings were hosted by Scottish Power Renewables regarding the proposed East Anglian ONE Offshore Windfarm development to construct the world's largest windfarm offshore from Suffolk. At this stage it was a meeting of the Preliminary Environmental Information Summary. Two meetings were arranged to outline this document to commercial fishermen in separate evening meetings at Lowestoft and Felixstowe. For more information go to www.eastanglianwind.com The main area of discussion is the fact the fishermen do not want another windfarm within their fishing grounds. It appears most disruption will occur on the laying (burying) of the main four supply cables to land. Presently the landing point will go through the fishing grounds of all fishermen from Southwold to Harwich and it may take up to two years to lay these cables coming ashore at Bawdsey.

Defra are intending to run pilot fishing groups to test alternative management systems in the inshore under 10m English fleet. I am pleased to say Defra have recruited three Coastal Liaison Officers (CLO's) to work and develop the management and monitoring processes and activities required by the Accountability Framework. The local appointed officer is Andy Gallant and lives locally in Lowestoft and is contactable on 02072383290 or mail Andrew.gallant@defra.gsi.gov.uk. I have had a meeting and Andy would like to meet and gain experience from all officers.

Port Summary

Pakefield

Lowestoft pier began the year fishing slow causing many anglers not to bother as only dabs and whiting were being caught. This is also reflected on the beach at Pakefield. On 31st March the vehicular barrier to Lowestoft pier was put into operation whereby no public vehicles will be allowed on to the pier therefore restricting access to the disabled or elderly fishermen.

The small beach boats reported a few herring in the water

With favourable weather conditions throughout the quarter the sea was full of herring. The word got out and many boats took to the water and took advantage of netting the herring whether to be frozen down salted and used for pot bait or to sell to known customers or put on the local market at Lowestoft.

Due to the amount of fish on the market and the lack of public buying herring prices some days were as low as 10 pence a kilo!

Southwold

On the beaches and the pier it has been quiet with no fishermen seen on the beach which is normal for this quarter.

During January commercial boats have struggled close in and have found cod and roker around 12 miles out on the long lines and nets. Charter boats struggled with

catching a few whiting and codling usually close in around the pier.

During February commercial fishermen reported a varied month with patchy catches of cod using either nets or long lines.

Whelking has been tried this month and fishermen described it as a nightmare and the main whelker has now sold his pots to a fisherman on the north Norfolk coast.

March became a good month with commercial fishermen reporting good catches of cod and roker if prepared to go the extra distance outside the 6nm.

It has become a juggling match whether it's worth going the extra distance with the increase of fuel prices and the high price for squid as used by the liners.

Crabs here failed to move with only small landings although many potters have not soaked their pots yet.

Construction work is well on the way with the new harbour wall. The public car park has been closed off and no public access is allowed along the wall to the harbour entrance. The RNL station has been temporarily moved up river about 800m.

Dunwich & Sizewell

January was very quiet with little commercial or RSA fishing on the beaches. During February beach anglers reported small codling whiting and dab. I fished a large beach match on Dunwich beach in daylight hours around three hundred fish were caught all were whiting or dabs apart from one small cod being landed.

Commercially a very good month with mixed variety in the trammel nets including cod and bass with the occasional sole.

Commercially March was a varied month with a mixed bag of fish. Most pots are in with slow takes at the moment. On the beach it has been dead with no fish caught. Hopefully in April a few sole will turn up at night on the beach.

Work off Sizewell beach is still continuing on relaying the cable joints and burying the matting of these joints for the offshore wind farm causing disruption to all fishermen as no netting or trawling will be able to take place over this matting. Fishermen describe it as a giant underwater permanent man made wreck.

Thorpeness & Aldeburgh

Similar reports here with the commercial boats reporting a few cod and a few roker within five miles of the beach whether long lining or using nets. Some have been shooting for spratt to sell or use for bait.

During February there was a good variety of fish with no complaints other than the cod dropped off towards the end of the month.

On the beaches the RSA fishermen have been catching just flounder, dab and whiting. During March with the weather being on side all boats fished this month with a steady selection of species and amount caught. Herring were very close in to beach. In fact it was difficult to avoid herring being caught in the nets.

Pots have gradually been put in for the summer period with some good early returns with crab. The lobsters failed to move but hopefully will be moving by the April report.

On the dirty wall at Slaughden the Environment Agency recharged the sea wall but already it can be clearly seen the shingle has returned to the sea. They were also busy at Thorpeness and it appears the sea defence construction has been completed.

Orford

On the Island fishing slowed up as the cod as usual for January and February have moved out and the expected spring cod run during March failed to happen. During March I fished several matches here with no cod being caught but plenty of dogfish and whiting were landed. During March this area was full of herring and boats were netting very close to the beach and it appears the cod were there feeding off the bottom and gorging on the herring as were the gulls and seals in mid water.

