



## **7th EIFCA Meeting**

**To be held at:**

**County Offices  
Lincolnshire County Council  
Newland, Lincoln LN1 1YL**

**31<sup>st</sup> October 2012**

**1030 hours**

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



Meeting: **7<sup>th</sup> Eastern Inshore Fisheries and Conservation Authority**

Date: 31 October 2012

Time: 10.30 hours

Venue: County Offices  
Lincolnshire County Council  
Newland  
Lincoln LN1 1YL

### **Agenda**

- 1 Welcome by the Chair
- 2 Apologies for absence
- 3 Declaration of Members' interests

### **Action items**

- 4 Minutes of the 6<sup>th</sup> Eastern IFCA Meeting on 25 July 2012
- 5 Matters arising
- 6 Appointments to Eastern IFCA Sub-Committees:
  - a) Finance & Personnel Sub-Committee
  - b) Planning & Communications Sub-Committee
  - c) Marine Protected Areas Sub-Committee*Chair of the Authority – Cllr Ken Sale (verbal)*
- 7 Meeting of the Extraordinary Marine Protected Areas Sub-Committee on 2 October 2012  
*Report of the Head of Marine Conservation*
- 8 Meeting of the Finance & Personnel Sub-Committee on 26 September 2012  
*Report of the Heads of Finance and HR*
- 9 Meeting of the Regulatory & Compliance Sub-Committee on 26 September 2012  
*Report of the Head of Marine Conservation*
- 10 Meeting of the Vessel Working Group on 2 October 2012  
*Report of the Head of Marine Protection's delegated representative*
- 11 Payments made and monies received for the period 14 July 2012 to 12 October 2012  
*Report of the Head of Finance*
- 12 Management Accounts from 1 April 2012 to 30 September 2012  
*Report of the Head of Finance*
- 13 Completion of the External Audit of Eastern IFCA's accounts for the year ended 31 March 2012  
*Report of the Head of Finance*
- 14 Calendar of meetings to October 2013  
*Report of the Clerk*

- 15 Review of the Authority's Standing Orders  
*Report of the Clerk*
- 16 Draft Schedule of Delegations for the Eastern IFCA Constitution  
*Report of the CEO*
- 17 Recommendations following the consultation to change existing terms and conditions of employment  
*Report of the Head of HR*
- 18 Communication and Engagement Strategy  
*Report of the CEO*
- 19 Eastern IFCA Derogation Process  
*Report of the CEO*
- 20 European Marine Sites progress report  
*Report of the Head of Marine Conservation*

**Information items**

- 21 Quarterly progress against Annual Plans  
*Report of the CEO*
- 22 Best Employers survey report  
*Report of the Head of HR*
- 23 Marine Protection Quarterly reports:
  - a) Area Inshore Fisheries and Conservation Officers:
    - a. Area 1 - Donna Nook to Sutton Bridge
    - b. Area 2 - King's Lynn to Blakeney
    - c. Area 3 - Cley to Lowestoft
    - d. Area 4 - Lowestoft to Stour/Orwell
  - b) Skippers:
    - a. *RV Three Counties*
- 24 Marine Environment Quarterly Reports:
  - a) Senior Research Officer
  - b) Senior Marine Environment Officer
- 25 Sea Angling 2012 - update  
*Report of the Head of Marine Conservation*

**Any other urgent business**

- 26 To consider matters that the Chair has agreed are urgent because of special circumstances which must be specified

P J Haslam  
CEO  
16 October 2012

# Minutes of the 6th Eastern IFCA Meeting



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

A meeting of the Eastern Sea Fisheries and Conservation Authority took place in the Cranworth Room, Norfolk County Hall, Norwich on 25 July 2012 at 10.30 hours

## Members Present:

Cllr Ken Sale	Eastern IFCA Chair	Suffolk County Council
Shane Bagley		Marine Management Organisation
Roy Brewster		Marine Management Organisation
Cllr John Dobson		Norfolk County Council
Conor Donnelly		Natural England
Cllr Tony Goldson		Suffolk County Council
Paul Garnett		Marine Management Organisation
Roger Handford		Environment Agency
Neil Lake		Marine Management Organisation
Ceri Morgan		Marine Management Organisation
Tom Pinborough		Marine Management Organisation
Rob Spray		Marine Management Organisation
John Stipetic		Marine Management Organisation
Cllr Tony Turner MBE		Lincolnshire County Council
Koen Vanstaen		Marine Management Organisation
Stephen Worrall		Marine Management Organisation

## Eastern IFCA Officers Present:

Eden Hannam	Acting Chief Executive Officer (CEO)
Julian Gregory	Head of Marine Protection
Christine Hurley	Head of Finance
Nichola Freer	Head of Human Resources
Judith Stoutt	Senior Marine Environment Officer
Lucy Ritchie	Community Development Officer

## Clerk:

Mary Clancy

## EIFCA12/55 Item 1: Welcome by the Chair

The Chair welcomed to the meeting Norfolk County Councillor Joe Mooney, the Deputy Cabinet Member for Environment and Waste. On behalf of Cllr Hilary Thompson (who was unable to attend), Cllr Mooney welcomed the Eastern IFCA to Norfolk County Council and he wished members a good meeting. Cllr Mooney then remained for the rest of the meeting.

The Chair also welcomed Paul Garnett, newly appointed as a member of the Authority by the Marine Management Organisation (MMO).

## EIFCA12/56 Item 2: Apologies for Absence

Apologies were received from Councillors Hilary Thompson, Brian Hannah and Stephen Williams and from Peter Barham.

## EIFCA12/57 Item 3: Declarations of Interest

Shane Bagley, Roy Brewster, Neil Lake and Paul Garnett declared pecuniary interests in Items 13 and 14 as they are directly involved in the Wash cockle fishery. They did not take part in the votes on these items.

## **ACTION ITEMS**

### **EIFCA12/58 Item 4: Minutes of the 5th Eastern IFCA meeting held on 25 April 2012**

Members agreed unanimously to accept the minutes as a true record of proceedings.

**Proposed:** Cllr John Dobson

**Seconded:** Stephen Worrall

**All agreed**

### **EIFCA12/59 Item 5: Matters arising**

There were no matters arising.

### **EIFCA12/60 Item 6: Meetings of the Marine Protected Areas Sub-Committee on 23 May 2012 and 29 June 2012**

The Acting CEO introduced the report. He said that, at the meeting on 23 May 2012, the Marine Protected Areas Sub-Committee agreed to open the 2012 Wash cockle fishery. The fishery had opened at the beginning of June and was still in operation. A second, emergency, meeting of the Sub-Committee had been called because damage to the European marine site in the Wash had been identified. A number of fishing industry representatives had attended this meeting and had been invited by the Chair of the Sub-Committee to contribute to the discussion from the floor. The CEO said that these issues would be further considered by the Authority under Item 13.

**It was resolved to accept the report on this meeting.**

**Proposed:** Cllr Tony Turner

**Seconded:** Ceri Morgan

**All agreed**

### **EIFCA12/61 Item 7: Meeting of the Planning & Communication Sub-Committee on 27 June 2012**

The Community Development Officer presented the report. She said that the Sub-Committee had considered the approach to be taken in drawing up the Authority's Communication and Engagement Strategy which was running a little behind schedule because of the need to recruit staff. There was more information about the Strategy in the information report under item 19. She also presented the timetable for the next round of Community Engagement meetings, all of which would take place in the evening.

Roger Handford asked whether the community engagement meetings had a particular structure or agenda, or whether they took a drop-in approach. The Acting CEO said that the structure was evolving but usually involved a report back from the last Authority meeting, discussion of topics raised by those present, and presentations from other agencies if there were any. The topics discussed varied according to the interests of those attending: for example, in Suffolk, the audience tended to be recreational users but in Boston, it was mainly people involved in the Wash fishing industry. Cllr Tony Goldson asked why the Suffolk meeting was held in Ipswich instead of a coastal town and the Acting CEO responded that officers were looking at other venues; for example, the Aldeburgh Fishermen's Association had asked for a meeting to be held in Aldeburgh.

The Acting CEO advised members that the Sub-Committee had also considered proposals for a benchmarking survey to establish a baseline level of awareness of the Eastern IFCA and its work, against which the effectiveness of the Communication and Engagement Strategy could be assessed. The Sub-Committee had agreed to recommend to the Authority

that the benchmarking survey should be undertaken by an external provider as the Eastern IFCA did not have the resources to do this in-house. Officers had proposed asking Norfolk County Council's Communications Unit to carry out elements of this work but had subsequently established that this would not be possible and so it was necessary to look for another provider. Cllr Tony Turner asked how much the survey was likely to cost and the Acting CEO said that the range was between £4,500 and £22,000, depending on the provider and the service offered. However, officers would ensure that the procurement represented the best value for money for the Authority.

**It was resolved to:**

- a) accept the report on this meeting;**
- b) note that the Planning & Communication Sub-Committee had considered the Communication and Engagement strategy;**
- c) agree in principle that a benchmarking survey was required and should be outsourced using the procurement approach that would ensure the best value for the Authority;**
- d) delegate to the Acting CEO the authority to progress the procurement and agree a contract with a suitable provider.**

**Proposed:** Conor Donnelly

**Seconded:** Stephen Worrall

**All Agreed**

**It was also resolved to note the dates and times of the next round of community engagement meetings and that members were invited to attend the meetings.**

**Proposed:** Conor Donnelly

**Seconded:** Stephen Worrall

**All Agreed**

**EIFCA12/62 Item 8: Meeting of the Finance & Personnel Sub-Committee on 27 June 2012**

The Head of Finance presented the finance elements of the report. She said that the Sub-Committee had approved the Statement of Accounts for the year ending 31 March 2012. There had been a total underspend of £484,787 largely resulting from savings from vacant posts, some underspending of New Burdens money and an increase in income as legislation now allowed the Eastern IFCA to include income from shellfish sampling, sea angling surveys for the Centre for Environment, Fisheries and Aquaculture Science (CEFAS), and the hire of *ESF Protector III*.

The Head of Finance said the Sub-Committee had also considered the Internal Audit report for 2011/12 and had agreed to reappoint Norfolk Audit Services to carry out the internal audit for 2012/13. She pointed out that Norfolk Audit Services had reduced their charges in recognition of the 25% reduction in grant to the Eastern IFCA.

The Head of HR presented the HR part of the report. She said that the Sub-Committee had agreed the Authorities new employment policies on time off in lieu (TOIL) and expenses, and had agreed that a revised policy on consultation and communication with staff should be presented to the next Sub-Committee meeting. The Head of HR also reported that the new Chief Executive, Captain Philip Haslam, would be in post on 1 October 2012.

The Clerk presented the final element of the report which concerned the Members' Code of Conduct. She clarified that the Code applied to non-elected members only, as council members were bound by their county council's code of conduct. She said that the Planning & Communication

Sub-Committee had considered the proposed Code in detail and had recommended that the Finance & Personnel Sub-Committee (which had delegated authority to adopt the Code) should adopt it with some amendments. In particular, the Planning & Communication Sub-Committee wanted the requirement to declare pecuniary and non-pecuniary interests at meetings to be strengthened, and references to 'general' and 'additional' members, and to the role of Deputy Chief Executive, to be clarified. The Sub-Committee also recommended that the Authority should not publish on the website its registers of members' interests and of gifts and hospitality, but should indicate that these registers would be available for public inspection. The Clerk said that the Finance & Personnel Sub-Committee had accepted the recommendations of the Planning & Communications Sub-Committee and had adopted the Code.

**It was resolved to accept the report on this meeting.**

**Proposed:** Cllr Tony Goldson

**Seconded:** Stephen Worrall

**All Agreed**

**EIFCA12/63 Item 9: Appointment to the Finance & Personnel Sub-Committee**

The Chair invited nominations to fill a vacancy on the Finance & Personnel Sub-Committee which resulted from the resignation of Cllr Callaby from the Authority. Cllr John Dobson was the only nominee.

**It was resolved to appoint Cllr John Dobson as a member of the Finance & Personnel Sub-Committee.**

**Proposed:** Cllr Ken Sale

**Seconded:** Cllr Tony Goldson

**All Agreed**

**EIFCA12/64 Item 10: Payments made and monies received during the period 1 April 2012 to 13 July 2012**

The Head of Finance presented the report which showed income and expenditure in the first quarter of the financial year.

**It was resolved to approve the payments made and monies received as set out in the report.**

**Proposed:** Cllr John Dobson

**Seconded:** Stephen Worrall

**All Agreed**

**EIFCA12/65 Item 11: Quarterly Management Accounts**

The Head of Finance presented the report. She explained that there were underspends because the Authority was still without a full staff complement, the Communication and Engagement strategy had not yet been developed, and there had not been extensive use of vessels during the quarter. John Stipetic asked whether the sum of £13,000 which the MMO had paid for hiring *ESF Protector III* had been included and the Head of Finance explained that this payment had been included in the accounts for 2011/12 and had contributed to the underspend for that year.

Cllr Tony Turner asked whether there had been any expenditure on legal fees and was advised that there had been no legal costs during the first quarter, but there were likely to be costs later in the year.

**It was resolved to approve the quarterly management accounts as set out in the report.**

**Proposed:** Cllr John Dobson

**Seconded:** John Stipetic

**All Agreed**

**EIFCA12/66 Item 12: Review of the Authority's Standing Orders**

The Clerk introduced the report. She said it proposed that the Authority should adopt a written Constitution which would include the standing orders and other key governance documents, locating them all in the one place for ease of reference and updating. The report contained the proposed standing orders, which were based on the Authority's current standing orders but updated to include the legal requirements in the *Marine and Coastal Access Act 2009*, the *Eastern Inshore Fisheries and Conservation Authority Order 2010*, and the Authority's current conventions and practices. The report also contained an outline draft of a Schedule of Delegations which would set out the ongoing decision-making powers that the Authority had delegated to officers, sub-committees or individual members. It was proposed that existing governance documents, such as the Members' Code of Conduct, the Financial Regulations and the Fraud and Corruption Policy should also form part of the Constitution, as well as the MMO's Terms and Conditions for Appointment.

Cllr Turner said that he had referred the report to Lincolnshire County Council's Monitoring Officer who had offered to commission legal advice on the proposals on behalf of all three county council's Monitoring Officers without any charge to the Authority. This would overcome the difficulties that the Clerk had had in consulting with all three Monitoring Officers on the Members' Code of Conduct. Cllr Turner also asked what other IFCAs were doing in relation to their standing orders and whether the report should be referred to the Association of IFCAs. The Acting CEO advised that he had spoken to the chief officers for some of the other IFCAs and established that there was variability between the approaches taken, depending on the relationships each IFCA had with its stakeholders and their own conventions, as well as the legal requirements. As each IFCA is entitled to set its own standing orders, a single approach was unlikely to be taken.

Members considered that Cllr Turner's proposal could set a useful precedent for obtaining legal advice from the county councils' Monitoring Officers. They also took the view that both the Regulatory & Compliance Sub-Committee and the Finance & Personnel Sub-Committee should have the opportunity to consider the advice and make recommendations to the next meeting of the full Authority on 31 October 2012.

**It was resolved to:**

- a) accept the offer of Lincolnshire County Council's Monitoring Officer to commission legal advice on the proposed Constitution, coordinated with the Monitoring Officers for Suffolk and Norfolk County Councils, without any charge to the Eastern IFCA;**
- b) ask the Regulatory & Compliance Sub-Committee and the Finance & Personnel Sub-Committee to consider the report and the legal advice, and make recommendations to the next full Authority meeting on 31 October 2012.**

**Proposed:** Cllr Tony Turner

**Seconded:** Cllr Tony Goldson

**All Agreed**

**EIFCA12/67 Item 13: Damaging activities in the Wash Fishery Order 1992 hand-worked cockle fishery: implications for protected habitats and management options**

The Head of Marine Protection presented the report. An emergency meeting of the Marine Protected Areas Sub-Committee took place on 29 June 2012 after site inspections found excessive disturbance and wastage of cockles in the Wrangle Sands. The Sub-Committee agreed that officers should review the enforcement plan, continue to monitor the sands, take further action if the problems continued, and provide an update at the July meeting of the full Authority.

The Head of Marine Protection said that, since then, there had been regular patrols on the sands, officers had spoken and written to fishers working in the Wash, and had been in contact with Natural England and had reviewed the enforcement plan. He reported that the situation had improved since then. In addition, Natural England had advised that it did not consider that the disturbance observed in June had caused an adverse impact on the sands or had resulted in a level of cockle wastage that would affect the supply available for birds in the Wash Special Protection Area.

Neil Lake was concerned that a lot of damage had been done, even though this was considered to be within acceptable limits. Conor Donnelly supported the Head of Marine Protection's statement. He agreed that there had been a lot of damage but Eastern IFCA officers had increased the level of monitoring and behaviour by fishers had improved. Cllr Goldson asked whether the damage to the Wrangle Sands had reduced and the Head of Marine Protection advised that it had.

**It was resolved to:**

- 1) note the report and the action taken by officers to date;**
- 2) agree to maintain the Eastern IFCA's current position that the Wash handworked cockle fishery should continue;**
- 3) ask officers to continue to explore and develop enhanced management measures for the Wash cockle fishery, as set out in the bullet points at the end of page 25 and on page 26 of the report;**
- 4) delegate to the Chair of the Eastern IFCA the authority to implement enhanced management measures if these should be required;**
- 5) ask officers to provide a further update at the Authority's meeting on 31 October 2012.**

**Proposed:** Cllr Tony Turner

**Seconded:** John Stipetic

**13 votes in favour. None against.**

**EIFCA12/68 Item 14: Request to revisit the calculation of growth rates for cockles in the Wash Fishery Order 1992**

Roy Brewster presented the report on behalf of the Wash fishing industry. He said that the industry considered that the current quotas for cockle catches short-changed them by up to 33% as cockles in the Wash had doubled in size since the surveys which underpinned the Total Allowable Catch (TAC) were carried out in March. This meant that the tonnage of cockles available to fish had considerably increased since the TAC had been set and, therefore, the current quotas represented much less than the third of the cockle biomass that the fishing industry should be entitled to take.

As a result, the industry considered that cockle growth rates during the season should be taken into account by increasing the quotas that they were allowed to take.

Mr Brewster also said that waste as well as cockle biomass should be taken into account in calculating the quotas as the tonnage collected by the industry inevitably included material other than cockle biomass such as shell and sand.

The Senior Marine Environment Officer responded on behalf of the Senior Research Officer who was unable to be present at the meeting. She said that very extensive appropriate assessment surveys had been carried out before the cockle fishery opened. It was not feasible to estimate the likely cockle growth in each area as this was affected by local factors in the different areas, and the Eastern IFCA did not have the resources to carry out more area/temporal-sensitive surveys. In addition, the designation of the Wash as a European Marine Site meant that particular caution was necessary in order to allow the fishery to operate while maintaining the habitat. Officers preferred an issue related approach to management measures such as the one agreed for cockle mortality in the Wrangle Sands. These measures included the option of increasing the quota available to the fishing industry.

The Acting CEO said that any change to the calculation of quotas would have to be supported by robust research in order to prevent or defend any challenges referred to the European Commission. He proposed that the fishing industry's request should be considered as part of the Authority's research plan for 2013-14.

Mr Worrall asked whether there were historic records of cockle growth rates. The Acting CEO replied that Kent & Essex IFCA used average cockle growth rates over the previous six year period to calculate seasonal growth rates but pointed out that this approach would not work in the Wash fishery because of the variability of atypical cockle mortality that the area had experienced. As high numbers of cockles had died off because of this in recent years, Kent & Essex IFCA's method of calculating growth rates would result in a reduced quota in the Wash fishery. However, Mr Lake thought that the Eastern IFCA should be assessing growth rates by sampling cockle at key points on the main sands and taking average weight readings before the fishery opened which could be compared with growth rates later in the season.