Commercial fisherman Neil Macro had his boat out of the water over the new year awaiting a new shaft. During March this was completed and the boat has returned to the water. Other fishermen have been out catching cod and roker up to the present quota. All fishermen are now placing out the pots and have changed over their gear from lining to nets for the summer months.

Felixstowe

Commercially January and up till Valentine's day in February was a good period with no complaints at the number of cod and roker found coming on the long lines. The rest of the month it was extremely hard work finding a single cod. Some boats never landed a fish.

The last week of this month has been very fruitful with exceptional landings of herring and spratt compensating other species. Seals were pestering the commercial fishermen following them whether using long line or nets. Good number of spratt were caught and used as bait for lining targeting cod and roker. Charter boats and RSA boats have been doing well catching codling and roker close in on either the Cutler or the Felixstowe Ledge.

On the beaches it has been very slow for the entire quarter and in fact as the period passes word is out at the negative catches and anglers have been staying at home. During march a mixed bag of fish here and fishing reports varying daily so it's been a difficult month to judge and measure. On the whole cod landings are down mainly due to most commercial boats presently out of the water for maintenance and getting gear changed for the summer sole and bass.

What has been unusual is the amount of herring very close to the shoreline right up to Orford light house from Felixstowe ledge. Many fishermen haven't ever seen this sort of quantity in this area. Many have been targeting the herring (40ton landed) and selling them direct to the fish merchants rather than going through the market to get an agreed price as the merchant froze the herring and sold direct to German zoos to be used as penguin food!!

Sea defence work on the Felixstowe sea front between the town hall and The Fludyers has been completed a year ahead of schedule and now they are moving on and starting the last site at Jacobs ladder a year ahead of time and hopefully the ground can be returned to the fishermen shortly so pots can be laid on the rocky sea bed. Fishing has come to a halt around the mouth of the Felixstowe Haven near the viewpoint as a V2 bomb was discovered on the mud flats this was witnessed as crashing here without an explosion by locals during WW2 and finally the Ordnance corps have taken this seriously and discovered it still vertical in the mud flats. At this time it still hasn't been detonated by the corps.

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:		2
Species	Landings (kg)	Value of catch (£)
Herring	945	453

<u>Southwold</u>		
Number of vessel inspections:		2
Species	Landings (kg)	Value of catch (£)
Cod	9,700	30,120
Roker	2,330	7,223
Whiting	1,320	3,252
Spratt	320	320
Herring	1,975	1,315
Sole	2,040	24,230
Bass	48	576
Lobster	18	171

<u>Dunwich & Sizewell</u>		
Number of vessel inspections:		1
Species	Landings (kg)	Value of catch (£)
Cod	910	2,859

Bass	134	1,570
Spratt	430	385
Sole	92	1,104
Whiting	110	132
Lobster	20	190
Crab	45	126

Thorpeness & Aldeburgh

Number of vessel inspections:		7
Species	Landings (kg)	Value of catch (£)
Cod	8,065	24,914
Roker	420	1,302
Whiting	280	2,206.50
Herring	4,120	2,194
Spratt	202	166
Sole	2,289	27,468
Lobster	25	237.50
Crab	271	758.80

Orford

Number of vessel inspections:		1
Species	Landings (kg)	Value of catch (£)
Cod	5,645	17,170
Roker	810	2,511
Whiting	235	1,524
Sole	1,580	18,960
Flounder	150	180
Lobster	20	190
Crab	55	154

Felixstowe

Number of vessel inspections:		13
Species	Landings (kg)	Value of catch (£)
Cod	7,900	24,672
Roker	830	3,573
Whiting	490	1,038.50
Herring	43,445	17,767
Sole	630	7,560
Lobster	5	47.50
Crab	12	33.60

Potting

Crab and lobster

Number of pots inside 6nm fished by vessels from within area:	480
Number of pots outside 6nm fished by vessels from within area:	60

Bio-sampling of brown crab and lobster

Number of brown crab measured during the month:	258
Number of lobsters measured during the month:	11

Whelk

Number of pots inside 6nm fished by vessels from within area:	0
Number of pots outside 6nm fished by vessels from within area:	0

Non Commercial Activities

Recreational Sea Anglers (shore based):

Number of anglers inspected:		60
Locations fished:	Species targeted:	Average catch (kg):
Lowestoft pier	Cod whiting	0.75
Pakefield	Cod whiting	0.83

Sizewell	Cod whiting	Nil
Aldeburgh	Cod whiting	1
Orford Island	Cod whiting	2
Felixstowe	Cod whiting	1.3

Recreational Sea Anglers (vessel based):

Number of vessels inspected:	20
Locations fished:	Species targeted:
Rivers ,Estuaries and up to 5nm	Cod Bass Whiting
	Thornback ray
	Average catch (kg):
	9.66

Charter Angling Vessels:

Number of charter vessels inspected:	2				
Number of vessels in area:	19	Number of trips:	128	Number of anglers:	749
Species targeted:				Total Landings (kg):	
Cod				2,813	
Bass				42	
Whiting				695	
Thornback ray				2,330	
Locations fished throughout the month:	Estuaries and banks up to 6nm.				

Fishery Officer Duties

Training:

None.

Other duties carried out:

- 4th Jan – Fishing scientific Project meeting with commercial fishermen
- 5th Jan – Kings Lynn office meeting re payscales
- 6th Jan - Kings Lynn office computer downloading
- 9th Jan - Kings Lynn office computer changeover
- 10th Jan – Home installing/familiarisation with connections of computer
- 12th Jan–Kings Lynn office Interviewing for post of development officer
- 12th Jan- Ipswich RSA meeting in evening
- 16th Jan – Felixstowe HMRC meeting with Intelligence officers
- 17th Jan – Organise and arrange IFCA meeting at site in Ipswich
- 19th Jan – Sudbourne Alde and Ore meeting
- 23rd Jan – Felixstowe meeting Danbritt and Commercial fishermen
- 26th Jan – 5th Feb Annual leave
- 11th Feb – Joint MMO inspections at Felixstowe
- 13th Feb – MPA meeting at Aldeburgh Yacht Club
- 14th Feb – Levington Marina meeting re erection of IFCA fish signs
- 15th Feb – Toil
- 20th Feb – Ipswich meeting re manufacture of sponsored fish measures
- 20th Feb – Kings Lynn office meeting
- 20thFeb – Lowestoft meeting Scottish renewables and fishermen
- 21st Feb – Set up Citrix
- 22nd Feb– Orford town trust meeting re erection of IFCA fish signs
- 27th Feb - Felixstowe meeting Scottish renewables and fishermen
- 28th Feb - Joint working with MMO aboard FPV Protector
- 1st Mar - Meeting with Andy Gallant CLO at MMO
- 5th Mar - Kings Lynn office meeting
- 8th Mar - Enforcement meeting Pakefield with STL and AW
- 13th Mar - Enforcement meeting Kings Lynn office
- 14th Mar -Angling 2012 survey with EH AW and LG
- 22nd Mar – Vehicle service Ipswich
- 23rd Mar – Angling 2012 survey
- 28th Mar – Meeting CEFAS re shark and ray survey EFF funded project

29th Mar - RAF Wattisham with DV assessing surveillance capabilities of police helicopter for IFCA enforcement.

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

Cod	3.06
Roker	3.10
Bass	11.66
Herring	0.93
Sole	12.00
Spratt	0.85
Whiting	1.93
Flounder	1.20
Lobster	9.50
Crab	2.80

5th EIFCA MEETING

Agenda Item: 30

25th April 2012

To receive the Skippers Quarterly Reports For FPV ESF Protector III and RV Three Counties. (Jan to March 2012).

Research Vessel Three Counties

January 2012

Research Activities

11th Seven Sweep samples were collected from around the Wash starting at Wreck in the Wisbech Channel, Gat Channel, Lower Roads Boston Channel, Wrangle, Data Buoy, Stylemans, and the Teetotal Channel. The Sonde sensor had a problem the O-ring had failed and we didn't have a replacement aboard but we did have a box of O-rings however they were all too thick to fit the recess in the water tight plug. So it could not be deployed this time.

16th Mussels were collected from the Toft mussel bed over high water using the mussel dredge. These mussels were then processed and placed into bags ready for deployment the next day, when the daylight allowed use to operate. To keep the mussels from dying they were placed on the Wreck in the Wisbech Channel ready for deployment the next low water with day light.

17th The mussel in bags from the Wreck in the Wisbech Channel were collected and then race up and round to the North Lays EHO/DSP samples sites as part of the recharge for the EHO/DSP sample sites around the Wash. This was achieved and the crew returned to Sea Spray just as night time fell and they returned to the moorings.

19th We set off again in Sea Spray to collect the rest of the bags and trays to deploy onto Stylemans and the Training Wall EHO/DSP sites. Only with the tides on neaps, Stylemans EHO/DSP sites were covered with water. So we carried on to the Training Wall EHO/DSO sites and deployed all the bags and trays so they would stay alive until the next collection date. With mussels deployed there we could collect them and transferred the extra bags back onto Stylemans EHO/DSP sites ready for collection later on.

23rd A foot survey took place at Horse Shoe Point close to the northern end of our district. This consisted of two teams, First team to conduct a cockle survey by foot from the shore and the second team to survey the area and plot the positions of obstruction on the inter tidal sand. So when a day grab survey took place you avoided hitting anything that could damage *Three Counties*. At the same time as plotting any obstructions when walking around the sands, the opportunity was taken to plot the edges of the cockle beds.