Koen Vanstaen said that this was not a new issue for the Authority. It was raised every year and same conclusion was reached, which was that the necessary research would require significant resources – for example, the method proposed by Mr Lake would require large samples and the resources to collect and analyse them. He suggested that the fishing industry should come back with a clear proposal supported by a robust methodology that the Authority could consider. Mr Lake replied that the Senior Research Officer had said at a meeting that growth rate sampling would take two days. However, the Senior Marine Environment Officer said that she understood that the Senior Research Officer was not in favour of this method of growth rate sampling.

Mr Lake then raised the impact on the suction dredge fishing industry of the current method of assessing the quota. He said that assessing the adult (>14mm width) cockle density of a bed early in the season disadvantaged the dredge fishery as the 70% requirement (that there should be an adult cockle population density of 70% for dredge fishing) might not be met early in the season but could be met later on when the cockles had grown to a width of more than 14mm.

Cllr Goldson, Tom Pinborough and Ceri Morgan reiterated Mr Vanstaen's point that this issue was raised every year. Cllr Goldson suggested that the Authority's research team and the Wash cockle fishing industry should get together and work out a way forward. Mr Donnelly said that he had no objection in principle to reviewing the approach to calculating growth rates but a statistically robust way of doing this was essential. He added that no evidence base had been presented by the industry to support their view that there was a need for a different approach, or to justify the cost to the Authority of carrying out the necessary research. Paul Garnett suggested that the Authority could commission an external survey during this year using licence toll money, in order to have the evidence required for next year's decision-making. However, the Acting CEO said that it would still require officer resources to commissioning a survey and assess the methodology proposed by the contracting organisation. Mr Pinborough pointed out that the Authority had set its research priorities for this year and it would not be possible to add another priority without losing an existing one.

Shane Bagley said that the appropriate assessment surveys were done early in the year to fit into the fishing calendar but some flexibility was required in recognition that the cockles were dormant at the time of the surveys but would be growing when the fishery was open. Mr Brewster said the fishing industry had agreed that the surveys could be done in March as it wanted the fishery to begin early, even though early surveying would result in lower quotas compared with surveying later in the year. If the industry had asked for later surveys (and a later start to the fishery), there would have been a greater loss of cockles from the atypical mortality which affects older cockles, and he reminded members of the mortality rates in a previous year when 25,000 tonnes of cockles had died compared with the quota of 5,000 tonnes collected by the industry. He pointed out that the cockle industry is a major export trade that brings money into the UK in a time of recession and if cockles are not collected, valuable exports are lost. He felt that the Authority kept putting off the issue of how cockle growth rates should be calculated and this had a serious impact on the industry. The Chair emphasised that the Eastern IFCA did not want to see any avoidable loss of exports.

The Senior Marine Environment Officer said officers were very aware of the past high mortality rates and were closely monitoring cockle mortality to see whether the contingency management measures would have to be implemented. These measures provided the Authority with flexibility to minimise the number of cockle deaths and, therefore, the impact on the industry.

Mr Lake clarified that he was suggesting that the research on cockle growth rates should be included in next year's research priorities, not this year's. He also said that wastage was currently a problem and that fishers were trying to avoid sands with a lot of shell wastage as this caused yields to be as low as 10% rather than 14%.

In relation to the waste issue, the Acting CEO said that it was necessary to have a scientific basis for defining what constitutes waste. A proposal to adjust for wastage by applying an additional quota at the end of the season had been rejected by the fishing industry. In response to a question from John Stipetic, the Acting CEO explained that officers had proposed taking samples from the top of bags in order to calculate an appropriate adjustment for waste but this had not been acceptable to the fishing industry as it did not agree that sampling from the top of bags would give a good indication of the amount of waste. Mr Bagley said that, as the weight of the bag itself was included in the quota calculation and the penalties for

being over quota were high, a standard bag weight would help. The Acting CEO said that officers were looking to agree an Eastern IFCA standard bag with the industry.

The Chair said he recognised the wider economic impact of the cockle fishing industry and proposed that officers should be asked to investigate an appropriate research model for assessing growth rates, consult with the industry and report back. Cllr Turner confirmed that both the Authority and Natural England appreciated the cockle fishing industry's concerns and would see what could be done to address them. However, Mr Pinborough pointed out that the Eastern IFCA was not there just for the cockle fishing industry and said he would be unwilling to support any action that would be to the detriment of other marine user groups. Mr Worrall said that the Authority had to agree a mechanism for dealing with this matter for the future to prevent the same issue coming up again in future years.

**It was resolved to ask officers to investigate an appropriate research model for assessing cockle growth rates in consultation with the cockle fishing industry, and to report the outcome to a future meeting of the Authority.**

**Proposed:** Cllr Tony Turner

**Seconded:** Cllr Tony Goldson

**13 votes in favour. None against.**

**EIFCA12/69 Item 15: The role of IFCAs in relation to managing fishing activities in European Marine Sites: a change in approach**

Members were advised that there was nothing to report as the Ministerial statement had been postponed until the end of July. The Acting CEO said he would circulate the statement to members when it was received.

**EIFCA12/70 Item 16: Request from the Shrimp Producers' Organisation Ltd to further the Authority's role in supporting MSC accreditation of the shrimp fisheries**

The Acting CEO circulated the letter from the Shrimp Producers Organisation referred to in the report and the Senior Marine Environment Officer introduced the item. She said that the Shrimp Producers' Organisation was requesting the support of the Eastern IFCA in achieving and maintaining Marine Stewardship Council (MSC) accreditation for the brown and pink shrimp fisheries. There was some urgency in the request as European buyers had indicated that, from a future date, they would only buy shrimps with MSC accreditation. The Eastern IFCA is part of the shrimp advisory working group along with the Shrimp Producers' Organisation

The Organisation was proposing that it and the Eastern IFCA should jointly develop practical steps towards assessing compliance with the certification requirements and should share data from the Authority's planned vessel monitoring system (VMS) trials to aid smaller vessels seeking accreditation.

Cllr Goldson asked about the financial implications of the course of action recommended by officers which was to support the proposals of the Shrimp Producers' Organisation and set up a meeting with it to establish the compliance monitoring procedure. The Acting CEO said that this would require some officer time only and, before making any other commitment, it would be necessary find out more about the resources required and assess the request in terms of the Authority's priorities. Rob Spray asked whether the Eastern IFCA would be involved in monitoring the accreditation if it was awarded. The Acting CEO advised that the Authority would not be directly involved but could contribute monitoring and auditing data, taking into account the constraints in the Data Protection Act 1998, the fact that the

Authority would not have a patrol boat when *ESF Protector III* was sold, and the delay by the MMO in implementing the vessel monitoring system. On this last point, Mr Stipetic told members that all relevant vessels would receive a letter next week about implementing the vessel monitoring and e.log systems by November 2012. He said he would ensure that the Authority was involved in, and updated on, this implementation.

**It was resolved to:**

- a) note the request of the Shrimp Producers' Organisation to support their application for Marine Stewardship Accreditation of their fishery;**
- b) ask officers to set up a meeting with the organisation to establish the compliance monitoring procedure required;**
- c) request the Head of Marine Conservation to report back at the Authority's meeting on 31 October 2012.**

**Proposed:** Cllr Tony Goldson

**Seconded:** Rob Spray

**All Agreed**

**EIFCA12/71 Item 17: A Request from Galloper Wind Farm Ltd to agree a Statement of Common Ground**

The Senior Marine Environment Officer presented the report and explained that the Planning Inspectorate had instructed Galloper Wind Farm Ltd to agree a statement of common ground with the Eastern IFCA by 6 August 2012 concerning its planning application. This was required because the proposed wind farm's electricity cable routes would cross the Eastern IFCA's district in Suffolk, and there were a number of environmental impacts resulting from the construction and maintenance of underwater electricity cables. The Planning Inspectorate had extended the deadline for making the agreement from 16 July 2012 and had also asked Galloper Wind Farm Ltd to agree a statement with Kent & Essex IFCA. The Senior Marine Environment Officer said the report set out the environmental issues and the actions required to enable the Authority to agree a statement.

Mr Vanstaen suggested that the information in previous statements of agreement relating to wind farms, and the effects on the marine environment of wind farms that had been built, should be taken into account. Mr Morgan was concerned about the short notice and tight deadlines, and the impact that this demand would have on the Authority's other priorities. He asked whether the Authority was being used as a consultant by the Planning Inspectorate and whether there would be payment for this work. The Acting CEO explained that the impact of statutory demands like this was factored into the research plan and so were part of the work for which the Authority was funded.

Mr Lake asked whether local fishing groups would be consulted and whether negative views from these groups would be taken into account by the Authority in responding to the request for a statement of common ground. The Senior Marine Environment Officer said that the developers had been in contact with fishing associations in Suffolk and Essex and, while the Authority could attempt to ensure that relevant fishing groups were consulted, it could not respond on their behalf.

Cllr Goldson pointed out that, two years ago, the research team had reported to the Eastern Sea Fisheries Joint Committee that electro-magnetic fields from electricity cables could affect dogfish and flat fish and that the impact of cables should be monitored. Other members said there were anecdotal accounts of the adverse effects of electricity cables – for example,

in an area where a cable had been laid, skate and cod could only be found on one side of a cable whereas previously they had occupied the whole area; in the Skegness area, it was believed that cables had altered features of the seabed. Cllr Goldson considered that the Authority's response should take into account the need to avoid potential future damage to the fishing industry arising from the wind farm construction.

**It was resolved to:**

- 1. Note that the Planning Inspectorate had requested a statement of common ground between the Eastern IFCA and Galloper Wind Farm Ltd.**
- 2. Ask officers to:**
  - a) review the draft statement to establish whether it contains sufficient information to enable the Authority to sign it, taking into account the points raised by members during discussion of this item about the possible adverse effects on the fishing industry;**
  - b) if more information is needed, review background environmental assessment documents to identify likely impacts on the marine environment and fisheries in the Eastern IFCA's district;**
  - c) redraft the statement incorporating necessary changes in negotiation with Galloper Wind Farm's consultants.**
- 3. Delegate to the Chair of the Eastern IFCA the authority to agree the statement of common ground with Galloper Wind Farm by 6 August 2012.**

**Proposed:** Shane Bagley

**Seconded:** Cllr John Dobson

**All agreed**

#### **EIFCA12/72 Item 18: Review of the structure of Authority papers**

The Acting CEO introduced the report which asked the Authority to agree a standard approach to structuring and writing papers for full Authority and sub-committee meetings. He said that the current approach to report writing was inconsistent and sometimes resulted in a lack of clarity in the information presented to members and in the resolutions recommended by officers. The report proposed a standard template for papers to be used consistently across decision-making meetings.

**It was resolved to:**

- a) note that, currently, papers presented to Authority meetings are not consistent in their structure and sometimes provide unclear decision points which have to be clarified at the meeting;**
- b) agree to carry out a trial of the decision-focused template attached to the report on this item;**
- c) ask members to give the Acting Chief Executive their comments on the outcome of this trial and on the new format for papers.**

**Proposed:** Rob Spray

**Seconded:** Cllr Tony Goldson

**All agreed**

## **INFORMATION ITEMS**

### **EIFCA12/73 Item 19: Update on the Engagement and Communication Strategy**

This item was for information only. No discussion took place.

### **EIFCA12/74 Item 20: Quarterly progress against Annual Plans**

This item was for information only. Mr Worrall and the Chair congratulated the Eastern IFCA staff on the progress that had been made against the agreed targets during a difficult time of change for the organisation.

### **EIFCA12/75 Item 21: Report of the Vessel Working Group, including sale of ESF Protector III**

This item was for information only. No discussion took place.

### **EIFCA12/76 Item 22: Marine Protection Quarterly reports:**

- c) Area Inshore Fisheries and Conservation Officers:**
  - a. Area 1 - Donna Nook to Sutton Bridge**
  - b. Area 2 - King's Lynn to Blakeney**
  - c. Area 3 - Cley to Lowestoft**
  - d. Area 4 - Lowestoft to Stour/Orwell**
- d) Skippers:**
  - a. FPV ESF Protector III**
  - b. RV Three Counties**

These items were for information only. Mr Pinborough raised a point in relation to the Area 3 report as he had understood that officers intended to carry out some research into the use of fixed netting by recreational anglers. The Acting CEO advised him that it had not yet been possible to do this research.

### **EIFCA12/77 Item 23: Marine Environment Quarterly Reports:**

- a) Senior Research Officer**
- b) Senior Marine Environment Officer**

These items were for information only. No discussion took place.

### **EIFCA12/78 Item 24: Sea Angling 2012 - update**

This item was for information only. No discussion took place.

### **EIFCA12/79 Item 25: Marine Planning**

This item was for information only. No discussion took place.

### **EIFCA12/80 Item 26: Marine Strategy Framework Directive**

This item was for information only. No discussion took place.

## **ANY OTHER URGENT BUSINESS**

### **EIFCA12/81 Item 27: Any other business**

There were no urgent business items.

Before closing the meeting, the Chair reminded members that the next full Authority meeting would take place at Lincolnshire County Council's County Hall in Lincoln. Members were asked to let the Clerk know if they would not be attending the meeting.

The Chair also invited Cllr Joe Mooney to comment on his experience of the meeting. Cllr Mooney said he had found the discussions very interesting and felt he had learned a lot about shrimps! He also noted the Eastern IFCA's objectives and would support the Authority in achieving them.

The meeting closed at 13.10 hours

**Vision**

Inshore Fisheries and Conservation Authorities 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.

**7<sup>th</sup> EIFCA Meeting**

**31<sup>st</sup> October 2012**

**Item Number: 7**

**Extraordinary Meeting of the Marine Protected Areas Sub-committee on 2 October 2012**

**Proposal:** That the Authority receive the report of the meeting

**Update:** An emergency meeting of the Marine Protected Areas Sub-committee took place at the Eastern IFCA offices in King's Lynn on 2 October 2012. Discussion was limited to one item

Management options regarding ridging out on the Roger Sands

Industry figures and Eastern-IFCA staff had indicated that ridging out and atypical mortality was occurring on the Northern Western edge of Roger Sands. Ridging out is where more vigorous younger cockles displace larger older cockles from the sands. Often these cockles are unable to re-establish themselves in the sands and die. Following investigation, this information was presented to the chair of the Sub-Committee. He called an emergency meeting to discuss this information.

As this meeting was a short notice emergency meeting, there were no formal meeting papers prepared. Orally presented at the meeting was the information gathered by the Senior Research Officer which showed high densities of 2010 and 2011 year class cockles (2,580 per square metre). The Senior Research Officer said that the cockles found in Roger Sands had reached 18mm in size and, at that size, would start to ridge out. Winter storms would add to this with the faster growing spat pushing out the adult cockles. He pointed out that younger cockles were better able to re-bury themselves than the older ones. Therefore, it was proposed to open an autumn hand-worked cockle fishery in this area of Roger Sands to prevent wastage of adult cockle stocks due to competition and the effects of ridging out. These cockles would die before the majority of overwintering birds arrive.

Members of the Sub-committee asked a number questions around:

- Habitats Regulations Assessments (including Appropriate Assessments)
- Size/volume of the cockle population on the Roger
- Potential damage to European Marine Site Features, and management options
- Impacts on other work streams of the Authority by this unexpected fishery
- Timing and precedent of timing of the fishery
- The size, and border of any opened area for fishing
- Timelines for opening/operating a fishery

The resolution of the meeting was for the CEO to proceed to open a small fishery subject to the advice of Natural England. Entitlement holders were given seven days' notice once advice was received from Natural England. Management Measures for this fishery include a small area (5.5 hectares) with a Total Allowable Catch of 300 tonnes with no prop washing allowed (due to potential damage to spat) and the immediate closure of the fishery should prop washing rings be detected.

The fishery is now in operation. Closing the fishery will require seven days' notice.

**Members are asked to:**

- a) Note the Extraordinary meeting of the Marine Protected Areas Sub-Committee on 2 October 2012 regarding ridging out of cockles on Wrangle.**
  
- b) Note that the fishery has now opened and will close either due to the detection of damage, the need to survey beds or at the exhaustion of the Total Allowable Catch.**

Eden Hannam  
Head of Marine Environment and Research  
22 October 2012

**Vision**

Inshore Fisheries and Conservation Authorities 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.

**7<sup>th</sup> EIFCA Meeting**

**31 October 2012**

**Item Number: 8**

**To receive a report giving a summary of the Finance & Personnel Sub-Committee meeting held on 26 September 2012**

**Funds Management**

The Head of Finance reported that proceeds from the sale of ESF Protector III and money held in reserves for vessel replacement and contingency purposes amounted to nearly £1,000,000 which was potentially available for the purchase of a replacement vessel.

Traditionally such funds were invested in a deposit with Suffolk County Council paying interest of 0.56% interest p.a. the funds being available at seven days' notice. However, there was an opportunity to invest this money in a Barclays Nine Month Fixed-Rate Bond at 1.5%. This would realise £7,000 more in interest over the period but would tie up the funds until 12<sup>th</sup> July 2013. This would mean that any interim funding requirements relating to vessels may require members of the Authority to authorise the use of funds from other ear-marked reserves.

It was agreed that the advantage to the Authority of obtaining the higher rate of interest that the Barclays Bond offered outweighed the disadvantage of tying the funds up for nine months given that there was no timetable for procuring a replacement vessel which would determine when deposits or stage payments may be required.

Members resolved to agree that £1,000,000 should be invested in a Barclays nine Month Fixed-Rate Bond.

**Review of Financial Regulations**

The Head of Finance reported that the Authority's Financial Regulations were due for review in April 2013 but it had seemed appropriate to bring the review forward to coincide with the review of Standing Orders and proposed new Constitution. The proposed amendments were minor updates but included two additional clauses which had previously been included in the Standing Orders but were deemed to be more appropriate in the Financial Regulations.

Members resolved to approve the revised Financial Regulations.

**Staff communication policy**

It was agreed that the formulation of a draft staff communication policy should be deferred until the next F&PSC meeting because of the need to prioritise work on the terms and conditions and salary reviews in order for those deadlines for completion to be met.

**Progress on the salary review**

A report was shared at the meeting that included progress on:

- The updating of all job descriptions.
- Overview of the job evaluation exercise to be completed against the updated job descriptions so that a robust proposal can be developed.

- Timings of when the proposal for revised salaries / salary scale were required to be submitted to the F&PSC for approval in order for staff and union consultation to commence.

The aim is to have formal consultation for the salary proposals completed by the end of March 2013, so that any changes can take effect from 1 April 2013, subject to the Authority's agreement.

#### **Confirmation of posts following probation**

The following appointments were confirmed in post following successful completion of probationary periods:

- Head of HR
- Community Development Officer
- Marine Environment Officer – Data

#### **Additional resource for the constitutional base for the Authority**

Members agreed to pay an additional sum to Sound Decisions Associates Ltd. in respect of work completed to update the Authority's corporate governance arrangements.

#### **Review of Standing Orders**

This item was considered in a joint discussion with the Regulatory & Compliance Sub-Committee and is summarised in the report from that Sub-Committee (item 9 on this agenda).

#### **Resolution:**

**Members are asked to receive this report.**

#### **List of background papers:**

Unconfirmed minutes of the F&PSC meeting held on 26 September 2012

Christine Hurley  
Head of Finance

Nichola Freer  
Head of HR

**Vision**

Inshore Fisheries and Conservation Authorities 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.