24th Again cockle's surveys took place up at Horse Shoe Point by the shore team. This was two teams again. First team continued with cockle surveys and the second team moved onto the North Coats and were deployed to survey the very end of the district for obstructions and to plot any patches of cockles.

Enforcement Activities

11th Visual and radar observation were made when steaming around the Wash collecting the seven Sweep samples.

Work With Other Agencies

23rd Two members of staff from Lincolnshire Council joined us on the cockle survey at Horse Shoe Point. To obtain the Lat/Long of their collection point for their EHO/DSP/Water samples, by targeting along while we plotted the obstruction on Haile sand.

Maintenance and Repairs

General maintenance was carried out on the moorings and the generator had a problem starting but we think it's the oil sensor playing up. This will be investigated when time allows.

February

Research Activities

10th - Wrangle sand was picked to set up the cockle mortality experiment using a bed of cockles with different density's covering the sand. A number of sites were chosen and then marked with a post with a number and then recorded with a GPS (*Global Position System*) position. Then a set distance line was placed over the post and a circle was marked out and then observations were made of any dead or dying cockles. The quadrat was dropped down on the sand and then any cockles were bagged and tagged to be measured back aboard. This was repeated a number of times covering different density of cockles to observe any changes through the year.

16th - RoxAnn tracked the South Well box. Each track was 250m apart with 15 to 16 tracks covering the box.

17th - RoxAnn tracked the last couple of tracks in the South Well box and then tracked the North Well box. With same amount of tracks as above and number of tracks about same until the weather picked up and the swell caused the air to run down the hull of the vessel and cause spiking on the sounder.

20th - RoxAnn tracked the last part of the North Well box and then moved on to the Lynn Knock box and continued to track until the weather picked up. The tracking had to stop because the spiking on the sounder started to show on the RoxAnn system. This then caused the tracking to be corrupted and wasted steaming up and down.

23rd - RoxAnn tracked the rest of the Lynn Knock box. Again the track spacing was 250m apart and this box had about 20 to 24 tracks. The above tracking surveys are part of the overall survey to observe any changes on the sea bed and changes in the (*Ross worm*) *Sabellaria* which have been surveyed from the perverse surveys.

Enforcement Activities

While steaming around the Wash cover the South Well, North Well and Lynn Knock boxes. Radar and visual observation were conducted using the observation spread sheet. The new spread sheet has the ID, Patrol Vessel, Date, Time, PLN, Fishing Vessel Name, Fishing Vessel Position, Method (type of Fishing Gear), Fishing, Length, Power, Boarded, Comments, Permits, ICES Sq. and Patrol Vessel Position. On the hour and only if you can see what the vessel is fishing for.

Maintenance and Repairs

2nd Runner was taken up to Wisbech Marine to be lifted out and to be taken away for servicing on the outboard.

13th On entering the galley on *Three Counties* a hissing noise could be heard, upon further investigation a spit was found under the sink and the fresh water tank had

emptied into the port bilge via the cabins. The split was repaired and then the port bilge was pumped out. Just as this task was performed the grey water shower float switch had stopped operating, so this had to be changed.

The port generator had an intermittent fault. On further investigation the oil sensor was replaced and the generator has been cured.

14th The anchor wire was removed from both anchor winches and the replaced with new wire.

24th An engineer designer came aboard to see if a stabilizer for the day grab could be fitted on the A-frame.

27th A leak was found on the port main engine exhaust. This was investigated and found a split in the elbow on weld of the flange, this was removed for repair.

28th The repaired exhaust elbow was replaced along with a new gasket. New lagging replaced the old lagging and the engine was started to check the repair.

29th The aft peak inspection hatch was removed so pictures could be taken for the refit in June.

March

Research Activities

1st Mussel survey along the North Norfolk Coast because reports of Eider Ducks at position 53°02.040N/000°40.740E. A half nautical square box was placed over the reported position and the mussel dredges were towed North and then south every 200m apart until the box was covered. This then had tows East and West at 200m until it had covered the box again. No mussels were found when towing the dredge. But the Eider Ducks kept hanging about in the half nautical box.

8th Cockle mortality surveys were conducted on the Wrangle sand as part of the on-going study into die off of the cockles from last year. For more information please contact the office.

12th Environmental Health Office and Diarrict Shellfish Poison were collected from the Boston side of the Wash. Along with the meat counts from and the water samples.

13th Environmental Health Office and DSP samples were collected from the King's Lynn side of the Wash. Along with the meat counts from and the water samples.

14th Sweep sites were collected from around the Wash. Starting with Wreck site in the Wisbech Channel, Gat Channel, Lower Roads Boston, Wrangle Boston Deepes, Data Buoy, Stylemans and Teetotal Channel.

16th *Sabellaria* surveys continued using the day grab to ground truth the areas tracked by the RoxAnn system in February. This is part of the combined survey with Natural England to find the extent of the *Sabellaria* reefs across the Wash.

20th Cockle surveys on the following sands Stylemans, Pandora and Black Guard was surveyed over the high tide periods.

21st Cockle surveys on the following sands covered Peter Black, Pandora, and Gat and Holbeach sands.

22nd Cockle surveys, Holbeach.

23rd Cockle surveys, Wrangle.

24th Cockle surveys, Toft and Holbeach.

26th Cockles survey, Daseleys sand.

27th Cockles survey, Thief and Whiting sands.

28th Cockles survey, Breast.

29th The Sonde was deployed on the way out to day grab the North Well box. This is part of follow on up survey from the RoxAnn tracking from February.

30th Day grab survey continued covering the North Well box. The grab sites have different coverage because of the RoxAnn tracks which gave us areas to concentrate the number of day grabs.

It then shows the coverage of the Sabellaria on the seabed in the North Well box. Each of the day grabs had its picture taken along with its identification label and at the same time any Sabellaria was measured. The sediment had a score given to it and any other seabed flora and fauna was identified to give a snap shot at that time.

Enforcement Activities

Visual and radar observation were carried out while conducting the surveys around the Wash and along the coast.

Work With Other Agencies

16th, 29th, 30th, Sabellaria survey in partnership with Natural England were conducted covering the mouth of the Wash to find any changes in the coverage of Sabellaria.

Maintenance and Repairs

2nd Cummins Engineer came aboard to investigate a drop in power in the port main engine when conducting the mussel survey on the 1st. After telling the Cummins engineer the symptoms of the port main engine. It pointed to the turbo on the engine and a replacement was order from Cummins UK.

5th Cummins engineer came back to fit the replacement turbo to the port main engine. The port engine was then ran up and tested to make sure to engine they worked correctly.

7th The last part of the 10 year service of the fly by wire system was completed after checking the travel on the RPM set on the engines because it was not reaching full revs. These were altered and the engine trials were conducted in the river Nene and all systems are operating correctly

Research Vessel Three Counties

Simon Howard

Skipper

FPV ESF PROTECTOR III

There were three days enforcement to report this quarter. At the end of February, *FPV ESF Protector III* was engaged in a joint operation with the Marine Management Organisation (MMO) off the Suffolk coast whereby the MMO hired *FPV ESF Protector III* for two days. Two MMO Officers came out on a patrol which took *FPV ESF Protector III* nearly 30 nautical miles off shore in order to conduct a boarding of a 43 metre Dutch beam trawler. Inshore Fisheries Conservation Officer (IFCO) Stuart Chapman was invited to assist MMO Officers Mr Barry Smart and Mr Peter Draper with the boarding, which eventually took over four hours to complete. An infringement was found (ballooning cod end) in the starboard net which, after advice was received by satellite phone from MMO operations, concluded with an official written warning being issued. The operation was deemed a success by *FPV ESF Protector III's* crew and the MMO Officers considering it was only meant to be an initial trial.

In December 2011, the first Vessel Work Group meeting took place at the EIFCA offices. The group comprised of Committee members and IFCA Officers.

Following on from the first vessel working group that was held in December 2011, it was proposed in February, by the vessel working group, that *FPV ESF Protector III* should be sold. An estimated selling price was suggested by the regular surveyor Mr David Cannal (Mr Cannal was also the original designer). Another estimate was sought and a final decision on price is expected to be made by the EIFCA committee in April.

The crew of *FPV ESF Protector III* have remained busy with other duties whilst their regular vessel proceeds towards its potential sale. The Skipper is fully engaged as project manager on the Vessel Work Group while the two remaining members crew *RV Three Counties* to ensure a full complement of experienced crew.

All Environmental Health Office (EHO)/ Diarrhetic Shellfish Poisoning (DSP) samples were collected in January and February, while *RV Three Counties* collected them in March. A collection of mussels was taken from the Toft sand in order to recharge the EHO/DSP sites. IFCO Simon Howard made up some new mussel trays in order to trial at the sites.

FPV Sea Spray

During the EHO/DSP sample collections in March, *FPV Sea Spray* suffered a mechanical failure where the engine would start but would not engage gear. This meant that she was grounded (intentionally) and *RV Three Counties* manoeuvred as close as possible so as to disembark the crew. She was later towed back into Sutton Bridge by *RV Three Counties*. As the engine was still under warranty, a service request to French Marine Engineering was made. The Engineer found, after a full diagnostic check, a suspected faulty solenoid which was subsequently changed. He also noted that the engine display unit that was supplied by MST was not the correct type and so will have to be replaced. There have been intermittent problems with the main VHF radio unit. The set was checked over by an engineer from Charity & Taylor whilst in Lowestoft but the problem reoccurred upon her return to Sutton Bridge. The microphone unit was subsequently sent back to Charity & Taylor for further investigation.