**7<sup>th</sup> EIFCA Meeting**

**31 October 2012**

**Item Number: 9**

**Regulatory & Compliance Sub-Committee Meeting 26 September 2012**

**Proposal:** That the Authority receive the report of the meeting

**Update:** The first meeting of the Regulatory & Compliance Sub-Committee took place at the EIFCA offices in Kings Lynn on 26th September 2012, when three substantive items were discussed.

1. Review of Standing Orders: advice of Lincolnshire, Norfolk and Suffolk Monitoring Officers on a draft Constitution for the Eastern IFCA

To discuss the first item members joined a meeting of the Finance & Personnel Sub-Committee. The Authority had accepted the offer of the Lincolnshire County Council Monitoring Officer to commission legal advice on the standing orders and proposed Constitution and had decided to refer further discussion to the Finance & Personnel and Regulatory & Compliance Sub-Committees. The sub-committees were asked to make recommendations for consideration at the Authority meeting on 31 October 2012. The legal advice concluded that the majority of the standing orders were prescribed by legislation and the rest seemed 'entirely sensible'. Following debate a number of recommendations were made to be put before the full Authority meeting (item 15 on this agenda).

2. Direction of travel and structure for next steps for Byelaw Review

Officers proposed to begin the Byelaw Review by looking at the existing byelaws in order to identify those in need of revision, areas of duplication and gaps in provision where new byelaws were required. Officers would then identify the priorities for action. The Head of Marine Protection explained that the timescales for carrying out the Eastern IFCA's review could be influenced by the discussions of the national Byelaws Workshop which had been set up to support the byelaw reviews that all IFCAs had to carry out by 2015. However, as set out in the report, officers proposed to complete the initial stages of the Eastern IFCA's review in time to present a review plan to the January 2013 meeting of the full Authority. Members of this Sub-Committee would be consulted by email on the proposed review plan before it was finalised.

3. Policy development for a shore launched vessel zone

Inshore fishermen using shore-launched boats on the North Norfolk coast had identified problems caused by the increased amount of fishing in the area by people who had been displaced from other areas by, for example, wind farms or fishing restrictions elsewhere. The fishermen were concerned that the pressure on stocks would prevent them from continuing to fish, which would have a knock-on effect on local tourism if the local shore-launched fishing boats disappeared. In response to these concerns, officers were considering the possibility of using the existing no trawling/dredging zone as a basis for a shore-launched fishing zone which would be established under a 'gentlemen's agreement' with those concerned. It was proposed to consult on this basis and, if a 'gentlemen's agreement' could not be achieved, a byelaw could be considered

to enforcing the zone. Officers will report back to the Authority meeting in January 2013 progress and whether there is any need for regulatory change.

**List of background papers:**

Unconfirmed minutes of the Regulatory & Compliance Sub-Committee meeting held on 26 September 2012

Julian Gregory  
Head of Marine Protection

**Vision**

Inshore Fisheries and Conservation Authorities 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.

**7<sup>th</sup> EIFCA Meeting**

**Item Number: 10**

**31 October 2012**

**Vessel Working Group Meeting held on 2 October 2012**

**Proposal:** That members agree the approach for reviewing the Authority's seagoing assets including identifying a replacement for *ESF Protector III* and agree to the charter or purchase of an interim solution.

**Problem/Issue Statement:** Following the sale of *ESF Protector III* the Vessel Working Group has recommended an approach to identifying suitable replacement(s). They have also recommended that it is necessary to provide a seagoing capability for the enforcement function until permanent replacement assets have been procured.

**Background:** The Vessel Asset Assessment Project was established in November 2011 with the overall objective being to identify the seagoing assets required by the Authority. The context was that the requirement to make savings of 25% from the revenue budget meant that from 2012 there was insufficient money to fund the operation of the dedicated enforcement vessel. This, combined with the age of the vessel, led to a decision to sell *ESF Protector III*. A Vessel Replacement Working Group was established to support the project and the focus has been upon enforcement requirements with the group debating various options for a replacement enforcement vessel. In the early stages *Three Counties* was not considered as part of those discussions given the pressing need to deal with enforcement requirements.

During the summer of 2012 attention was focussed upon the sale of *ESF Protector III*, which was finalised on 6th August. At a subsequent meeting of the working group on 26<sup>th</sup> September 2012 it was agreed that in order to make informed decisions it was appropriate for officers to work through an evidence based process to identify options based upon objective assessment of requirements as opposed to using the group to try to identify solutions. Ultimately officers will make recommendation for the working group to consider.

It was also identified that there are a number of interdependencies that may affect the choice of vessel(s) e.g. the potential introduction of an Inshore Vessel Monitoring System; considering the projected life and possible replacement of the research vessel *Three Counties*. These combined with the likely project, procurement and build times to secure a new vessel meant that there was likely to be a significant time lag before new seagoing assets are delivered. It was, therefore, agreed that it was necessary to seek an interim solution for enforcement through the charter or the purchase of second hand vessel(s).

**Comment and recommendations:** Since inception the focus of the project has been to address the most pressing need, which was to sell *ESF Protector III* and to identify appropriate replacement assets. However, *Three Counties* is over eleven years old with an initial anticipated working life of ten years (subsequently estimated to be fifteen years) and it is suggested that her future should be considered in any review of seagoing assets.

It is estimated that the process leading to delivery of a new vessel is likely to be at least a year. This estimation allows for three months project time to identify the most appropriate solution, three months for the procurement process and a six month lead time

for the build process. Given the need to review all seagoing assets these timescales are the absolute minimum and it is likely to be well over a year before replacement assets for *ESF Protector III* are delivered and operational. This being the case there is a risk to the Authority as Eastern IFCA's ability to undertake the full range of compliance and enforcement activities is significantly reduced.

Current assets to undertake seaborne enforcement are restricted to the research vessel *Three Counties* and the RIB *Pisces III*. In reality *Three Counties* is limited to providing a physical presence to monitor activity (unsupported by appropriate technology such as Transas) combined with limited ability to conduct boardings in benign conditions using the small RIB (*Runner*). She is further restricted by a fairly full programme of research activity for most of the year. The capability of *Pisces III* does extend to a flexible patrol presence combined with the ability to undertake boardings if necessary but having originally been purchased for use in the Suffolk Rivers there are concerns about her performance and ability to operate safely offshore in varying conditions.

To address this shortfall in capability the logical solution is to seek temporary replacement assets. Whilst this may involve the charter of an appropriate vessel an early appraisal of the market suggests that charter may not offer best value as initial quotes are high e.g. a RIB similar to *Seaspray* at circa £12k per month and a cabin RIB with skipper (not available bareboat) at £1k per day. As such it may be that the purchase of a second hand vessel with potential for re-sale or to form part of the final solution may be the better option. Such options range from a relatively inexpensive ex-Royal Navy RIB (circa £35k subject to availability) to a more expensive cabin RIB (circa £150-230k asking price).

Officers are currently in the process of evaluating options with a key consideration being the ability to operate effectively throughout the Authority's district in varying weather conditions. In the very short-term it is possible that an ex-RN RIB will become available and this being the case it is likely to be suggested that it is purchased as a short-term solution and as a potential replacement for *Pisces III*. This may be in addition to a vessel more suitable for longer deployments at sea in variable conditions but in the first instance an assessment would be made on the effectiveness of a RIB as the sole interim solution.

**Financial implications:** Whilst it has been agreed to invest £1 million from the vessel replacement fund for a year there is immediately available funding in the enforcement vessel operating budget (circa £85k), the operational contingency (circa £485k) and vessel contingency (circa £103k). This level of funding makes a replacement vessel or vessels affordable subject to an appropriate assessment of suitability and agreement to spend a given amount. It is suggested that the amount to be expended will depend upon the particular vessel(s) to be purchased combined with the potential for re-sale or for forming part of the final solution.

**Resolutions:**

- 1. The Authority is asked to agree the approach to review seagoing assets and to identifying permanent assets to replace *ESF Protector III*.**
- 2. The Authority is also asked to:**
  - a. Agree the proposal to either charter or purchase appropriate seagoing assets as an interim solution to meet enforcement needs pending the identification of a permanent solution.**
  - b. Delegate to the CEO, following consultation with the Chair of the Vessel Working Group, the power to decide the preferred interim solution, either charter or purchase of appropriate seagoing assets.**
  - c. Delegate to the CEO, following consultation with the Chair of the Finance & Personnel Sub-Committee, the power to authorise the expenditure**

**required to secure the preferred interim solution(s) from within available funding, including any necessary transfer of funds between accounts.**

**List of background papers**

There are no background papers to this report.

Julian Gregory  
Head of Marine Protection

**Vision**

Inshore Fisheries and Conservation Authorities 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.

**7<sup>th</sup> EIFCA Meeting**

**31 October 2012**

**Item Number:11**

**Report on Payment made and monies received during the period 14<sup>th</sup> July 2012 to 12<sup>th</sup> October 2012**

**Proposal:** To formally approve the report

**Problem/Issue Statement:**

It is an audit requirement that the Authority's receipts and payments are presented to and formally approved by Members at their quarterly Statutory meetings.

**Comment and recommendations**

The report on Payments made and monies received during the period 14<sup>th</sup> July 2012 to 12<sup>th</sup> October 2012 is attached.

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

**Resolution:**

**Members are asked to formally approve the report.**

**List of background papers**

There are no background papers to this report.

Christine Hurley  
Head of Finance  
22<sup>nd</sup> October 2012

**Report on Payments Made and Monies Received during the period**  
**14th July 2012 to 12th October 2012**

**Payments made during the period 14th July 2012 to 12th October 2012**

	<b>MONTH 4</b>	<b>MONTH 5</b>	<b>MONTH 6</b>	<b>TOTAL</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
Transfers to ESFJC Salaries & Wages Acct.	60,000.00	60,000.00	65,000.00	185,000.00
Rent, Rates & Service Charges	1,625.30	9,662.69	2,385.07	13,673.06
General Establishment	2,914.80	7,541.41	3,524.06	13,980.27
Legal Fees	0.00	0.00	900.00	900.00
Staff Travelling & Subsistence	1,552.02	1,421.54	1,729.64	4,703.20
Members Allowances	1,375.28	0.00	257.82	1,633.10
Training and Fisheries Management	158.00	0.00	288.00	446.00
Communication and Development	507.15	427.10	3,579.00	4,513.25
Research and Environment	714.00	213.49	2,424.08	3,351.57
Moorings/Harbour Dues	0.00	66.53	0.00	66.53
Pisces III Operating Costs	66.39	0.00	212.82	279.21
Three Counties Operating Costs	19,840.47	4,479.09	13,343.32	37,662.88
Vessel Hire	16,500.00	0.00	0.00	16,500.00
ESF Protector III Operating Costs	6,843.13	8,934.78	0.00	15,777.91
Vehicle Operating Costs	2,028.53	1,088.85	1,243.18	4,360.56
Wash Fishery Order	0.00	0.00	0.00	0.00
European Marine Site (SAC) Project Manager Fund	18.02	620.10	0.00	638.12
VAT (Recoverable)	9,025.63	3,824.58	4,536.96	17,387.17
Petty Cash	50.00	0.00	0.00	50.00
<b>TOTAL PAYMENTS MADE</b>	<b>123,218.72</b>	<b>98,280.16</b>	<b>99,423.95</b>	<b>320,922.83</b>

**Monies received during the period 14th July 2012 to 12th October 2012**

	<b>MONTH 4</b>	<b>MONTH 5</b>	<b>MONTH 6</b>	<b>TOTAL</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
Treasury Deposit Interest	329.57	237.64	0.00	567.21
Wash Fishery Order - Licences	700.00	420.00	930.00	2,050.00
Wash Fishery Order - Tolls	850.00	510.00	1,020.00	2,380.00
HM Revenue & Customs - Mineral Oil Rebate	8,772.38	0.00	0.00	8,772.38
European Marine Site (SAC) Project Manager Fund	5,400.00	11,200.00	0.00	16,600.00
CEFAS - Sea Angling Surveys	1,745.34	0.00	1,745.34	3,490.68
Sale of ESF Protector III	0.00	530,000.00	0.00	530,000.00
Miscellaneous Recharges and Credits	0.00	88.00	30,436.42	30,524.42
<b>TOTAL MONIES RECEIVED</b>	<b>17,797.29</b>	<b>542,455.64</b>	<b>34,131.76</b>	<b>594,384.69</b>

**Vision**

Inshore Fisheries and Conservation Authorities 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.

**7<sup>th</sup> EIFCA Meeting**

**31 October 2012**

**Item Number:12**

**Report on the Management Accounts for the period 1<sup>st</sup> April 2012 to 30<sup>th</sup> September 2012**

**Proposal:** To note the report.

**Problem/Issue Statement:** The Internal Auditors have suggested that the Management Accounts prepared by the Head of Finance are presented to and noted by members at their Quarterly Statutory Meeting.

**Comment:**

The Management Accounts for the six months to 30<sup>th</sup> September 2012 are attached.

The Management Accounts show the year to date actual income and expenditure in budget format monitored against the Budget apportioned for the period and a note of the Budget for the Year.

Members will note that the actual figures for the six months show that there is a saving against budget of £89,118. This is made up of an underspend of £77,775 and an increase in Miscellaneous Income of £11,343.

There are savings in expenditure under all budget heads. However by far the greatest saving is in Salaries and this is due to the fact that the Authority has not had a full complement of staff for the period and the salary review included in the budget has still to be determined and applied.

The increase in Miscellaneous Income is due to the money received from CEFAS for Sea Angling Surveys and Wash Fishery Order Licence Tolls, none of which was budgeted.

**Resolution:**

**Members are asked to formally note the Management Accounts.**

**List of background papers**

There are no background papers to this report.

Christine Hurley  
Head of Finance  
22<sup>nd</sup> October 2012

## Management Accounts

### Financial Year 2012/2013

	<b>ACTUAL</b> Year to Date to 30.09.2012	<b>BUDGET</b> (APPORTIONED)	<b>MEMO</b> Budget For Year
	£	£	£
<b><u>SALARIES &amp; WAGES</u></b>			
Staff Remuneration	309,150	346,049	692,098
Pension	57,457	65,792	131,583
National Insurance	23,900	25,895	51,790
<b>TOTAL</b>	<b>390,507</b>	<b>437,736</b>	<b>875,471</b>
<b><u>GENERAL EXPENDITURE</u></b>			
Accommodation	42,329	41,112	64,215
General Establishment	31,847	35,835	92,453
Fishery Officer Expenses	11,995	5,610	11,220
Members Travel	2,075	2,600	5,200
Training & Fisheries Management	8,526	17,850	35,700
<b>TOTAL</b>	<b>96,772</b>	<b>103,007</b>	<b>208,788</b>
<b>Development &amp; Communication</b>	4,683	10,000	51,000
<b>Enforcement</b>	6,503	18,000	30,600
<b>Research &amp; Environment</b>	5,590	7,575	15,150
<b><u>VESSELS</u></b>			
Moorings & Harbour Dues	7,360	8,478	16,955
Three Counties Operating Costs	47,029	42,381	64,362
ESF Protector III Operating Costs	34,514	38,606	120,562
Pisces III Operating Costs	613	945	1,887
Vessel Hire	12,000	15,300	30,600
<b>TOTAL</b>	<b>101,516</b>	<b>105,710</b>	<b>234,366</b>
<b><u>VEHICLES</u></b>			
Operating Costs	11,878	13,196	21,830
<b>TOTAL</b>	<b>11,878</b>	<b>13,196</b>	<b>21,830</b>
<b>TOTAL EXPENDITURE</b>	<b>617,449</b>	<b>695,224</b>	<b>1,437,205</b>
<b><u>INCOME</u></b>			
Bank Interest	-1,330	-2,000	-6,000
Legal Fees	0	0	0
WFO Licence Tolls	-7,650	0	0
CEFAS Sea Angling Survey	-4,363	0	0
<b>TOTAL INCOME</b>	<b>-13,343</b>	<b>-2,000</b>	<b>-6,000</b>
<b>EXPENDITURE LESS INCOME</b>	<b>604,106</b>	<b>693,224</b>	<b>1,431,205</b>

**Vision**

Inshore Fisheries and Conservation Authorities 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.

**7<sup>th</sup> EIFCA Meeting**

**31 October 2012**

**Item Number: 13**

**Completion of the External Audit of Eastern IFCA's accounts for the year ended 31<sup>st</sup> March 2012**

**Proposal:** To receive and note the External Audit of Accounts for the year ended 31<sup>st</sup> March 2012 and to consider the recommendations

**Problem/Issue Statement:** Members are advised of the outcome of the External Audit of the accounts for the year ended 31<sup>st</sup> March including any recommendations.

**Comment:** The External Audit for EIFCA's accounts for the year ended 31<sup>st</sup> March 2012 has been completed by Mazars LLP for the Audit Commission.

The External Auditor's Certificate and Opinion was given on 24<sup>th</sup> August 2012. Reference was made to the recommendation by the Internal Auditors which has previously been reported to the Authority. There were no other issues or matters that the External Auditor wished to draw to the attention of the Authority and the opinion states that "the information given in the annual return is in accordance with proper practices, and no matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met."

In accordance with the Accounts and Audit (England) Regulations 2011 a Notice of Conclusion of Audit and Right to inspect the Annual Return has been prepared and displayed on the Authority's notice board together with a copy of the Annual Return.

During the course of the audit, the Authority's insurances were examined.

The External Auditor has recommended that the Authority review the level of cover for Fidelity Guarantee insurance. In the past the Audit Commission have suggest that the level of cover should be based on the annual Levy plus the total of 'Ear-marked' reserves. This would have amounted to approximately £2.8 million on 1<sup>st</sup> April 2012. The present level of cover is £100,000 at a cost of £651 p.a. The comparison of present cover plus quotations from our insurer for cover for £500,000 and £1,000,000 are set out below:

Limit of Indemnity £	Excess £	Cost inc. IPT £
100,000	500	651
500,000	5,000	1,537
1,000,000	10,000	2,258

Members are advised of the External Auditor's Comments. However, because of the robust processes embodied via the Authority's Financial Regulations relating to authorisations, cheque signatories etc, officers do not consider that the level of cover should necessarily be increased especially as the increase in premium would be significant.

**Resolutions: Members are asked to:**

- 1) Note the External Auditor's certificate and opinion.**

**2) Consider the comments raised by the External Auditor on the level of cover for Fidelity Guarantee.**

**3) Agree the officers' recommendation not to increase the level of cover from the present £100,000.**

**List of Back ground papers**

1. Completion of Annual Audit, letter from Mazars LP dated 24<sup>th</sup> August 2012
2. EIFCA's Annual Return for the year ended 31<sup>st</sup> March 2012

Christine Hurley  
Head of Finance

22<sup>nd</sup> October 2012

**Vision**

Inshore Fisheries and Conservation Authorities 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.

**7<sup>th</sup> Eastern IFCA**

**31 October 2012**

**Agenda Item 14**

**Calendar of Meetings to October 2013**

**Issue Statement:** The calendar of meetings for the year is agreed at each October meeting of the full Authority.

**Comment**

The calendar of meetings to October 2013 is attached as Appendix 1 to this report. Full Authority meetings have been scheduled in line with the convention that they take place on the last Wednesday of the relevant month.