FPV Pisces III

FPV Pisces III is currently stored at Wells next the Sea Police station where she is on standby for use either by EIFCA or Norfolk Police.

FPV ESF PROTECTOR III

Simon Lee / Stuart Chapman
Skipper / Mate & Fishery Officer *FPV ESF PROTECTOR III*

The Authority is asked to receive this report.

Eden Hannam
Head: Marine Conservation
17 April 2011

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

List of Background Papers

There are no background papers

25th April 2012

Senior Research Officer's Quarterly Report

In January the research team welcomed two new research officers; Lynsey Smith and Olle Akesson. During this quarter, both have conducted mandatory training in First Aid, Fire Fighting and Sea Survival. They have also conducted RYA Day Skipper, VHF radio and Powerboat training courses. In addition, they have also received in-house training for using MapInfo GIS software, EUNIS biotope classification and handling the ROV underwater camera. Between training sessions, both have been occupied helping to write reports and conduct surveys.

Much of this quarter was occupied writing the Annual Research and Environment Plan and the Annual Research Report. The plan will guide our activities during the 2012-2013 financial year, while the research report documents the findings from the surveys the research team conducted during 2011. Both documents will be placed on the Eastern-IFCA website.

A survey was conducted in January on the cockle beds situated at Horseshoe Point. When surveyed the previous August these beds had been found to support 79 tonnes of year-1 cockles and 26 tonnes of year-0 spat. The survey in January revealed that most of the year-1 cockles had died and the biomass of year-0 spat had increased to 49 tonnes. Observations indicate the cockles on these beds are suffering from similar "atypical" mortalities as those in the Wash, in which large numbers of adult cockles have been observed laying on the surface gaping. Growth tends to be good on these beds. Lindsey District Council have been asked to commence collecting water quality data for this site in case sufficient juveniles attain minimum landing size to open a fishery during the coming year.

The winter cockle surveys in the Wash had found the juvenile stocks on Wrangle had grown significantly during the year. Looking at past "atypical mortality" trends, during which 90% of the adult cockles on Wrangle had died during 2008, it is believed the current stocks on this bed will be vulnerable to similar losses this summer. A programme was instigated in February to begin monitoring the health of the cockles on Wrangle. Ten stations on this bed will be monitored twice monthly during the spring and summer, looking specifically at mortality rates. It is hoped that should mortality rates rise significantly above normal background levels, this programme will alert us to the problem in time to inform appropriate management measures. The three surveys conducted during February and March found mortality levels to be within normal boundaries.

A survey was conducted in February to assess the stocks of native oysters situated at the Holbrook Bay region of the River Stour. K&E-IFCA's research vessel, *Tamesis*, was used to conduct this survey. The data are yet to be analysed, but observations made during the survey indicate the oyster stocks are present in similar densities to previous surveys. The opportunity was also taken during this survey to assess several small mussel beds believed to be present at North Mistley. The Stour and Orwell Estuaries have collectively been put forward as a recommended Marine Conservation Zone through the Balanced Seas project. North Mistley has been put forward as a recommended Reference Area with the mussel beds being listed as a Habitat of Conservation Importance for the area. Although a low water survey was conducted in the vicinity of the mapped beds, no mussels were found at any of the sites. At two sites muddy

hillocks were found, indicating mussel beds had once been there, but these were the only evidence found to suggest mussels had recently been present in this area.

The 2012 *Sabellaria* survey programme began in February. So far this has involved broad-scale tracking of the South Well, North Well and Lynn Knock areas of the Wash using Roxann AGDS equipment and ground-truthing some of the South Well track data. Patches of *Sabellaria* reef have been found during these initial surveys, but until the ground truth data are fully analysed, the extent of the reefs are not known. These surveys are planned to continue through the summer.

While on patrol the crew of *Protector III* twice observed a large raft of eider ducks situated north of Brancaster Roads. Because this was possibly an indication of a sublittoral mussel bed in the area, a day was spent surveying the area using *Three Counties*. Unfortunately, no mussels were found during this survey.

Following consultation with the industry, in which the majority favoured the 2012 cockle fishery commencing in June or earlier, the annual spring cockle surveys began on 20 March 2012. In order to minimise the impact that growth will have on the results, the initial surveys have been conducted on sands that were expected to support only low densities of cockles. So far the Styleman's, Blackguard, Peter Black, Thief, Hull Sand/Whiting Shoal, Roger and Gat beds have been completed. Partial surveys have also been conducted on the Breast and Holbeach beds. As anticipated, only low densities of adult cockles have been identified so far in most areas. High densities of 2011 spat have been found, but these are patchy in distribution. Weather permitting, these surveys will be completed during April.

Monthly shellfish and water samples have been collected through the quarter for the EHO and Cefas, who use these samples to monitor the water quality and shellfish health. The research team has also collected additional monthly water samples as part of our chlorophyll monitoring programme. Analysed by Cefas, these samples compliment the data collected from our mobile and buoy sondes to monitor the chlorophyll, salinity and nutrient levels in the Wash. In February, two members of the Cefas team provided us with a presentation of their findings. These indicate the Wash is rich in diatom algae, but is otherwise typical of other estuaries. Their results raised no concerns about the condition of the water quality.

Ron Jessop
Senior Research Officer

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List of Background Papers

No background papers to this report

25th April 2012

Senior Marine Environment Officer's Quarterly Report – January to March 2012

Overview

It has been an exciting last quarter of the first year of the Authority's existence, with the recruitment of two new officers to the environment team. As agreed in the organisation's re-structuring in July 2011, a specialist Data Officer and Spatial Information Officer have been recruited to provide technical support to enable the Authority to meet its expanded environmental remit.

During this quarter external outputs such as consultation responses have been limited. This is because of a focus on work programme planning and getting new staff members into post and up to speed. This planning has included developing the first annual Research & Environment Plan for the Authority. This fulfills two key work areas that were agreed by the Authority in October 2011:

- "new burdens" recruitment, and
- development of a Research & Environment Plan for 2012/13.

Officers have made limited progress with the Habitats Regulations review of Wash Fishery Order leases (review of consents), because of the reduction in officer resources after the departure of the previous Spatial Information Officer in December 2011, and as a result of the need to focus on recruitment and departmental planning. The focus on these areas has been essential in order to create a strong foundation for the environment team; but has resulted in a short term reduction in productivity. The review of consents remains a priority because of its implications for existing and pending Wash Fishery Order leases.

New burdens recruitment

Interviews were held 11-13 January 2012 and offers made in the week of 16 January 2012. The Data Officer took up post on 13 March 2012, and the Spatial Information Officer on 10 April 2012. To fill the time until the permanent position was taken up, and since finances had already been allocated to cover the salary during this period, a temporary Data Officer was also employed on a 5-week contract from 20 February 2012, to work on various short-term projects to assist in the management of scientific and administrative datasets. This work included creation of a framework for a marine protected area database; digitisation of Wash Fishery Order landings data and creation of an additional spatial display tool; transformation of cockle survey data into MapInfo format; preparation of district crustacean landings data for analysis, plus other tasks requested by the research and environment team and by the CEO.

The recruitment of the two new permanent staff members completes the restructure of the research and environment team, which now includes four research and three environment officers plus the head of department.

Research & Environment Plan 2012/13

The draft Research & Environment Plan was presented to the Authority's Planning Sub-Committee on 15 February 2012. Following comment from members, the Plan has been edited and finalised. A total of fifteen work activities each have been agreed for the Research and Environment teams; these activities have been drawn up to complement actions set out in the Authority's 2012/13 Annual Plan, itself based on Defra's success criteria and high level objectives for IFCA's. Development of this first Research & Environment Plan has been time consuming, but valuable in formation of a framework

for identifying priorities, resources, responsibilities, organisational risk and mitigative measures.

Protection of *Sabellaria spinulosa* reef

In November 2011, fisheries stakeholders clearly stated their opposition to developing a voluntary agreement to protect core *Sabellaria* reef areas (reported at the January 2012 Authority Statutory Meeting). To prevent the process from stalling completely, the Authority had agreed to investigate the potential for reviewing an existing potting/trawling agreement, to ascertain whether there was scope to re-allocate shrimping and potting grounds and incorporate discrete closed areas for *Sabellaria* protection.

This work was superseded by the formation of a Shrimp Fishery Advisory Working Group, formed following the presentation of the Marine Ecological Surveys Ltd. Brown and Pink Shrimp Fisheries Pre-assessment report to local processors in December 2011. The report contained a suite of recommendations for management and survey work, which should be enacted in order for these fisheries to be assessed for Marine Stewardship Council certification.

The first meeting of the Shrimp Fishery Advisory Working Group was held on 17 February 2012. The group consists of local shrimp processors and fishermen, and representatives providing an advisory role from the Authority, Cefas, Marine Management Organisation, Natural England, and the Marine Stewardship Council. The processors commissioned two independent fisheries consultants *Spindrift Marine* (Jessica Woo) and *2020 solutions* (David Guy – Group chair) to develop a management plan based on the recommendations of the Marine Ecological Surveys Ltd. Accreditation Pre-Assessment report. Authority officers will play an advisory role in the process.