In the past, only the dates of the quarterly meetings of the full Authority were scheduled annually. However, this year it is proposed to include dates for sub-committee meetings which, on past experience, have been required annually to consider recurring matters – for example, a January meeting of the Finance & Personnel Sub-Committee to agree the provisional expenditure estimates to meet budget deadlines; a late February meeting of the Planning & Communications Sub-Committee to approve the Annual Plan and Research and Environment Plan to meet Defra deadlines; a late May meeting of the Marine Protected Areas Sub-Committee to consider opening the Wash cockle fishery.

The purpose of scheduling both full Authority and sub-committee meeting dates in advance is to give members, stakeholders and the public as much notice of meetings as possible and to aid forward planning of Authority decisions. Officers accept that circumstances may arise which might make it necessary to change or cancel scheduled sub-committee dates. Officers will consult on any necessary changes with the Chair and/or Vice-Chair of the relevant sub-committee and will notify members promptly. The information on the Authority's website will also be updated when changes are made.

In October 2011, the Authority agreed to rotate the location of its quarterly meetings around the Eastern IFCA's district. During 2012, meetings were held at Endeavour House in Ipswich, County Hall in Norwich and the County Offices in Lincoln, as well as at the Boathouse Centre in Wisbech. The purpose of this initiative was to improve the profile of the Authority with its county council funders and the public in each area. Members are asked to consider whether they wish to continue this approach in 2013.

Sub-committee meetings are held at the Eastern IFCA office unless the expected demand for access to the meeting from members of the public means that a larger room is required (as can be the case for meetings of the Marine Protected Areas Sub-Committee). Thoresby Hall in King's Lynn has proved to be a suitable venue for this purpose.

**Consultation:** No consultation has taken place. Members are asked to express their views as part of the discussion on this item.

**Financial implications:** The cost of holding meetings away from the Eastern IFCA offices will be contained within the provision in the Authority's budget.

**Regulatory implications:** There are no regulatory implications.

**Publicity:** The Authority posts the dates of meetings on its website once they are agreed.

**Resolution: Members are asked to:**

**a) agree the calendar of meetings attached as Appendix 1;**

**b) decide whether they wish to continue the practice of holding full Authority meetings around the district.**

### **Background papers**

3<sup>rd</sup> Eastern IFCA meeting:

- Agenda item 31 – *To receive and approve a report setting out future Authority meeting dates and suitable venues*
- Minute of this item

Mary Clancy  
Clerk to the Eastern IFCA  
17 October 2012

7<sup>th</sup> Eastern IFCA

## Agenda item 14

## Calendar of Meetings to October 2013

<b>Meeting</b>	<b>Date</b>	<b>Time</b>	<b>Proposed venue</b>
Finance & Personnel Sub-Committee	Wednesday 21 November 2012 <i>or</i> Thursday 6 December 2012	10.30 hours	Eastern IFCA Offices, King's Lynn
Finance & Personnel Sub-Committee	Wednesday 16 January 2013	10.30 hours	Eastern IFCA Offices, King's Lynn
<b>8<sup>th</sup> Eastern IFCA</b>	<b>Wednesday 30 January 2013</b>	<b>13.30 hours</b>	<b><i>To be confirmed</i></b>
Planning & Communication Sub-Committee	Wednesday 20 February 2013	10.30 hours	Eastern IFCA Offices, King's Lynn
Regulation & Compliance Sub-Committee	Wednesday 20 February 2013	13.30 hours	Eastern IFCA Offices, King's Lynn
<b>9<sup>th</sup> Eastern IFCA</b>	<b>Wednesday 24 April 2013</b>	<b>10.30 hours</b>	<b><i>To be confirmed</i></b>
Marine Protected Areas Sub-Committee	Wednesday 22 May 2013	10.30 hours	Thoresby College, King's Lynn
Finance & Personnel Sub-Committee	Wednesday 26 June 2013	10.30 hours	Eastern IFCA Offices, King's Lynn
<b>10<sup>th</sup> Eastern IFCA</b>	<b>Wednesday 31 July 2013</b>	<b>10.30 hours</b>	<b><i>To be confirmed</i></b>
<b>11<sup>th</sup> Eastern IFCA</b>	<b>Wednesday 30 October 2013</b>	<b>10.30 hours</b>	<b><i>To be confirmed</i></b>

**Vision**

Inshore Fisheries and Conservation Authorities 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.

**7<sup>th</sup> Eastern IFCA**

**31 October 2012**

**Agenda Item 15**

**Review of the Authority's Standing Orders**

Members are asked to consider the recommendations of the Finance & Personnel Sub-Committee and the Regulatory & Compliance Sub-Committee on the proposed Constitution for the Eastern IFCA including the revised standing orders. The Constitution is attached as Appendix 1.

**Issue Statement:** Following the decision at the April Authority meeting to carry out a full review of the Eastern IFCA's standing orders, the Authority considered a proposal for a draft Constitution for the Eastern IFCA, including revised standing orders, at its meeting on 25 July 2012. Members were advised at the meeting that the Monitoring Officer for Lincolnshire County Council had offered to commission legal advice on the standing orders and proposed Constitution approach, on behalf of the Monitoring Officers of all three county councils. The Authority accepted this offer and decided to refer discussion of the legal advice and the draft Constitution to the Finance & Personnel and Regulatory & Compliance Sub-Committees who were also asked to make recommendations for consideration at this meeting. The Sub-Committees met together on 26 September 2012 to fulfil this request.

**Background:** The Lincolnshire County Council Monitoring Officer commissioned the Assistant Director – Legal Services Lincolnshire to provide the advice. She was given copies of the report to the Authority's July meeting (entitled '*Review of the Authority's Standing Orders*') and the Non-elected Members' Code of Conduct which was adopted by the Authority in June 2012. The Assistant Director's note to the Monitoring Officer setting out her advice is in Appendix 2 to this report. Her main points are summarised as follows:

- The majority of the provisions in the standing orders are prescribed by the law which covers the Eastern IFCA and the additional provisions seem entirely sensible.
- The Eastern IFCA is not bound by the Localism Act but its council members are subject to their county council's code of conduct under that Act. Similarly, officer representatives of appointing organisations are bound by their employee codes. However, it seems sensible for the Eastern IFCA to set out an expectation of member behaviour and there are sensible provisions in the Constitution allowing member organisations to act if appointee behaviour falls short.

The Assistant Director also drew attention to new Access to Information regulations which do not apply to IFCAs. However, she suggested that the Eastern IFCA might wish to consider adopting these provisions in the future as, for councillor members, they will become the standard for determining public access to information about local authority decisions.

**Comment and recommendations**

Comment

Members of the Finance & Personnel and Regulatory & Compliance Sub-Committees considered this advice, together with the proposed Constitution and revised standing orders, at a joint meeting on 26 September 2012. There was general acceptance by members of the Assistant Director's view that the standing orders and Constitution

approach were sensible. Members considered the recommendations in the report and, in particular, the proposed notice period for sub-committee agendas. They agreed that this period should be at least 5 clear working days, the same as the statutory notice period for meetings of the full Authority. They took the view that Authority members needed enough time before a meeting to prepare properly by considering the information in the papers fully, and seeking the views of others as necessary.

Members also accepted the advice of the Assistant Director – Legal Services Lincolnshire that the Authority should consider the relevance of the new Access to Information regulations at a future date. In addition, they agreed that there was a need to review the Authority’s arrangements for delegated decision-making now that the new CEO was in post.

The Finance & Personnel Sub-Committee also reviewed the Authority’s Financial Regulations. Members agreed revisions to bring the Regulations up to date to coincide with the decision-making on the Constitution. The revised Regulations are included as part of the Constitution in Appendix 1.

### Recommendations

Following their consideration of this matter, members of the two Sub-Committees agreed to recommend that the Authority should:

- a) accept the advice commissioned by the Lincolnshire County Council Monitoring Officer;
- b) adopt the Constitution including the proposed notice period for sub-committee agendas and papers of five clear working days;
- c) agree that the Constitution should be published on the Eastern IFCA’s website;
- d) review the current restriction on members’ eligibility for the offices of Chair and Vice-Chair of the Authority at its meeting in January 2013;
- e) ask officers to review the applicability of the new Access to Information provisions to the Eastern IFCA’s decision-making and make recommendations to a future Authority meeting.

The Sub-Committees also agreed to ask officers to begin a review of delegations of function and make initial recommendations to this Authority meeting. This recommendation is the subject of a separate report and resolution under item 16 on this agenda.

The scheme of delegations will be in draft form until the review of delegations has been completed and the Authority has been able to agree a full scheme. Therefore, it is proposed to postpone the inclusion of this chapter in the Constitution until the scheme is available.

**Consultation:** As indicated above, there has been consultation with the Lincolnshire County Council Monitoring Officer who has circulated his advice to the Monitoring Officers for Norfolk and Suffolk County Councils and has had no dissenting comments. There has also been consultation with the members of the Finance & Personnel and Regulatory & Compliance Sub-Committee members, as indicated in this report.

**Financial implications:** There are no additional financial or resource requirements arising from the adoption of the draft Constitution.

**Regulatory implications:** There are no regulatory implications in terms of the Eastern IFCA’s regulatory powers under the Marine and Coastal Access Act 2009.

**Publicity:** The Sub-Committee members have recommended that the Constitution, if adopted, should be published on the Authority’s website.

## **Resolutions:**

**Members are asked to agree the following recommendations from the Finance & Personnel Sub-Committee and the Regulatory & Compliance Sub-Committee:**

- a) to accept the advice commissioned by the Lincolnshire County Council Monitoring Officer (set out in Appendix 2);**
- b) to adopt the Constitution as set out in Appendix 1 including the proposed notice period for sub-committee agendas and papers of five clear working days;**
- c) to agree that the Constitution should be published on the Eastern IFCA's website;**
- d) to review the current restriction on members' eligibility for the offices of Chair and Vice-Chair of the Authority at its meeting in January 2013;**
- e) to ask officers to review the applicability of the new Access to Information provisions to the Eastern IFCA's decision-making and make recommendations to a future Authority meeting.**

## **Background documents**

1. Eastern Inshore Fisheries and Conservation Order 2010
2. Marine and Coastal Access Act 2009
3. Eastern IFCA Standing Orders
4. 5<sup>th</sup> Eastern IFCA 25 April 2012: Agenda item 15 – *To receive 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*
5. 6<sup>th</sup> Eastern IFCA 25 July 2012: Agenda item 11 - *Review of the Authority's Standing Orders*
6. Finance & Personnel Sub-Committee 26 September 2012: Agenda item 15 – *Review of Standing Orders and advice of Lincolnshire, Norfolk and Suffolk Monitoring Officers on a draft Constitution for the Eastern IFCA*
7. Regulatory & Compliance Sub-Committee 26 September 2012: Agenda item 5 - *Review of Standing Orders and advice of Lincolnshire, Norfolk and Suffolk Monitoring Officers on a draft Constitution for the Eastern IFCA*

Mary Clancy  
Contracted Clerk to the Eastern IFCA  
17 October 2012

**APPENDIX 1**

**EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY  
CONSTITUTION**

The Eastern Inshore Fisheries and Conservation Authority (the Eastern IFCA) was established under Chapter 1 of Part 6 of the Marine and Coastal Access Act 2009 and the Eastern Inshore Fisheries and Conservation Order 2010. It is a stand-alone joint committee of Lincolnshire, Norfolk and Suffolk County Councils.

The Eastern IFCA has defined its purpose and vision as follows:

*"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."*

In this Constitution, the Eastern IFCA sets out how it will operate, how its decisions will be made and the procedures that it will follow in order to ensure efficient, transparent and accountable decision-making in line with its purpose and vision, its policies and legal requirements. The Constitution will be reviewed annually at the Eastern IFCA's April meeting.

**Contents**

**Chapter 1: Standing Orders**

**Chapter 2: Non-elected Members' Code of conduct** (not attached)

**Chapter 3: Marine Management Organisation appointees: Terms and conditions of appointment** (not attached)

**Chapter 4: Scheme of Delegations** (not attached—in preparation)

**Chapter 5: Financial Regulations**

**Chapter 6: Anti-Fraud and Corruption Policy** (not attached)

**Subsequent chapters: Any other governance policies**

# EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY CONSTITUTION

## CHAPTER 1: STANDING ORDERS

The Standing Orders for the Eastern IFCA include provisions required under the Marine and Coastal Access Act 2009, the Eastern Inshore Fisheries and Conservation Order 2010 and the Local Government Act 1972 as well as provisions adopted by the Authority. The footnotes indicate the statutory provisions.

### 1. Membership of the Eastern Inshore Fisheries and Conservation Authority

- 1.1 The Authority is made up of 21 members as follows<sup>1</sup>:
- Seven county councillors appointed by Lincolnshire County Council (two members), Norfolk County Council (three members) and Suffolk County Council (two members);
  - 12 'general' members appointed by the Marine Management Organisation (MMO) who are:
    - a) *'persons acquainted with the needs and opinions of the fishing community of the district, and*
    - b) *persons with knowledge of, or expertise in, marine environmental matters.*<sup>2</sup>
      - Two 'additional' members appointed by Natural England and the Environment Agency.<sup>3</sup>
- 1.2 One 'general' member must be an employee of the MMO.<sup>4</sup>
- 1.3 A person is not eligible for appointment or re-appointment as a member of the Eastern IFCA if they have been convicted of a criminal offence and the conviction is not spent for the purposes of the Rehabilitation of Offenders Act 1974(1).<sup>5</sup>
- 1.4 The proceedings of the Eastern IFCA will not be invalidated if a vacancy occurs or if there is a defect in the election or qualifications of any member.<sup>6</sup>

#### Terms of appointment

- 1.5 The terms of appointment of each member are determined by their appointing organisation.<sup>7</sup> The terms of appointment for members appointed by the MMO are in Section 3 of this Constitution.
- 1.6 The maximum period of appointment for each member is ten years from 1 October 2010 or the date from which the member is appointed, if later.

#### Resignation of a member

- 1.7 A member may resign from the Eastern IFCA by giving written notice to the Authority and to their appointing body.<sup>8</sup>

#### Suspension of a member

- 1.8 If criminal proceedings are started against a member, the Eastern IFCA or the appointing body may suspend the member's appointment. If the member's appointment is suspended, they will also be suspended from acting as an office-holder on behalf of the Authority.

---

<sup>1</sup> Article 5(1) Eastern Inshore Fisheries and Conservation Authority Order 2010

<sup>2</sup> Section 151(2) Marine and Coastal Access Act 2009

<sup>3</sup> Article 5(4) Eastern Inshore Fisheries and Conservation Authority Order 2010

<sup>4</sup> Article 5(2)(b) Eastern Inshore Fisheries and Conservation Authority Order 2010

<sup>5</sup> Article 12 Eastern IFCA Order 2010

<sup>6</sup> Paragraph 43 Schedule 12 Local Government Act 1972

<sup>7</sup> Article 6(2) Eastern IFCA Order 2010

<sup>8</sup> Article 9(1) Eastern IFCA Order 2010

- 1.9 The suspension will end if the member is acquitted of the offence or the proceedings are discontinued or withdrawn.
- 1.10 If a council member's membership of their county council is suspended by that county council, their membership of the Eastern IFCA will also be suspended, as will be their ability to act as an office-holder for the Authority. This includes the offices of Chair and Vice-Chair of the Authority.<sup>9</sup>
- 1.11 If the council member's suspension ends, it will be up to the relevant county council to decide whether to re-appoint the member to the Eastern IFCA.

#### Termination of membership

- 1.12 A member's appointment to the Eastern IFCA ends if:
  - a) the member is convicted of an offence under fisheries legislation, nature conservation legislation or marine licensing legislation;
  - b) the member receives a fine under fisheries legislation, nature conservation legislation or marine licensing legislation;
  - c) the member ceases to be a member of the county council that appointed them to the Authority.<sup>10</sup>
- 1.13 The Authority may terminate a member's appointment if the member is convicted of any other criminal offence other than those in paragraph 1.12.<sup>11</sup>
- 1.14 A member's appointment also ends when they reach the end of their term of appointment.

### **2. Members' attendance at meetings**

- 2.1 In each year, a member must attend no less than 50% of the total number of meetings of the full Authority and of sub-committees to which they have been appointed. A year is defined as the period from 1 April to 31 March.
- 2.2 If a member fails to attend the required number of meetings, the Chair of the Authority may ask the appointing organisation to reconsider the appointment of the member.
- 2.3 No substitutes are allowed for members of the Authority.

### **3. Appointment of the Chair of the Eastern IFCA**

- 3.1 At the April meeting of the Authority, members will elect a Chair who will serve for the year beginning with the meeting at which they are elected and ending with the April meeting the following year.<sup>12</sup>
- 3.2 The Chair must be a council member from one of the three county councils.
- 3.3 A member is not eligible to stand as Chair if they have previously been removed from this office<sup>13</sup> or from the office of Vice-Chair<sup>14</sup>.
- 3.4 The Chair may stand for re-election for a second year but will not be eligible for election to the post of Chair again for a period of two years following the end of their term of office (whether this is one or two years).
- 3.5 Nominations for the post of Chair will be made orally to the Clerk of the Eastern IFCA at the April meeting and the election will be by vote of the members present.
- 3.6 If there are an equal number of votes for the members nominated, the Clerk will decide the election by lot.

---

<sup>9</sup> Article 10 Eastern IFCA Order 2010

<sup>10</sup> Article 11(1) Eastern IFCA Order 2010

<sup>11</sup> Article 11(2) Eastern IFCA Order 2010

<sup>12</sup> Article 7 Eastern IFCA Order 2010

<sup>13</sup> Article 8(6) Eastern IFCA Order 2010

<sup>14</sup> Article 14(5) Eastern IFCA Order 2010

### Role of the Chair of the Eastern IFCA

- 3.7 The role of the Chair of the Eastern IFCA is to:
- ensure that the Authority is able to carry out the business at its meetings efficiently, in line with the its plans and policies, legal duties, Constitution and standing orders, and
  - enable members to participate fully in discussions and decisions so that the Authority can benefit from their experience and expertise, and their knowledge of the interests of the Eastern IFCA’s communities and stakeholders.
- 3.8 In fulfilling this role, the Chair will work closely with, and take advice from the Authority’s CEO and professional officers and its Clerk.
- 3.9 The Chair will also attend such meetings and functions as are necessary in order to represent the interests of the Eastern IFCA on the advice of the CEO and, as appropriate, the Clerk.

### Resignation of the Chair of the Eastern IFCA

- 3.10 The Chair of the Eastern IFCA may resign the office by giving notice in writing to the Authority.<sup>15</sup>
- 3.11 Following the resignation of the Chair, the Authority must appoint another eligible member to the office until the next April meeting of the Authority.<sup>16</sup>

### Removal from the office of the Chair of the Eastern IFCA

- 3.12 The Authority may remove a member from the office of chair if it considers that the member is failing, or has failed, to discharge the duties of chair in accordance with legal requirements and its standing orders. The member concerned is not eligible to be re-appointed as Chair<sup>17</sup> or appointed as Vice-Chair.<sup>18</sup>
- 3.13 Following the removal of the Chair, the Authority must appoint another eligible member to the office until the next April meeting of the Authority.<sup>19</sup>

### Termination of appointment of the Chair of the Eastern IFCA

- 3.14 Where the appointment of a member who is also the Chair of the Eastern IFCA is terminated or comes to an end, the Authority must appoint another eligible member to the office of Chair.<sup>20</sup> A member who has previously been removed from the office of Chair or Vice-chair cannot be appointed as Chair.<sup>21</sup>
- 3.15 The member appointed as Chair holds the office until the next April meeting of the Eastern IFCA.<sup>22</sup>

## **4. Appointment of the Vice-Chair of the Eastern IFCA**

- 4.1 At the April meeting of the Authority, members will elect a Vice-Chair for the year beginning with the meeting at which they elected and ending with the April meeting the following year. The Vice-Chair will chair meetings of the Authority in the absence of the Chair<sup>23</sup>
- 4.2 The Vice-Chair must be a council member from one of the three county councils.