A clear recommendation in the Pre-Assessment report was to ensure shrimp fisheries do not adversely affect protected habitats such as *Sabellaria spinulosa* reef. Its progression through the management plan should provide a robust alternative to any voluntary agreement initiated by the Authority.

Marine Conservation Zones

Natural England and Joint Nature Conservation Committee are currently reviewing supporting evidence for recommended Marine Conservation Zones and Reference Areas. Cefas has coordinated a programme of additional survey work has been undertaken in many of the recommended sites, to fill data gaps before the statutory nature conservation bodies make their recommendations to Defra (to complement the stakeholder recommendations drawn up in the regional projects Net Gain and Balanced Seas).

In February 2012, Authority officers conducted an independent survey of the recommended Reference Area referred to as North Mistley (upper Stour Estuary, Suffolk), to assess the distribution of mussel beds. Officers are continuing to engage with Natural England in relation to evidence for Marine Conservation Zones and Reference Areas.

Marine Planning

Officers attended a workshop at Carrow Road, Norwich, for Local Authorities to help the Marine Management Organisation (MMO) develop its vision and objectives for the two East of England Marine Plans (inshore and offshore). This followed discussions between the Authority and the MMO, during which Authority officers expressed concern that the status of marine regulators (including IFCA's) had not been properly recognised in the marine planning process. [A similar situation had been identified with the Marine Conservation Zone process].

Issues highlighted to the MMO included difficulties for inshore fishing stakeholders to engage with the marine planning process. The MMO has recruited dedicated fisheries liaison officers to address this issue. Attendees were reminded that marine planning is aimed at the regional, not local, level. The MMO explained it is aware of stakeholder fatigue so aiming to promote input without over-consulting.

At the workshop, The Crown Estate provided an overview of its marine asset planning, with a focus on marine aggregates. The National Grid outlined its management of electricity transmission and distribution, with a focus on offshore renewable energy. This enabled useful discussion on wind farm cable route selection and associated issues in this region.

External consultations

A key area of environmental work undertaken by the Authority is engaging with external partners in relation to developments that could affect the district's sea fisheries resources, or could affect the Authority's functions. The following table lists the consultations or events that officers have engaged with during the quarter, in addition to those discussed above. Background documents are available on request. As explained in the introduction to this report, this work has been restricted somewhat because of the reduced officer resources before the new recruits took up their positions, and the focus on recruitment, training and planning during this quarter.

<i>Theme</i>	<i>Project</i>	<i>Input provided</i>
<i>Marine Protected Areas</i>	Net Gain – Marine Conservation Zone Project Impact Assessment: response on Authority involvement	6 January 2012
	Wash & North Norfolk Coast European Marine Site – King's Lynn Joint Advisory Group meeting	27 March 2012
<i>Biodiversity & Conservation</i>	Gedney Drove End & District Wildfowlers' Association – Shooting & Conservation Management Plan, 2012-2027	31 January 2012
	Lincolnshire Biodiversity Action Plan – meeting	20 January 2012
	Norfolk Biodiversity Partnership – Coastal Topic Group meeting	19 March 2012
	Natural England liaison meeting	26 March 2012
	Pacific oyster survey – Shellfish Association of Great Britain & University of Bournemouth	19 March 2012
	Cefas/EIFCA Wash Productivity review meeting	24 February 2012
<i>Coastal developments</i>	Boston Barrier Scheme – meeting with Environment Agency to discuss Authority's consultation response	20 January 2012
	King's Lynn Incinerator – additional comments	27 February 2012
	Concrete Mattress Installation off Sizewell, Suffolk	28 March 2012
<i>Pollution</i>	Advisory Committee on Protection of the Sea – Pollution Incident Report for 2011	6 January 2012
	Use of Tracer Dyes at Greater Gabbard Offshore Wind Farm	10 February 2012

The Authority is asked to receive this report.

Judith Stoutt
Senior Marine Environment Officer

18 April 2012

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List of Background Papers

1. Agenda Item 19, 3rd EIFCA meeting, 26 October 2011
2. Agenda Item 21, 4th EIFCA meeting, January 2012
3. EIFCA (2012) Research & Environment Plan
4. Marine Ecological Surveys Ltd Fish for our Future Research Group: Pre-Assessment Report for the East Coast Brown & Pink Shrimp Fisheries. Available at: http://www.eastern-ifca.gov.uk/index.php?option=com_content&view=article&id=106:shrimp-accreditation&catid=10:newsandpress&Itemid=55
5. Shrimp Fishery Advisory Working Group - Terms of Reference
6. Marine Conservation Zone newsletter, March 2012. Available via: <http://jncc.defra.gov.uk/page-2409>
7. EIFCA (2012) North Mistley survey report.