---

<sup>15</sup> Article 9(2) Eastern IFCA Order 2010

<sup>16</sup> Article 9(3),(4) and (5) Eastern IFCA Order 2010

<sup>17</sup> Article 8(1),(2) and (6) Eastern IFCA Order 2010

<sup>18</sup> Article 14(5) Eastern IFCA Order 2010

<sup>19</sup> Article 8(5) Eastern IFCA Order 2010

<sup>20</sup> Article 11(3) Eastern IFCA Order 2010

<sup>21</sup> Articles 8(6) and 14(5) Eastern IFCA Order 2010

<sup>22</sup> Article 7(4) Eastern IFCA Order 2010

<sup>23</sup> Article 14(1) Eastern IFCA Order 2010

- 4.3 A council member cannot be appointed or re-appointed as Vice-Chair if they have been previously removed from this office or from the office of Chair.<sup>24</sup>
- 4.4 The Vice-Chair may be appointed for a further year.
- 4.5 The Vice-Chair is eligible for appointment to the office of Chair on serving either one or two terms as Vice-Chair.

Resignation, removal from office or termination of the appointment of the Vice-Chair of the Eastern IFCA

- 4.6 Paragraphs 3.10-3.15 of these standing orders apply to the Vice-Chair as to the Chair.<sup>25</sup>

**5. Meetings of the full Authority**

- 5.1 Meetings of the full Authority will take place quarterly in January, April, July and October each year.
- 5.2 The date and time of meetings for the following year will be agreed at the October meeting.
- 5.3 Meetings will be held at locations which are convenient for members which provide access for the members of the public who might wish to attend.
- 5.4 If the Chair is absent from a meeting of the full Authority, the Vice-Chair will take the role. If both the Chair and Vice-Chair are absent, members will elect a member to chair the meeting.<sup>26</sup> The Clerk will take the chair to conduct the election. The member so elected must be a council member. Election will be by way of seconded nomination and vote.
- 5.5 The full Authority may delegate any of the Eastern IFCA's functions to a sub-committee, member or employee of the Authority if it considers it expedient to do so.<sup>27</sup>

**6. Quorum for a meeting of the full Authority**

- 6.1 The quorum for a meeting of the full Authority is six, including at least one council member and one member appointed by the MMO (a 'general' member).<sup>28</sup>

**7. Access to agendas and papers for ordinary meetings of the full Authority and its sub-committees**

- 7.1 The Clerk will give up to 10, but not less than five, clear days' notice of any meeting by emailing details of the meeting to all relevant members. The CEO will ensure that the notice of meeting is posted on the Authority's website and at its office when it is sent to members.<sup>29</sup>
- 7.2 The Clerk will email copies of the agenda and papers for a meeting to members at least five clear days before the date of the meeting. The CEO will ensure that copies of the agenda and papers are posted to the Authority's website and are made available for inspection at the Authority's office when they are emailed to members.<sup>30</sup>
- 7.3 Five clear days has been defined in case law as excluding the day of the meeting and the date on which the member receives the agenda or paper, and weekends and public holidays.

---

<sup>24</sup> Article 14(4) and (5) Eastern IFCA Order 2010

<sup>25</sup> Article 14(3) Eastern IFCA Order 2010

<sup>26</sup> Article 14(2) Eastern IFCA Order 2010

<sup>27</sup> Article 17 Eastern IFCA Order 2010

<sup>28</sup> Article 13(1) Eastern IFCA Order 2010

<sup>29</sup> Section 100A(6)(a) Local Government Act 1972

<sup>30</sup> Section 100B(3) Local Government Act 1972

### Late agenda items

- 7.4 An item of business for a meeting may not be added to an agenda less than five clear working days before the date of a meeting or tabled at the meeting, unless the Chair of the meeting decides that there are special circumstances which make the late item a matter of urgency and require it to be considered at the meeting. The special circumstances must be recorded in the minutes for the meeting.<sup>31</sup>
- 7.5 Special circumstances justifying the addition of a late item to an agenda will generally occur where significant information or circumstances arise within the five clear working day period which could not reasonably have been known or anticipated before the agenda for the meeting was agreed and published.
- 7.6 If the Chair agrees to add an item to an agenda, the revised agenda and the relevant paper will be circulated to members, and then posted to the Authority's website and made available for public inspection at the Authority's office.<sup>32</sup>
- 7.7 The Clerk may withhold a paper from public inspection if the paper contains exempt or confidential information. Every copy of an exempt or confidential paper will be marked "not for publication"<sup>33</sup> and the exemption category will be indicated on the paper.<sup>34</sup> The exemption categories are set out in paragraph 15.1 of these standing orders.

### Background documents

- 7.8 The author of a paper relating to an item on the agenda for a meeting will set out, at the end of the paper, a list of background documents which contain facts or matters on which the report, or an important part of it, was based and which the author has relied on in preparing the report. The list of background papers should exclude published works and must exclude documents which disclose exempt or confidential information.<sup>35</sup>
- 7.9 The Clerk will ensure that a copy of each document included in the list of background documents is kept and made available for public inspection for four years after the date of any meeting or decision.

### Form in which agendas and papers will be made available

- 7.10 Agendas and papers for meetings will be circulated to members in electronic form by email. A member may request a hard copy of any document.
- 7.11 Agendas and papers that have not been withheld from public inspection will be available to the members of the public in electronic form on the Authority's website. Such documents will also be available in hard copy form at the relevant meeting.<sup>36</sup>

## **8. Access to minutes and records of decisions**

- 8.1 The minutes of the proceedings of each meeting will be kept by the Clerk in a loose leaf folder maintained for that purpose, the pages of which will be consecutively numbered.<sup>37</sup>
- 8.2 The minutes will be presented for members to confirm as an accurate record at the next suitable<sup>38</sup> meeting of the relevant body and the Chair of the meeting will sign the minutes and initial each page.<sup>39</sup>

---

<sup>31</sup> Section 100B(4) Local Government Act 1972

<sup>32</sup> Section 100B(3)(b) Local Government Act 1972

<sup>33</sup> Section 100B(5) Local Government Act 1972

<sup>34</sup> Schedule 12A Local Government Act 1972

<sup>35</sup> Section 100D Local Government Act 1972

<sup>36</sup> Section 100B(6) Local Government Act 1972

<sup>37</sup> Paragraph 41(2) Schedule 12, Local Government Act 1972

- 8.3 The minutes will not be open to discussion but members may propose corrections or additions where they identify inaccuracies or omissions.
- 8.4 The minutes will include a list of members present at the meeting.<sup>40</sup>
- 8.5 Members can request a copy of the unconfirmed minutes of a meeting for their personal information but unconfirmed minutes will not normally be published until after they have been agreed by the relevant meeting.
- 8.6 The Clerk will keep and make available for public inspection for six years after a meeting of the Authority or a sub-committee:
- the minutes of the meeting, except for any part of the minutes that includes exempt or confidential information, and
  - a disclosable summary of any proceedings during a part of the meeting that was not open to the public, if the published minutes do not provide a reasonably fair and coherent record of those proceedings.<sup>41</sup>

## **9. Rules of procedure for ordinary meetings of the full Authority or Sub-Committees**

### Order of business

- 9.1 The business to be conducted will be dealt with in the order set out in the agenda, unless the Chair decides to vary the order.
- 9.2 The format for the agenda will normally be as follows:
- Item 1: Welcome by the Chair
  - Item 2: Apologies for absence
  - Item 3: Declarations of interest
  - Item 4: Minutes of the last meeting
  - Item 5: Matters Arising
- Items for decision
- Items for information
- Last Item: Any other urgent business
- 9.3 At the April meeting of the full Authority, the first item on the agenda will be the election of the Chair of the Authority. For this item, the Clerk will take the chair to conduct the election.
- 9.4 The fourth item on the agenda for the April full Authority meeting will be the election of the Vice-Chair. This will come before the items for decision.
- 9.5 If the Chair and Vice-Chair are absent from a full Authority meeting, the election of a Chair for the duration of the meeting will become the first item on the agenda. For this item, the Clerk will take the chair to conduct the election.
- 9.6 If it is necessary for the full Authority to appoint a member to a sub-committee, this will be the sixth item on the agenda and will come before the items for decision.
- 9.7 Urgent business items will only be taken at any meeting if the Chair is satisfied that the item is urgent and could not reasonably have been included in the published agenda for the meeting.
- 9.8 At the end of any meeting, the Chair may invite members to remain for informal discussion of matters put forward by officers or members but these discussions will not form part of the business of the meeting and no formal decisions will be taken.

---

<sup>38</sup> Paragraph 41(4) Schedule 12, Local Government Act 1972

<sup>39</sup> Paragraph 41(2) Schedule 12, Local Government Act 1972

<sup>40</sup> Paragraph 40 Schedule 12, Local Government Act 1972

<sup>41</sup> Section 100C Local Government Act 1972

### Exclusion of the public and the media from a meeting

- 9.9 The media and the public will be excluded from meetings whenever it is likely that exempt or confidential information will be disclosed.<sup>42</sup>
- 9.10 The decision to exclude the media and the public must be made by a resolution of the meeting which must state the reasons for the exclusion.<sup>43</sup> The reasons must be recorded in the minutes of the meeting.

### Motions

- 9.11 A member may put forward a motion for debate at any meeting. The motion may propose the resolution contained in a paper for an item on the agenda, or a resolution formulated at the meeting if the paper contains options or no specific proposals, or it may propose an amendment to a resolution.
- 9.12 All motions must be seconded by another member present.
- 9.13 A motion may be put forward orally unless the Chair requires it to be put in writing. In this case, the written motion must be signed by the proposer and given to the Clerk as soon as it has been seconded.
- 9.14 Where the motion is an amendment to an original resolution, it must be considered and voted on before the resolution is put to the meeting. If the amendment is carried by a majority vote, the amended resolution becomes the substantive resolution to be considered by the meeting. Further amendments to the substantive resolution may be moved.
- 9.15 If an amendment is not carried, further amendments to the original resolution may be moved.
- 9.16 Members may put forward procedural motions during the course of a debate. These are as follows:
- to refer the matter to officers or to the full Authority or to a sub-committee, as relevant, for further consideration
  - to withdraw a motion
  - to postpone consideration of the matter
  - to move to a vote
  - to adjourn a meeting
  - to suspend Standing Orders

### Rules of debate

- 9.17 The CEO will decide in advance of a meeting who should present an item on the agenda. This will normally be the report author, but may be a relevant senior manager or Eastern IFCA member where appropriate.
- 9.18 Following the presentation of the report, the Chair will open the item to general debate. In order to encourage participation by all members and support the consensual approach of the Eastern IFCA, debates will normally follow the procedure set out in paragraphs 9.19-9.27 below. (Where the Chair determines that a more formal process of debate is required, the procedure in paragraphs 9.28-9.34 below will be followed.)
- 9.19 Members will indicate their wish to speak by raising their hand. The Chair will aim to take speakers in the order in which they indicate.
- 9.20 At the Chair's discretion, members may speak more than once on an item.

---

<sup>42</sup> Section 110A(2) and (3) Local Government Act 1972

<sup>43</sup> Section 110A(4) and (5) Local Government Act 1972

- 9.21 In the course of debate, members may ask officers for clarification or information. At the Chair's discretion, officers may enter the debate to contribute information or explanations.
- 9.22 The Chair will determine when the debate should be closed.
- 9.23 Where the item requires a decision, and a resolution has been proposed in the paper, the Chair will put the resolution to the meeting and will ask for a mover and a seconder. If no amendments to the resolution are proposed, the Chair will put the resolution to the vote.
- 9.24 If a member indicates that they wish to amend the resolution, the Chair will request a seconder. The Chair will then invite the mover of the amendment to speak, before opening a general debate on the amendment.
- 9.25 When the debate has been closed, the Chair will put the amended resolution to the vote.
- 9.26 If the amendment is carried, it becomes the substantive resolution before the meeting. If no more amendments are proposed, the Chair will normally put the substantive resolution to the vote. If the Chair considers that further information or debate is required to enable members to take an informed decision on the substantive resolution, they may invite further general debate before putting it to the vote.
- 9.27 If a resolution, whether amended or not, is put to the vote and is not carried, the Chair will either invite members to put forward a new resolution for consideration, or will defer the decision to a future meeting. In deciding the most appropriate course of action, the Chair will take the advice of the CEO (or, in the absence of the CEO, the most senior officer present at the meeting), and the Clerk.

#### Rules of formal debate

- 9.28 Should the Chair decide that a more formal structure for debate is necessary, the following procedure will be used.
- 9.29 Where the meeting is debating an original or substantive resolution (not an amendment) proposed by a member, speakers will be taken in the following order:
- The proposer of the resolution
  - The seconder of the resolution
  - Members in the order in which they indicate
  - The proposer of the resolution, exercising the right to reply
- 9.30 Where the meeting is considering an amendment to a resolution, speakers will be taken in the following order:
- The proposer of the amendment
  - The seconder of the amendment
  - Members in the order in which they indicate
- 9.31 The seconder can reserve their right to speak until later in the debate.
- 9.32 The proposer of an amendment will not have the right to reply. If the amendment is carried, they will be able to speak again to propose the substantive resolution.
- 9.33 Except for the proposer of an original or substantive resolution, members will only be entitled to speak once unless they are raising a point of information or a point of order. A point of information must offer relevant factual information or clarification only, and not include argument or opinion; a point of order must identify how the Authority's standing orders have been breached. The Chair will determine whether the point of information or order is admissible.
- 9.34 When the proposer has exercised the right to reply, the Chair will put the resolution to the vote.

### Reconsidering resolutions agreed by the full Authority or a sub-committee

- 9.35 No resolution agreed by the full Authority or a sub-committee will normally be reconsidered within 6 months of the date the decision was made.
- 9.36 Where the CEO considers it necessary to reconsider a decision within this period, the agenda item will state the reason for considering the matter again and the changes proposed to the agreed resolution.

### Voting

- 9.37 All members of the Eastern IFCA or of a sub-committee who are present at a meeting of the Authority or of the relevant sub-committee will be entitled to vote, unless they have declared an interest under the Members' Code of Conduct which prohibits them from voting, or the vote is on the setting of the Authority's annual budget.<sup>44</sup>
- 9.38 Only council members of the Authority can vote on the setting of the annual budget.
- 9.39 Voting at all meetings will be by a show of hands unless the Chair or a member requests a recorded vote. In this case, the Clerk will ask each member present to declare their vote and this will be recorded in the minutes of the meeting.
- 9.40 A resolution or amendment will be deemed to be carried if it receives a simple majority of the votes of those present. Where an equal number of votes are cast for and against a resolution, the Chair of the meeting will have a second or casting vote.<sup>45</sup>

### Suspension of rules of procedure

- 9.41 The rules of procedure set out in paragraphs 9.1-9.40 may be suspended by a vote of the majority of members of present at a meeting, with the exception of paragraphs 9.1-9.10 and 9.35-9.40.

## **10. Audio-visual recording devices**

- 10.1 The use of audio/visual recording devices by any person at a meeting of the full Authority or a sub-committee is not allowed unless the majority of members present agree to authorise their use.

## **11. Sub-Committees of the Eastern IFCA**

- 11.1 The Authority may establish sub-committees with responsibility for considering or determining functions of the Eastern IFCA.<sup>46</sup>
- 11.2 A sub-committee's power to make decisions on behalf of the Eastern IFCA, or to make recommendations to the full Authority for determination, will be stated in the resolution establishing the sub-committee and will be included by the Clerk in the Eastern IFCA's Schedule of Delegations (Section 4 of the Eastern IFCA's Constitution).
- 11.3 With the agreement of the Chair of a sub-committee, the CEO can refer back to the full Authority for decision a matter which has been delegated to a sub-committee, where it is in the interests of the Eastern IFCA that the matter is determined by the full Authority.<sup>47</sup>

---

<sup>44</sup> Note that section 180(4) of the Marine and Coastal Access Act allows council members to veto the Authority's proposed budget

<sup>45</sup> Paragraph 39(1)and(2) Schedule 12 Local Government Act 1972

<sup>46</sup> Article 17(1) Eastern IFCA Order 2010

<sup>47</sup> Article 17(3) Eastern IFCA Order 2010

- 11.4 A sub-committee may refer to the full Authority a matter which has been delegated to it where this is in interests of the Eastern IFCA and a majority of sub-committee members agree.<sup>48</sup>
- 11.5 Sub-committees will follow the Rules of Procedure for ordinary meetings set out paragraphs 9.1-9.40 (excluding 9.3-9.6).
- 11.6 The lead officer for the sub-committee will make a written report to the next meeting of the full Authority following the sub-committee's meeting, summarising the discussion and decisions or recommendations of the sub-committee.
- 11.7 Meetings of sub-committees will be held at locations which are convenient for members and which also provide access for the members of the public who might wish to attend.

#### Quorum

- 11.8 The quorum for a sub-committee will be one third of the total membership.

#### Membership

- 11.9 Only members of the Eastern IFCA are eligible to be members of a sub-committee.<sup>49</sup> Any member is eligible to be appointed to any sub-committee.
- 11.10 Each sub-committee will consist of at least nine members of the Authority, including the Chair and Vice-Chair as ex-officio members.
- 11.11 There is no limit to the term that a member can serve on a sub-committee.
- 11.12 Where a vacancy occurs as a result of a member leaving a sub-committee, a replacement member will be appointed by the full Authority at the next meeting following the vacancy.

#### Chair and Vice-Chair

- 11.13 Any member of a sub-committee is eligible to stand as Chair or Vice-Chair.
- 11.14 Where the office of Chair or Vice-Chair becomes vacant, members of the sub-committee will elect a Chair or Vice-Chair at the next meeting following the vacancy. The clerk will take the meeting to conduct the election of a Chair.
- 11.15 Nominations for the post of Chair or Vice-Chair will be made orally to the Clerk at the meeting and the election will be by majority vote of the members present.
- 11.16 If there are an equal number of votes for the members nominated, the Clerk will decide the election by lot.
- 11.17 In the absence of both the Chair and Vice-Chair of a sub-committee, the Chair or Vice-Chair of the Authority shall act as Chair for the duration of the meeting.
- 11.18 Should the Chairs and Vice-Chairs of the sub-committee and the Authority not be present, members of the sub-committee will elect one of their number as Chair for the duration of the meeting.

#### The role of the Chair of a sub-committee

- 11.19 The role of the Chair of a sub-committee of the Eastern IFCA is to:
- ensure that the sub-committee carries out its business efficiently and lawfully within the remit it has been given by the Authority and in line with the Authority's plans and policies, legal duties, Constitution and standing orders, and
  - enable members to participate fully in discussions and decisions so that the sub-committee can benefit from their experience and expertise, and their knowledge of the interests of the Eastern IFCA's communities and stakeholders.

---

<sup>48</sup> Article 17(3) Eastern IFCA Order 2010

<sup>49</sup> Article 17(2) Eastern IFCA Order 2010

- 11.20 In fulfilling this role, the Chair will work closely with, and take advice from the Authority's CEO and professional officers and its Clerk.
- 11.21 The Chair will also represent the Eastern IFCA at meetings and functions if requested to do so by the Chair of the Authority and the CEO.

#### Substitutes

- 11.22 Any member of the Authority can act as a substitute for a member of a Sub-Committee.
- 11.23 A member who wishes to be substituted at a meeting will, before the date of the meeting, notify the Clerk of the name of the substitute.

### **12. Appointment of working groups**

- 12.1 The Authority or any of its sub-committees may set up informal working groups to examine matters that are within the remit of the Authority or sub-committee. The resolution setting up the working group will define its terms or reference.
- 12.2 Any member or officer of the authority may be a member of a working group.
- 12.3 The working group will report back to the meeting that set it up.

### **13. Participation in meetings by members of the public and representatives of partner organisations**

#### Members of the public

- 13.1 All meetings of the full Authority and its sub-committees will be open to members of the public, except where a resolution to exclude the press and public has been agreed by the full Authority or the sub-committee.<sup>50</sup>
- 13.2 Members of the public may not make comments or ask questions at the meeting, unless invited to do so by the Chair of the meeting.
- 13.3 Members of the public may submit written questions or comments for consideration at a meeting. The question or comment should concern with an item on the agenda for the meeting.
- 13.4 The question or comment must reach the CEO at least two days before the date of the meeting. The CEO and the Chair of the Authority will decide whether it is appropriate to put the matter to the meeting.
- 13.5 If it is decided not to put the matter to the meeting, the CEO will ensure that a prompt written response is sent to the member of the public concerned.
- 13.6 Members of the public can also ask individual members to raise issues at a meeting as long as the issue concerns an item on the agenda for the meeting.

#### Representatives of the MMO, Natural England, the Environment Agency and other partner agencies

- 13.7 The members appointed by the Environment Agency and Natural England, and the member appointed as an MMO employee may invite a colleague or colleagues to present information with the prior consent of the CEO.
- 13.8 The CEO, in consultation with the Chair of the meeting, may allow representatives of other partner agencies to present information.

### **14. Extraordinary Meetings**

- 14.1 After consulting the CEO, the relevant Chair or any three members may summon an extraordinary meeting of the full Authority or a sub-committee, for a reason relating to the functions of the Eastern IFCA that they consider urgent, by giving notice to the Clerk.

---

<sup>50</sup> Section 100A Local Government Act 1972

- 14.2 The Clerk will call a meeting of the full Authority or sub-committee within three clear working days of receiving such a notice.
- 14.3 The agenda for an extraordinary meeting will be as follows:
- Item 1: Welcome by the Chair
  - Item 2: Apologies for absence
  - Item 3: Declarations of interest
  - Item 4: The purpose for which an extraordinary meeting has been summoned
  - Item 5: Any other urgent business
- 14.4 No other items, including minutes of the last meeting, will be taken at an extraordinary meeting.<sup>51</sup>
- 14.5 The rules of procedure set out in paragraphs 9.9-9.40 will apply to extraordinary meetings.

## **15. Exempt information under Schedule 12A of the Local Government Act 1972**

- 15.1 The exemption categories referred to in paragraph 1.49 are as follows<sup>52</sup>:
- Information relating to any individual
  - Information which is likely to reveal the identity of an individual
  - Information relating to the financial or business affairs of any particular person (including the authority holding the information)
  - Information relating to any consultations or negotiations or contemplated negotiations in connection with any labour relations matter arising between the authority or a minister of the Crown and employees of, or office holders under, the authority
  - Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings
  - Information which reveals that the authority proposes –
    - (i) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or;
    - (ii) to make an order or direction under any enactment
  - Information relating to an action taken or to be taken in connection with the prevention, investigation or prosecution of crime

---

<sup>51</sup> Paragraph 41(4) Schedule 12, Local Government Act 1972

<sup>52</sup> The exemption categories must be interpreted in the light of the Freedom of Information Act 2000 and the advice of the Information Commissioner

# **EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY**

## **CONSTITUTION**

### **CHAPTER 5: FINANCIAL REGULATIONS 2012**

#### **1 General**

- 1.1 These financial regulations shall govern the conduct of the financial transactions of the Authority and may only be amended or varied by resolution of the Authority.
- 1.2 The Responsible Financial Officer (RFO) shall be the Chief Executive Officer who shall be responsible for the proper administration of the Authority's financial affairs.
- 1.3 The RFO shall be responsible for the production of financial management information.

#### **2 Annual Estimates**

- 2.1 Detailed estimates of income and expenditure on revenue services, and receipts and payments on capital account, shall be prepared each year by the RFO. Proposals in respect of revenue services and capital projects in a rolling three year forecast shall also be prepared each year by the RFO.
- 2.2 The Finance and Personnel Sub-Committee shall review the estimates and make a recommendation to the Authority not later than the end of January in each year on the precept to be levied for the ensuing financial year.
- 2.3 All expenses incurred by the Authority within the agreed budgets are to be met by the relevant County Councils.
- 2.4 Orders for the payment of money by the County Councils (Levies) must be signed by the Chair, or in the Chair's absence, the Vice-Chair, and the Chief Executive Officer.
- 2.5 The annual capital and revenue budgets shall form the basis of financial control for the ensuing year.

#### **3 Budgetary Control**

- 3.1 Expenditure on the revenue account may be incurred up to the amounts included in the budget.
- 3.2 The RFO shall when requested provide the Authority with a statement of income and expenditure to date under each head of the approved annual revenue and capital budgets.
- 3.3 The RFO may incur expenditure on behalf of the Authority which is necessary to carry out any repair replacement or other work which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure. The RFO shall report the action to the Authority as soon as practicable thereafter.
- 3.4 Unspent provisions in the revenue budget shall not be carried forward to a subsequent year other than as balances to reduce subsequent levy calls unless authorised by the Authority.
- 3.5 Notwithstanding 3.4 above, the RFO shall be responsible for identifying and establishing specific earmarked reserves where appropriate.
- 3.6 No expenditure shall be incurred in relation to any capital project and no contract entered into or tender accepted involving expenditure on capital account unless the Authority or Sub-Committee concerned are satisfied that it is contained in the rolling capital programme and that the necessary capital funds are available, or the requisite borrowing approval can be obtained.

- 3.7 All capital works shall be administered in accordance with Authority's procedures and financial regulations relating to contracts.

#### **4 Accounts and Audit Commission**

- 4.1 All accounting procedures and financial records of the Authority shall be determined by the RFO as required by the Accounts and Audit Regulations 1996 and the *Accounts and Audit (England) Regulations 2011*.

- 4.2 The RFO shall be responsible for completing the annual accounts of the Authority as soon as practicable after the end of the financial year and shall submit them to and report thereon to the Finance and Personnel Sub-Committee by no later than 30th June in any one year. The Finance and Personnel Sub-Committee is responsible for the approval of the annual Statement of Accounts prior to submission to the Authority at the July Authority Meeting.

- 4.3 The RFO shall be responsible for maintaining an adequate and effective system of internal audit of the Authority's accounting, financial and other operations in accordance with Regulation No.5 of the Accounts and Audit Regulations 1996.

4.3.1 As part of the effective system of internal audit the Authority shall appoint a suitable person who is removed from the decision making process of the Authority who shall be responsible for undertaking an internal audit from time to time but at least annually.

4.3.2 Any officer or member of the Authority shall, if the RFO requires, make available such documents of the Authority which relate to their accounting and other records as appear to the RFO to be necessary for the purpose of the audit and shall supply the RFO with such information and explanation as the RFO considers necessary for that purpose.

#### **5 Banking Arrangements and Cheques**

- 5.1 The Authority's banking arrangements shall be made by the RFO and approved by the Authority. A Current Account shall be maintained at the bank, to cover general expenses and a Salary & Wages Account to cover payroll. In addition to these the RFO is authorised to operate such bank accounts he/she may consider necessary in order to optimise income from interest bearing accounts.

- 5.2 A schedule of payments made and monies received shall be prepared by the RFO and presented to the Authority at their Meetings. If the schedule is in order it shall be authorised by a resolution of the Authority and signed by the Chair or Vice Chair.

- 5.3 BACS, Cheques, Direct Debits and Standing Orders drawn on the Current bank Account in accordance with the schedule referred to in the previous paragraph shall be signed by two duly authorised signatories in accordance with current bank mandates resolved by the Authority.

- 5.4 Monthly lists of payments made by cheque or direct debit/standing order will be prepared by the RFO and approved by the Chair or Vice-Chair.

#### **6 Payment of Accounts**

- 6.1 All payments other than petty cash transactions shall be effected by cheque or other order drawn on the Authority's bankers.

- 6.2 All invoices for payment shall be examined, verified and certified by the officer issuing the order. Before certifying an invoice the officer shall satisfy him/herself that the work, goods or services to which the invoice relates have been received, carried out, examined and approved.

- 6.3 Duly certified invoices shall be passed to the RFO who shall examine them in relation to arithmetical accuracy and authorisation, and shall code them to the appropriate expenditure head. The RFO shall take all possible steps to settle all invoices submitted, and which are in order, within 30 days of their receipt.

6.4 All duly certified invoices will be summarised in the schedule referred to in 5.2 above.

## **7 Payment of Salaries and Wages**

7.1 The payment of salaries and wages shall be made by the RFO from the payroll account in accordance with the payroll records.

7.2 All time sheets shall be certified as to accuracy by or on behalf of the RFO.

## **8 Investments**

8.1 All investments under the control of the Authority shall be negotiated by the RFO in the name of the Authority.

8.2 All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

## **9 Income**

9.1 The collection of all sums due to the Authority for work done, services rendered or goods supplied shall be the responsibility of, and under the supervision, of the RFO.

9.2 The RFO will review all fees and charges as necessary.

9.3 Any bad debts shall be reported to the Authority.

9.4 All sums received on behalf of the Authority shall either be paid to the RFO for banking or be banked by the officer collecting the money as directed by the RFO. In all cases all receipts shall be deposited with the Authority's bankers as soon as possible.

9.5 A reference to the related debt, or otherwise, indicating the origin of each cheque, shall be entered on the paying in slip.

9.6 Personal cheques shall not be cashed out of money held on behalf of the Authority.

## **10 Orders for Work, Goods and Services**

10.1 An official order or letter shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate e.g. petty cash purposes. Copies of orders issued shall be maintained.

10.2 Order books shall be controlled by the RFO.

10.3 All officers are responsible for obtaining value for money at all times. An officer issuing an official order is to ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction.

10.4 All officers are required to comply with the requisite authorisation to undertake a transaction as specified in internal memoranda issued by the RFO.

## **11 Contracts**

11.1 Procedures as to contracts are as follows:

(a) Every contract whether made by the Authority or by a Sub-Committee to which the power of making contracts has been delegated shall comply with these procedures, and no exception from any of the following provisions of these procedures shall be made otherwise than by direction of the Authority or in an emergency by such a Sub-Committee as aforesaid provided that these procedures shall not apply to contracts which relate to items (i) to (v) below:

(i) for the supply, of gas, electricity, water, sewerage and telephone services

(ii) for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants.

(iii) for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant.

- (iv) for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Authority.
  - (v) for goods or materials proposed to be purchased which are proprietary articles and/or which are sold only at fixed price, or for which there is only one source of supply.
- (b) Where it is intended to enter into a contract, other than specified in (c) below:
- (i) exceeding £5,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out on paragraph (a) the RFO shall invite quotations from at least three appropriate firms.
  - (ii) if less than three quotations are received or if all three quotations are identical the RFO may make such arrangements as he thinks fit for procuring the goods or materials or executing the works.
- (c) Where it is intended to enter into a contract for major capital expenditure relating to e.g. new vessels and or their replacement, buildings etc. the RFO shall invite tenders from at least three appropriate firms.
- (d) When applications are made to waive procedures relating to contracts to enable a tender to be negotiated without competition the reason shall be embodied in a recommendation to the Authority.
- (e) Every exception made by a Sub-Committee to which the power of making contracts has been delegated shall be reported to the Authority and the report shall specify the emergency by which the exception shall have been justified.
- (f) Such invitation to tender shall state the general nature of the intended contract and the RFO shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the RFO and the last date by which such tenders should reach the RFO in the ordinary course of post. Each tendering firm shall be supplied with a specially marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
- (g) All sealed tenders shall be opened at the same time on the prescribed date by the RFO or the properly authorised deputy in the presence of at least one member of the Authority.
- (h) If less than three tenders are received or if all three tenders are identical the Authority may make such arrangements as it thinks fit for procuring the goods or materials or executing the works.
- (i) The Authority shall not be obliged to accept the lowest of any tender. Justification of the chosen tender must be given in writing to the Authority.
- (j) Any invitation to tender issued under these procedures shall contain a statement to the effect that procedures 11.1(c) to 11.1(i) will be adhered to.

## **12 Payments Under Contracts for Building or Other Construction Works**

- 12.1 Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the architect or other consultants engaged to supervise the contract.
- 12.2 Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments. In any case when it is estimated that the total cost of work carried out under a contract, excluding fluctuation clauses, will exceed the contract sum by 1% or more a report shall be submitted to the appropriate Committee.

- 12.3 Any variation to a contract or addition to or omission from a contract must be approved by the RFO in writing, the appropriate Committee being informed where the final cost is likely to exceed the financial provision.

### **13 Assets**

- 13.1 The RFO shall make appropriate arrangement for the custody of all title deeds or assets owned by the Authority. The RFO shall ensure a record is maintained of all assets owned by the Authority, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Regulation No.4(3)(b) of the Account and Audit Regulations 1996.
- 13.2 No asset exceeding the £10,000 de-minimis level recommended by District Audit shall be sold, leased or otherwise disposed of without the authority of the Authority.

### **14 Insurance**

- 14.1 The RFO shall effect all insurances and negotiate all claims on the Authority's insurers.
- 14.2 The RFO shall be responsible for insuring all new risks, properties, vessels or vehicles and any alterations affecting existing insurances.
- 14.3 The RFO shall keep a record of all insurances effected by the Authority and the property and risks covered thereby and annually review it.
- 14.4 The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim.
- 14.5 All members and employees of the Authority shall be included in suitable fidelity guarantee, professional indemnity, and Directors and Officers insurances.

### **15 Revisions of Financial Regulations**

- 15.1 It shall be the duty of the RFO to review the financial regulations at a maximum interval of two years and to report to the Authority accordingly.

## APPENDIX 2

LEGAL SERVICES LINCOLNSHIRE

*Together we are stronger*

County Offices  
Newland  
Lincoln LN1 1YS  
Tel: (01522) 782242  
Fax: (01522) 552138  
MDX 701680 – Lincoln 5

Note to David O'Connor – Monitoring Officer LCC – re EIFCA proposed Standing Orders and Code of Conduct.

I have read through the proposed Standing Orders and supporting paper provided by Mary Clancy. The majority of what is provided is as prescribed by the law which covers this body and the additional provisions seem entirely sensible.

As regards the proposed Code of Conduct, it needs to be borne in mind that the EIFCA is not in law independently formally bound by the new arrangements under the Localism Act. Its Councillor members are bound under their respective Council codes (though of course under the new arrangements these can all be different) and any complaint against them would fall to be dealt with under their respective Code and formally adopted arrangements for handling complaints. Likewise the officer representatives will fall under the discipline of their own organisations. That said, it seems sensible for the EIFCA to set out an agreed uniform expectation of behaviour and there are sensible provisions in the constitution allowing member organisations to act should they deem it appropriate if behaviour falls short of that.

I have drawn Mary's attention to the new Access to Information provisions coming into effect for Executives on 10<sup>th</sup> September 2012 – again these do not strictly apply to the EIFCA, only to LA executives but they will soon become the template against which the Councillor members are used to operating within their own Councils and may be something the EIFCA wish to look at adopting in the future, particularly as regards the forward notice provisions for 'key decisions' and the recording and publication of officer 'executive' decisions.

Please don't hesitate to come back to me if I can be of any further help.

Eleanor Hoggart

Assistant Director – Legal Services Lincolnshire  
E-Mail: [Eleanor.hoggart@lincolnshire.gov.uk](mailto:Eleanor.hoggart@lincolnshire.gov.uk)  
Direct Dial: (01522) 552542

**Vision**

Inshore Fisheries and Conservation Authorities 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.

**7<sup>th</sup> Eastern IFCA**

**31 October 2012**

**Agenda Item 16**

**Draft Schedule of Delegations for the Eastern IFCA Constitution**

**Issue Statement:** As part of their consideration of the proposed Eastern IFCA Constitution including revised Standing Orders, the Finance & Personnel and Regulatory & Compliance Sub-Committees agreed to ask officers to begin a review of delegations of function and make initial recommendations to this Authority meeting (report under item 15 on this agenda).

In addition, the Finance & Personnel Sub-Committee agreed to recommend to the full Authority the principle of delegating operational decisions concerning the staffing structure to the Chief Executive Officer (CEO) and asked the CEO to bring to this meeting a framework setting out the limits of this delegation.

**Comment:** The CEO has carried out a review of the existing delegations of function, including in relation to the staffing structure, and the options for further or different delegation arrangements. This review has indicated that, should members so wish, there is latitude for sub-committees to be delegated greater powers of decision making in order to enable them drive output forward on behalf of the full Authority. Similarly, the CEO should be charged with sufficient delegated authority to conduct the day to day operational business of EIFCA.

**Consultation:** Given that the CEO has only been in post for a short time it is acknowledged that consultation during the drafting of the proposed scheme has, to date, been scant. Should members be comfortable, it is proposed that the draft Scheme of Delegations is considered under 'silence' procedures for a period to be agreed by members in order to give time for due consideration. Comments may be offered out of committee to the CEO who will update the Scheme for subsequent discussion with the Chairman. Once the period of Silence is closed it will be assumed that members have endorsed the proposed scheme.

In addition, and noting the pivotal function that the delegations scheme provides in enabling EIFCA business, it is proposed that the Scheme be routinely reviewed at the Apr and Oct statutory meetings.

**Financial implications:** There are no financial implications.

**Regulatory implications:** There are no regulatory implications.

**Publicity:** There are no publicity implications.

**Resolution: Members are asked to:**

- a) note the Schedule of Delegations attached;**
- b) approve a period of 'silence' to enable due consideration.**

**c) acknowledge that once the period of silence is complete, the scheme will be adopted.**

**d) Agree to review the scheme of delegations at Apr and Oct statutory meetings.**

**Enclosure**

1. Draft Scheme of Delegations v1 dated 19 Oct 12.

**Background papers**

Finance & Personnel Sub-Committee 26 September 2012: Agenda items 9 and 15

P J Haslam  
CEO  
22 October 2012

## **ENCLOSURE: Agenda item 16**

### **EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY CONSTITUTION**

#### **CHAPTER 4 - SCHEME OF DELEGATIONS**

##### **Responsibility for functions**

1. In accordance with the requirements of the regulations Chapter 4 of this Constitution sets out the extent to which the Authority's functions other than overview and scrutiny functions
  - Are the responsibility of the full Authority
  - Are the responsibility of Sub Committees of the Authority
  - Are the responsibility of the Chief Executive Officer

The allocation of responsibilities aligns with the three local Councils' interpretation of the approach to the division of functions between the Executives and the appointed Authorities, namely

- Determination of the policy framework and budget and other constitutional and quasi legislative functions are to be the responsibility of the full Authority
- Functions which involve the delivery of the vision of Eastern IFCA across the spectrum of Conservation and Enforcement business are to be the responsibility of the Chief Executive Officer (CEO).
- All other functions not being overview and scrutiny functions are to be the responsibility of the Executive.

Within this framework all members have agreed that it is the role of Authority members to concentrate upon broad strategy and policy decisions and that it is essential that the CEO and subordinate managers have clear managerial control and authority to implement those decisions.

It is part of the role of Authority members to raise concerns, particularly those of stakeholders, and bring to the attention of the CEO matters of concern on any element of EIFCA business. Members agree that their involvement in day to day management beyond this is unlikely to promote the most effective service. In exercising their delegated powers, the CEO shall consider the concerns and comments of Members whilst recognizing their responsibility to manage delivery of EIFCA outputs in accordance with the Authority's policy framework.

<b>MATTERS WHICH IT IS THE RESPONSIBILITY OF THE FULL AUTHORITY TO DISCHARGE</b>
<b>Function</b>
1. Approving and adopting the Annual Budget and setting the levy to the County Councils
2. Agreeing quarterly accounts and statements of payments made and monies received
3. Approving bank signatories
4. Adopting and Changing the Constitution including reviewing members' Standing Orders; Schedule of Delegations; code of conduct for non-members; Fraud and Corruption policy and Access to Information policy
5. Adopting or changing the Members' Code of Conduct, subject to legal advice.
6. Agreeing and reviewing annually the Members' expenses scheme
7. Agreeing and/or amending the terms of reference for Sub-Committees, deciding on their composition and making appointments to them including appointment of Chairmen and Vice Chairmen.
8. Appointing representatives of the Authority to outside bodies.
9. Agreeing the Authority's strategic policy framework as follows: <ul style="list-style-type: none"> <li>• Annual Report</li> <li>• Annual Plan</li> <li>• Research and Environment Plan</li> <li>• Communications and Engagement Strategy</li> <li>• Research Reports</li> <li>• Biosecurity Plan</li> <li>• Risk Management strategy</li> <li>• Derogations Policy</li> </ul>
10. Agreeing the Authority's strategic enforcement framework as follows: <ul style="list-style-type: none"> <li>• Enforcement Strategy</li> <li>• Enforcement Code of Conduct</li> <li>• Financial Administrative Penalties for Fisheries Offences</li> </ul>
11. Receiving reports on complaints against the Authority and on FoI and DPA requests
12. Agreeing and signing Memoranda of Understanding and other partnership initiatives
13. Approving the appointment and relief of the Chief Executive Officer.
14. Receiving minutes of meeting of the Association of Inshore Fisheries and

Conservation Authorities
15. Managing inshore fisheries outwith WFO 1992 as delegated and approved by DEFRA
16. Waiving any of the procedures relating to contracts which are set out in the Financial Regulations
17. Agree the sale of assets worth more than £10,000
18. Receiving reports and agree action on bad debts
19. Acting as a consultee for planning proposals and other issues that may affect or impact on fisheries resources or the marine environment within the Authority's District.

<b>MATTERS WHICH IT IS THE RESPONSIBILITY OF THE FINANCE AND PERSONNEL SUB COMMITTEE TO DISCHARGE</b>	
<b>Function</b>	
1.	Decision making powers concerning operational financial matters and approving of the annual Statement of Accounts, transfers between accounts, appointment of the Auditor and amendments to the Financial Regulations, but not the setting of the levy, approval of quarterly accounts and statements and approval of bank signatories, all of which are reserved to the full Authority.
2.	Decision making powers in developing and implementing the Human Resources strategy for the organisation including staff structure and employment policy to include personal development, training and appraisal strategies to assure adherence to relevant UK employment law and other mandated public sector initiatives.
3.	Decision making powers regarding the recruitment, remuneration and retention of personnel with the exception of the appointment and relief of the CEO.
4.	Decision making powers to approve standing interview procedures and the appointment of interview panels for the recruitment of Executive <sup>53</sup> personnel including Consultants. Authority members of interview panels will be drawn from this Sub-Committee and panels will also include appropriate Authority senior officers; panels will normally be chaired by the Chair of this Sub-Committee; panels will carry out all processes leading to the selection of the successful candidate who will be appointed by the Sub-Committee.
5.	Decision making powers to initiate and conduct Disciplinary/Grievance appeals panels.
6.	The Sub-Committee may delegate any of its powers to an individual member of the Sub-Committee or to the CEO except where the power falls to be discharged by a panel.
7.	The Chair of the Sub-Committee, or the CEO in consultation with the Chair, may refer any of the matters set out above to the full Authority for determination where this is in the Authority's interests.

<sup>53</sup> Executive posts deemed to be Hd Finance; Hd Human Resources; Hd Conservation; Hd Protection

**MATTERS WHICH IT IS THE RESPONSIBILITY OF THE MARINE PROTECTED AREAS SUB COMMITTEE TO DISCHARGE**

**Function**

1. Decision-making powers in relation to the following provisions of the WFO 1992:
  - Opening fisheries for the prescribed shellfish species in the area of the Wash covered by the WFO 1992 providing notice of at least 7 days of the intention to Entitlement holders.
  - Management measures for fisheries in the relevant area of the Wash including approving any underpinning research initiatives.
  - Granting and revoking licences.
  - Approving and reviewing the Derogation process
2. Decision making powers in relation to European Marine Site (EMS) responsibilities including:
  - Establishing the policy framework to enable accommodation of developing EMS initiatives material to authority outputs.
3. Making recommendations to the full Authority in relation to the management and administration of all marine protected areas in the district.
4. The Sub-Committee may delegate any of its powers to an individual member of the Sub-Committee or to the CEO.
5. The Chair of the Sub-Committee, or the CEO in consultation with the Chair, may refer any of the matters set out above to the full Authority for determination where this is in the Authority's interests.

**MATTERS WHICH IT IS THE RESPONSIBILITY OF THE PLANNING AND COMMUNICATIONS SUB COMMITTEE TO DISCHARGE**

**Function**

1. Developing the Authority's vision and strategic planning to deliver the DEFRA success criteria.
2. Preparing the Authority's annual plan and annual report
3. Developing the Authority engagement and communication strategy.
4. Formulating the replacement strategy for Authority capital assets for recommendation to the full Authority.
5. The Sub-Committee may delegate any of its powers to an individual member of the Sub-Committee or to the CEO.
6. The Chair of the Sub-Committee, or the CEO in consultation with the Chair, may refer any of the matters set out above to the full Authority for determination where this is in the Authority's interests.

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

<b>MATTERS WHICH IT IS THE RESPONSIBILITY OF THE CHIEF EXECUTIVE OFFICER TO DISCHARGE</b>
<b>Function</b>
<b>Human Resources</b>
1. Being the Head of the Eastern IFCA's paid service and ensure that the Authority deals effectively and lawfully with day to day operational control of personnel issues, including management of staff structure, recruitment, retention, welfare, training, disciplinary and grievance matters. To develop plans to deliver HR strategy.
2. Managing the performance of staff to ensure that the Authority's policies and decisions are implemented effectively and that key targets and objectives are met.
3. Being ultimately responsible for all other HR matters that have not been delegated to the Finance & Personnel Sub-Committee or reserved to the full Authority.
<b>Protection and Conservation</b>
4. Leading and directing the Authority's officers in the enforcement of all legislation relating to the management and policing of the inshore fisheries and the conservation of the marine environment.
5. Instigating and taking legal proceedings for offences under any legislation which empowers the Authority to take legal proceedings, after consultation with the Chair and Vice-Chair of the Authority.
6. Making emergency byelaws under Section 157 of the Marine and Coastal Access Act 2009 after consulting with the Chair and Vice Chair of the Authority and notifying the Chair and Vice Chair of the Regulatory & Compliance Sub-Committee. On making an emergency byelaw, the CEO must call an extraordinary meeting of the full Authority.
7. Ensuring that the Authority liaises and works in co-operation with other inshore fishery and conservation organisations, including other IFCAs.

8. Being ultimately responsible for all fisheries management matters that have not been delegated to the Marine Protected Areas Sub-Committee or reserved to the full Authority.
<b>Governance and Financial management</b>
9. Being the Responsible Financial Officer for the Eastern IFCA as defined in the Authority's Financial Regulations.
10. Entering into and varying contracts on behalf of the Authority where these are necessary to implement the Authority's decisions or to discharge the responsibilities of the CEO and provide the best value for the Authority.
11. Being responsible for all financial management matters that have not been delegated to the Finance & Personnel Sub-Committee or reserved to the full Authority.
12. Acting as signatory in respect of permits, licences, agendas, cheques and other such Authority documentation.
13. Ensuring that all governance, enforcement, financial management and HR policies and procedures are maintained in an accurate and up-to-date state and are adhered to by all staff and members.
14. Ensuring that all matters within the decision-making powers of the full Authority and its Sub-Committees are brought forward to the relevant forum in a timely manner and with all information necessary for a robust and lawful decision.
15. Receiving and investigating complaints against non-elected members of the Authority and make recommendations to the appointing body. Refer complaints against elected members to the relevant county council Monitoring Officer.
16. Ensuring the Authority's complaints procedure is implemented and monitored
17. Ensuring the preparation and circulation of agendas, papers and minutes for all Authority and Sub-Committee meetings in line with legal requirements and the Eastern IFCA Constitution.
18. Attending, or being represented, at all meetings of the Authority, Sub-Committees, working groups, and other meetings and ensure that advice is available on legal and procedural issues.
19. Ensuring the Authority meets its obligations under the Freedom of Information and Data Protection Acts
<b>External representation and communications</b>
20. Ensuring that the Eastern IFCA is appropriately represented at meetings with other bodies such as DEFRA, MMO, Environment Agency, Natural England, Association of Inshore Fisheries and Conservation Authorities, county councils etc.
21. Ensuring effective communications between Eastern IFCA staff and members, and between the Authority and other bodies.
22. Maintaining effective community consultation, engagement and participation arrangements for the Authority that meet external and internal objectives.

<b>Powers of Delegation</b>
23. Delegating functions to another officer of the Eastern IFCA but remaining accountable for the outcome of such delegations.
<b>Provision for emergencies</b>
24. Where, in the opinion of the CEO (or their nominated deputy in their absence) a decision which is within the powers of the Authority, but is not within the CEO's delegated powers, is urgently required by the Eastern IFCA, and cannot be delayed until an Authority or relevant Sub-Committee meeting is convened, the CEO may take the decision, having first consulted the Chairman and the Vice-Chairman of the Authority and, where relevant, the Sub-Committee Chair and Vice-Chair. All such decisions must be reported to the next meeting of the Authority and the relevant Sub-Committee.



**Eastern**  
Inshore Fisheries and  
Conservation Authority

**Vision**

Inshore Fisheries and Conservation Authorities 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.

**7<sup>th</sup> EIFCA Meeting**

**31 October 2012**

**Item Number: 17**

**Changes to the terms and conditions of employment**

The full paper relating to this item will follow after consultation with the employees and union concludes on Friday 26 October 2012.

Nichola Freer  
Head of HR  
22<sup>nd</sup> October 2012

**Vision**

Inshore Fisheries and Conservation Authorities 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.

**7<sup>th</sup> EIFCA Meeting**

**31 October 2012**

**Item Number: 18**

**Communication and Engagement Plan & Strategy**

**Proposal:** All Authority members to agree to the publishing of the Communication & Engagement Plan and Overarching Strategy 2012-2015.

**Issue Statement:** Following a meeting of the Planning & Communication Sub-Committee on 27 June 2012, it was agreed that a Communication & Engagement Plan should be drafted. This is required to meet to meet Success Criterion 4 (*IFCAs work in partnership and are engaged with their stakeholders*), Success Criterion 6 (*IFCAs support and promote the sustainable management of the marine environment*) and Success Criterion 7 (*IFCAs are recognised and heard*).

The plan has now been written using input from the Planning & Communication Sub-Committee meeting held on 27 June 2012 and feedback sought from Sub-Committee members and all Eastern IFCA staff.

**Background**

The Communication & Engagement Plan (the plan) attempts to address High Level Objectives 4 and 7 by providing stakeholders with an overview of the key communication and engagement tasks that the Authority's staff will conduct during the 3<sup>rd</sup> and 4<sup>th</sup> quarters of 2012 and throughout the 2013/14 financial year.

The plan was sent to Planning & Communication Sub-Committee members for comment as well as to all Eastern IFCA staff. However, it is adaptable and any further comments will be taken on board. The plan will be reviewed annually and adapted to suit changing demands.

The plan will be co-ordinated by the Community Development Officer (CDO), however, to achieve success, it will require co-operation and shared vision across Eastern IFCA. It contains 21 separate projects detailed on pages 13-22 and summarised on page 23. The timeline for these has been set to accommodate the maternity leave of the CDO.

**Resolution:**

**Members are asked to agree that the Communication & Engagement Plan and Overarching Strategy 2012 – 2015 can be published.**

**List of Back ground papers**

1. Planning & Communication Sub-Committee 27 September 2012: Agenda items 6, 7, 9
2. 6<sup>th</sup> Eastern IFCA 25 July 2012 Agenda item 18

Lucy Ritchie  
Community Development Officer  
19<sup>th</sup> October 2012

**Vision**

Inshore Fisheries and Conservation Authorities 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.

**Item Number: 19**

**31 October 2012**

### **Eastern IFCA Derogation process**

**Proposal:** It is proposed that a new, more robust derogation process is introduced as indicated in the chart below.

**Problem/Issue Statement:** Derogations are an important part of the work of The Eastern IFCA. Until now however the process has been carried out on a somewhat ad hoc basis and the recording of derogations confused. This process has been identified as being confusing and requires streamlining.

**Back ground:** Derogations from bye-laws are a large area of work for the Eastern IFCA. Until now derogations are granted following requests in any form (e.g. e mail, telephone call etc.). Derogations are given by email and the applicant simply requested to carry the email as proof. No record of derogations granted exists.

### **Comment and recommendations**

It is recommended that a more robust process be put in place as soon as possible and documents available online detailing the process. The documents being worked on at present are:

- An online application form
- A flow chart explaining the process
- Guidance notes detailing the how decisions are made
- A standardised Derogation approval certificate
- A database to record any Derogations applied for, granted and declined

**Financial implications:** Following discussion it is proposed that this represents a formalisation of an existing process rather than a new output and as such it was considered inappropriate to levy a charge. Furthermore, to introduce a charge at the outset may introduce risk in terms of charging for a service considered to be a core responsibility. It is proposed that this position be held under review pending practical experience and that the Authority reserve the right to introduce a charge if the weight of effort to process Derogation applications is disproportionate and draws staff resource from other mandated outputs.

**Publicity:** Organisations who have previously applied for Derogations should be informed directly of the change of process. There will also need to be a notification on the website and at Community Engagement meetings.

### **Recommendations**

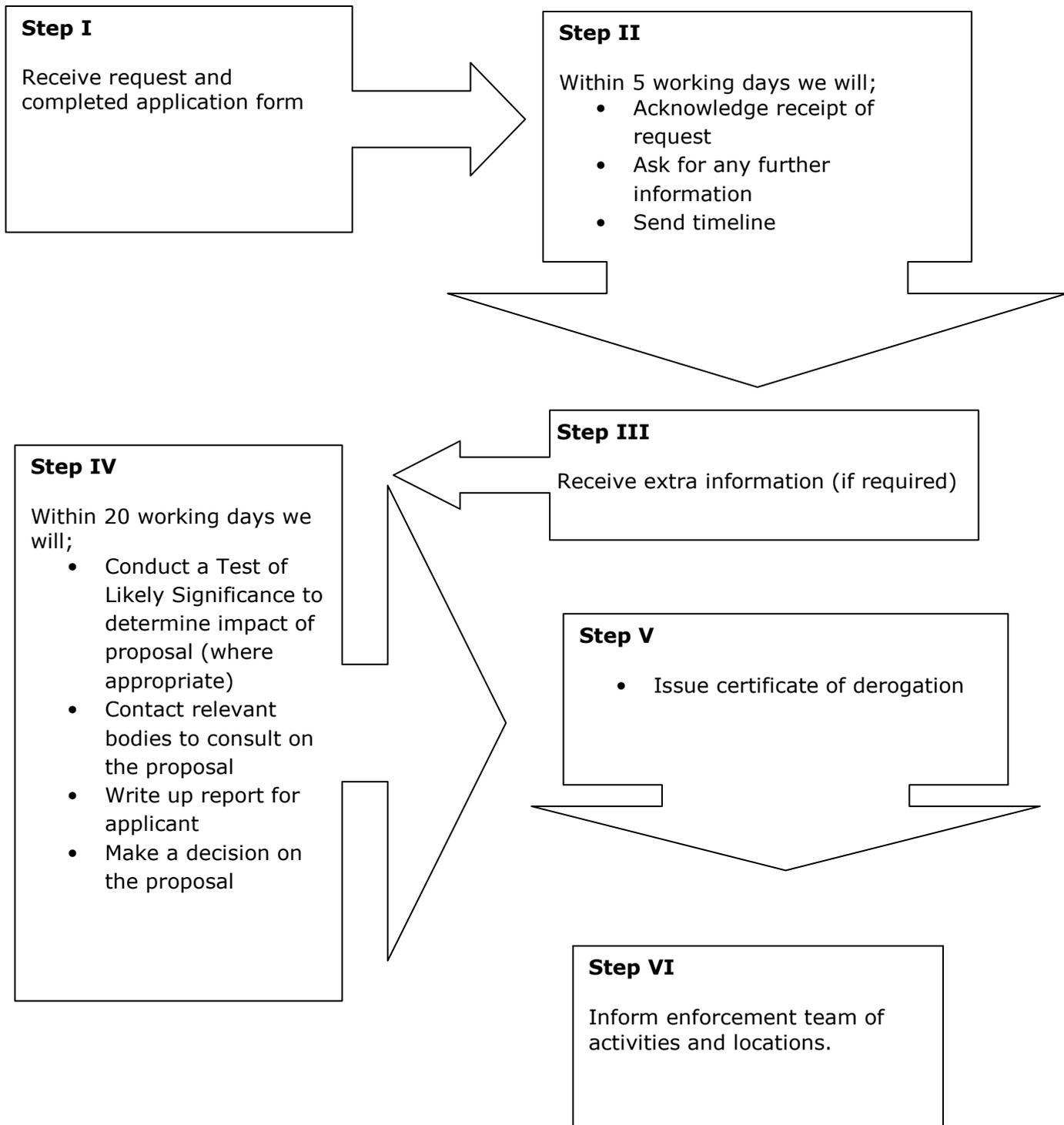
#### **Members are asked to:**

- 1. Endorse the derogation process set out in this report.**
- 2. Agree that this will be done on a no fee basis initially, to be reviewed quarterly.**

Lucy Ritchie  
Community Development Officer  
19<sup>th</sup> October 2012

## Derogation Process

The following chart sets out the steps involved in the derogation process:



**Vision**

Inshore Fisheries and Conservation Authorities 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.

**7<sup>th</sup> Eastern IFCA**

**31 October 2012**

**Agenda Item 20**

**Policy Development: European Marine Sites**

**Issue Statement:** Defra have announced a change of approach in the management of European Marine Sites. It is envisaged that IFCAs will have a greater role in managing impacts of features on European Marine Sites. Eastern IFCA and the Association of IFCAs are participating in the policy development.

**Comment**

At the 3rd Authority meeting on 26 October 2011 the challenge brought by Client Earth and the Marine Conservation Society was discussed (EIFCA11/66). The challenge focused on the lack of assessment of fishing impacts on European Marine Sites.

Since October 2011, Defra have announced a change of approach. This has resulted in a rapid policy process to resolve problems and map a way forward including almost weekly Project Boards and fortnightly meetings of the Implementation Group. The Association of IFCAs has been sitting on the Project Board, and two IFCA officers (including one from Eastern) on the Implementation Group.

The way forward currently being advocated has been to look at all gear types and their interactions with features of European Marine Sites. Interactions are then colour coded. The aim is for urgent 'red' interactions to be resolved by the end of 2013. Orange interaction would either require further information or further examination of the interactions. These are to be resolved on a longer time frame. Currently the focus is on Habitats interactions. Birds Directive based management is more complicated and not fully resolved at this time. Natural England is progressing this at a national level.

Following discussion with the IFCA Technical Advisory Group on 17/18 October 2012 and the Implementation Group meeting on Friday 19 October 2012 there are five national habitats that are currently identified as red (these codings are for discussion and not confirmed). These are:

- Sabellaria
- Seagrass
- Maerl
- Kelp
- Sub-tidal Bedrock (including Chalk and cobble/Bolder reef).

Sabellaria is the only significant red EMS habitat on this list found within the district of Eastern IFCA.

Yet to be agreed are what management measures are appropriate to resolve the conflicts. European Marine Sites cross the multiple jurisdiction boundaries from the Common Fisheries Policy (outside 12nm), MMO (0-12nm) and IFCAs (0-6nm). IFCAs will have a role to play in resolving these conflicts, but what that role is has yet to be confirmed.

Eastern IFCA is well placed to manage features, and has considerable experience. For protecting Sabellaria features the Authority has already prepared considerable

information. These changes could require the Authority to consider management measures such as bye-laws.

There are considerable Amber interactions along with the unknown effects of birds directive features which could mean that the work load of the Eastern IFCA (both Bye-law and Research/Environment) in the medium term could be skewed towards managing features in European Marine Sites.

The Chair of the Eastern IFCA has written to the Minister highlighting that we are well placed to help and support though there will need to be some reciprocal support and understanding from Defra, particularly about delivering other priorities given limited resources

The next step for the European Marine Site policy process is that the next Implementation Group meeting is on 30 October 2012. The final coding prioritisation will likely happen at this time for final agreement on 9 November 2012. At this meeting the discussion of the role and actions for a regulator will start to be fleshed out with a Workshop at the end of November.

**Consultation:** Currently many of the aspects of the process are policy privileged. We have asked Defra to provide a set of Questions and Answers and supporting statements. These can be found on their website:

[www.marinemanagement.org.uk/protecting/conservation/ems\\_fisheries.htm](http://www.marinemanagement.org.uk/protecting/conservation/ems_fisheries.htm)

**Financial implications:** There will be a requirement to manage features, by 2013 red features and 2016 for amber features. This will have resource implications.

**Regulatory implications:** There are potential needs for regulatory change, in 2013 to protect Sabellaria, and by 2016 for other features of importance.

**Resolution: Members are asked to note that:**

- a) **Defra has announced a 'Change of Approach' for managing European Marine Sites;**
- b) **there has been a prioritisation exercise to identify features most in need of protection in the short and medium term;**
- c) **IFCAs will have a role to play in this, but the precise nature of this involvement is yet to be finalised.**

#### **List of background papers**

1. Authority meeting papers
2. Defra website
3. Letter to Richard Benyon 10 October 2012

Eden Hannam  
Head of Marine Environment and Research  
17 October 2012

**Vision**

Inshore Fisheries and Conservation Authorities 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.

**Item Number: 21**

**31 October 2012**

**Quarterly progress against the Annual Plan**

Members are requested to note progress to date against the Annual Plan implemented at the Planning and Communications Sub-Committee meeting on 15 Feb 2012.

**Issue** To note and discuss progress against the forecast within the annual plan highlighting areas of success and discussing action plans to gather momentum in those areas deemed to be lagging behind.

**Comment** Despite the turbulence which has characterised the first six months of the year, members would wish to note that broadly, most of the actions laid against the 47 higher level objectives passed down by Defra have been progressed. Of particular note is the development of the Communications and Engagement Strategy and the HR work conducted in pursuit of better staff management. There is still much to do but the trend is positive and areas such as the development of a risk based Compliance mechanism, whilst still awaiting tangible output are at least, firmly in hand. With a full workforce and individual latitude to progress work across the breadth of the organisation, fulfilment of not only annual actions but also long term planning is considered eminently deliverable over the remainder of the year.

**Consultation:** Consultation has been conducted in house to gauge progress. External consultation has not been required.

**Financial implications:** There are no immediate financial and resource implications.

**Regulatory implications:** There are no regulatory implications.

**Recommendation: Members are asked to:**

- a) **note the Quarterly progress report;**
- b) **acknowledge the progress that has been made to date in difficult circumstances;**
- c) **acknowledge that there is still a lot to be achieved but, with the correct enablers now in place, the tempo of business going forward should reflect the resource investments in place.**

**List of Background papers**

Annual Plan 2012-13

P J Haslam  
CEO  
22 Oct 12

<b>EIFCA Annual Plan 2012/13 (High Level Objectives)</b>		
<b>Project</b>	<b>Progress this Quarter</b>	<b>Comment</b>
(1.1) The development of an annual plan to meet the requirements of the Authority and Defra. To be prepared and published by 31 <sup>st</sup> March.	✓	Annual Plan Completed
(1.2) Annual reports meeting the requirements of the Authority and Defra are prepared and published	✓	Annual Report Completed
(1.3) The issues impacting sea fisheries resources within the Eastern IFCA District have been identified, prioritised and, where appropriate, suitable management plans for them put in place by April 2015; management plans and progress against them are reflected in annual plans and reports	On going	Planning for Research/Environment and Enforcement complete.  Review of the Wash Shellfish policies and administration of the WFO 1992 scheduled for later in the financial year
(1.4) A staff management system, including training and development plans, is in development and being tested during 2011 for approval by staff and the authority and implementation in 2012	On going	All employment policies being reviewed leading to training/development plans later in the financial year.
(1.5) Staff resources and capability is assessed against IFCA objectives and duties with a gap analysis by April 2012; plans for addressing problems and progress against them are reflected in annual plans and reports	On going	First quarter saw the majority of the restructure and post alignment completed.  All Job descriptions reviewed and forwarded for third party analysis.  Salary review process in hand and underway; consultation period closed 26 Oct 12.
(1.6a) Systems are developed and implemented that enable all staff and members to contribute to and comment on all IFCA policies and business by Sept 2012; systems follow best practice/principles in Investors In People	On going	Investor in People completed in 2011.  Internal comms policy requested by Authority in hand.
(1.6b) Staff and members are content that they can influence the development of policy for the IFCA demonstrated through annual feedback	On going	In hand
(2.1a) The issues impacting sea fisheries resources within the IFCA District have been identified, prioritised and, where appropriate, suitable management plans for them put in place by April 2015; management plans and progress against them are reflected in annual plans and reports	Delayed	All fisheries operating within the district are identified spatially and temporally  'Project Inshore'. Site visit 29-30 Oct

<b>EIFCA Annual Plan 2012/13 (High Level Objectives)</b>		
<b>Project</b>	<b>Progress this Quarter</b>	<b>Comment</b>
(2.1b) All byelaws made after April 2011 meet the requirements of Defra guidance	N/A	Authority has not made Bye-law
(2.1c) IFCA's have necessary records and database systems in place to inform decision making	On going	Records in place; databases being developed.
(2.2a) The byelaw review and changes are on schedule to meet the objective of reviewing and evaluating all legacy byelaws by 2015	On going	Reinvigorated at R&C S-C 26 Sep 12.
(3.1a) Annual enforcement risk register published on each IFCA's website and available for viewing at each IFCA's office by 30 April each year	On going	Enforcement Strategy Written. Risk Register in development.  Enforcement meeting hosted at MMO 4/5 Oct identified Intel sharing as key workstream – EIFCA nominated a lead role in development.
(3.1b) The IFCA's enforcement risk register is peer reviewed. The peer review comments are forwarded to the CFO and Chairman of the IFCA	Not yet started	Dependant on 3.1a
(3.1c) The enforcement risk register is compiled in a standard format approved by all IFCA's and provided to the national peer review panel by the 28 February each year	On going	Enforcement meeting hosted at MMO 4/5 Oct identified Intel sharing as key workstream – EIFCA nominated a lead role in development.
(3.2a) A code of conduct for inspections both ashore and at sea is created by 30th October 2011 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 code of conduct for inspections available on website
(3.2b) Establish a national IFCA/MMO team by 30th October 2011 to independently assess the overall quality of enforcement inspections conducted by each IFCA on an annual basis with the results reported back to the CFO and Chairman of the inspected IFCA by the 30 April each year	Objective to be discussed with AIFCA/Defra to gauge expected output from individual IFCA's	Working with National Groups.
(3.2c) Development of an SLA between IFCA's, MMO, NE and EA regarding the provision of standardised enforcement training and the secondment process for officers of each signatory by 30 April 2012	Under consideration – awaiting further direction and guidance.	Dependant on 3.2b
(3.2d) Each IFCA's enforcement knowledge and performance is assessed (to nationally determined standards - to be developed by 30 April 2012) on a bi-annual basis whilst attending the national enforcement training course	As above	Dependant on 3.2b
(4.1a) Initial MOUs are agreed and adopted by end of April 2011	✓	Local MMO/EIFCA annex drafted.
(4.1b) Discussions have been held with partner organisations with regard to Service Level Agreement (SLAs); SLA (if required) are agreed and adopted by April 2012	On going	

<b>EIFCA Annual Plan 2012/13 (High Level Objectives)</b>		
<b>Project</b>	<b>Progress this Quarter</b>	<b>Comment</b>
(4.1c) Identify and discuss with lead local authority requirement for SLA by October 2011	✓	
(4.1d) Each MOU and SLA is reviewed annually to ensure effective delivery of objectives as defined in the annual plan; progress against MoU action plans is reflected in annual reports	✓	
(4.2a) Set-up database of stakeholders from current list by April 2011. Update list every 6 months. Review contacts list annually	✓	Community Development Officer employed
(4.2b) Engagement strategy developed by April 2012	✓	Drafted for approval 31 Oct 12
(4.2c) By April 2012 each IFCA to create a website to give access to current information; all regular forms and documents to be provided electronically by April 2013. Website is reviewed and updated monthly	✓	
(4.2d) Develop interpretation boards and presentations to allow greater interaction with stakeholders	✓	
(4.3a) Reviewed stakeholder and communication strategy/plans and stakeholder database completed by April 2014	In hand	
(5.1a) By April 2012, committee to sign off strategic research plan, which has undergone consultation, covering the period until April 2015	In hand	Research and Environment Plan written. Strategic plan under development for implementation FY 13-14
(5.1b) Research plan is published each year	✓	
(5.1c) Previous year's research report published each year	✓	
(5.1d) IFCA annual report to demonstrate how evidence has been used in decision making processes	✓	
(5.2a) By April 2012 develop and agree MoUs with delivery partners and review annually	✓	
(5.2b) IFCA representative to take part in annual IFCA scientific conference	✓	Attended IFCA Tech Advisory Group 18-19 Oct 12
(5.2c) IFCA representative to proactively be involved in relevant evidence networks to share best practice, e.g. Technical Advisory Group.	✓	
(5.3a) IFCA annual plan and report demonstrate use of evidence, resources and capability as per strategic research plan	In hand	Awaiting Strategic plan
(5.3b) Seek appropriate peer review of research reports	✓	Reports internally peer reviewed.
(5.3c) IFCA annual plans and reports, including research plans and reports, are published online on the IFCA and Technical Advisory Group websites	✓	
(5.4a) Develop knowledge sharing plans and procedures by April 2014.	Not yet started	
(5.4b) Knowledge sharing plans are reviewed and amended annually	Not yet started	
(6.1a) Identify where there are shared objectives in managing the marine environment with partner organisations by April 2012 and identify how these	Delayed	Will be included in Communication plan

<b>EIFCA Annual Plan 2012/13 (High Level Objectives)</b>		
<b>Project</b>	<b>Progress this Quarter</b>	<b>Comment</b>
impact on IFCA's objectives		
(6.1b) Shared objectives are set out in annual plans	Not yet started	
(6.1c) Progress of shared objectives reported on in annual reports	Not yet started	
(6.2a) Plans and processes for raising awareness of IFCA's work in place by April 2013	Not yet started	
(6.2b) Examples of engagement set out in annual reports	✓	Will be increased in further reports
(6.2c) Feedback from relevant stakeholders regarding the effectiveness of engagement is routinely sought	On going	Stakeholder survey currently underway
(6.3a) The issues impacting sea fisheries resources within the IFCA District have been identified, prioritised and, where appropriate, suitable management plans for them put in place by April 2015; management plans and progress against them are reflected in annual plans and reports	Delayed	Awaiting Project Inshore, MCZ and Client Earth Announcements
(6.3b) Examples of proactive involvement in relevant networks to share best practice are reported in annual reports	✓	Will be increased in further reports
(6.3c) The impact of the Marine Policy Statement and the process of marine planning on IFCA's work have been assessed and addressed by April 2015	On going	Authority participating in Eastern Plan region project
(6.4a) Assessment of the condition of Marine Protected Areas by statutory bodies, where available, have been taken into account when developing suitable management plans	✓	Appropriate Assessments produced and published by Eastern IFCA where Eastern IFCA authorises activities occurring within European Marine Sites  Liaison with Natural England for up-to-date information on MPA condition
(6.4b) IFCA's can demonstrate effective representation on relevant management boards/steering groups for Marine Protected Areas, where appropriate	✓	Supports Wash EMS, member of other EMS management groups and participated in Net Gain/ Balanced Seas
(6.4c) IFCA's can demonstrate delivery of the principles outlined in Government guidance on sustainable development	On going	Environment Plan highlighted, developed as part of plan
(7.1a) By April 2012, each IFCA is actively involved, through membership, in the direction, good governance and running of the AIFCA	✓	Authority supports AIFCA, including acting as employment agent and active Director
(7.1b) Initial MOUs are agreed and adopted by end of April 2011; SLAs (if required) are agreed and adopted by April 2012. Each MOU and SLA to be reviewed annually to ensure effective delivery of objectives as defined in the annual plan	✓	
(7.1c) By April 2012 partnership working is embedded in each IFCA (and partner organisation), evidenced on an annual basis by regular liaison meetings and joint or collaborative activities as defined in the annual plan	✓	
(7.2a) By April 2013 a strategy for the promotion of IFCA's work is developed, including the development of promotional / communication plans which are to be reviewed annually	✓	C&E plan developed.

<b>EIFCA Annual Plan 2012/13 (High Level Objectives)</b>		
<b>Project</b>	<b>Progress this Quarter</b>	<b>Comment</b>
(7.2b) By April 2013 annual reports by IFCA's to include a specific element which has data on 'compliments, comments and complaints' from stakeholders and general public and significant events which have demonstrated the IFCA's PR strategy is operational	✓	Included in 2012/13 annual plan
(7.2c) By April 2013, as a minimum, each IFCA to hold proactive biennial stakeholder meetings and events to inform and consult with all interested parties in the IFCA District	✓	Authority holds quarterly meetings in the community following Authority meetings
(7.2d) By April 2012 each IFCA to create a website to give access to current information; all regular forms and documents to be provided electronically by April 2013. Website is reviewed and updated monthly	On going	Website development on going. Management procedures to be reinvigorated Q3/4
(7.2e) By April 2011 all IFCA staff to be badged so as to be recognised as IFCA officers who following internal training, can speak with authority on the IFCA aims and objectives	✓	
(7.2f) By April 2012 annual staff appraisals will be undertaken to measure the standards of behaviour toward, and interaction with, stakeholders, general public and officers/staff of partner organisations	✓	

**Vision**

Inshore Fisheries and Conservation Authorities 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.

**7<sup>th</sup> EIFCA Meeting**

**31 October 2012**

**Item Number:22**

**To receive a report with regard to the summary of results of a recent EIFCA employee survey**

**Background**

In July 2012, EIFCA employees took part in an externally run survey that measures culture, values and leadership. The benefits of completing the survey are that it would provide us with:

- An awareness of the perceived employer brand, culture and values
- Benchmark data of how we compare to other similar sized organisations in the Eastern region
- A framework for understanding, interpreting and managing the current culture, values and employer brand and an action plan for guidance on future development
- Sharing of best practice across the region

The survey was put together by 2 well-known local companies: ERAS, who are the providers of psychometric products and training solutions and Pure Resourcing, who are recruitment specialists. Their aim is to promote the 'best employers' in the Eastern region and awards were on offer for various categories such as valuing people, vision and leadership. The survey was completely free of charge, with the only expectation being that at least 60% of our employees complete the survey.

**Outcome – general**

The results of this first 'Best Employers' survey were very encouraging with about 100 businesses across the whole spectrum taking part including not for profit, service, engineering, manufacturing and food. Over 5000 employees completed the survey.

**Outcome – EIFCA**

19 out of a possible 23 employees completed the survey. This equates to 82.5% participation which is a very good response rate even considering the small size of our organisation. The results show our employee perception is between moderate and fairly high in the scoring range, which again is very encouraging. However, in all cases we are behind the regional comparison for our size business, so it is recognized that the management team have some work to do in terms of developing engagement. The summary of results is shown in the summary below.

**Next steps**

We will be sharing the detailed outputs with all employees and encouraging their input to help develop an action plan to improve in 2 or 3 key areas. Measures will be developed to monitor progress towards the plan and in 2014 the 'Best Employers' survey will be re-run, so we will be able to further compare our progression against the benchmark set this year.

**Resolution: Members are asked to receive the report.**

Nichola Freer  
Head of HR

### Summary of Scores:

	Very Low		Fairly Low		Moderate		Fairly High		Very High	
	1	2	3	4	5	6	7	8	9	10
Clarity of Vision						P		C		
Motivation					P		C			
Organisational Learning						P	C			
Integrity						P	C			
Team Work							P	C		
Customer Focus							P	C		
Diversity						P	C			
Staff Development						P	C			
Quality							P	C		
Innovation						P	C			
Business Focus						P		C		
Autonomy						P	C			

The chart above provides two key results:

**Perception (P)** - This provides an indication of how your employees perceive the organisation. For example, if everyone in the survey answered 'strongly agree' to the questions related to a specific culture and values area (for example communication) then the score would be a '10'. It is a measure of how employees feel about your business.

**Comparison (C)** - This result shows the average score achieved by all the employees across all organisational types within the East Anglian Region. For example, if you scored a '7' on the perception scale and a '5' is shown on the comparison scales it would mean that your employees rate you higher on this scale than employees from other organisations.

### Scales Measured in the Culture and Values Questionnaire:

Organisational Culture	People Values	Task Values
<p><b>Clarity of Vision</b></p> <p>People are clear about the aims and objectives of the organisation, and how it intends to reach them.</p>	<p><b>Integrity</b></p> <p>There is an emphasis on honesty and openness, people are trusting and encouraged to be fair with each other.</p>	<p><b>Quality</b></p> <p>Emphasis is placed on work standards and the adherence to proper procedures. Errors are actively eliminated.</p>
<p><b>Motivation</b></p> <p>People are enthusiastic and motivated working for the organisation. They want to contribute to its success.</p>	<p><b>Teamwork</b></p> <p>People are encouraged to work together, to cooperate and support each other. Team success is rewarded.</p>	<p><b>Innovation</b></p> <p>New ideas and approaches are encouraged, original thinking and creativity valued. Innovation is promoted.</p>
<p><b>Organisational Learning</b></p> <p>Organisation learns from its mistakes, is open to external ideas, adapts quickly to change.</p>	<p><b>Customer Focus</b></p> <p>Customers and their needs are given considerable weight. Good customer service is recognised.</p>	<p><b>Business Focus</b></p> <p>Business performance and profit is really stressed, overt emphasis on commercial success and growth.</p>
	<p><b>Diversity</b></p> <p>Individuality and diversity are both recognised and encouraged. Individual differences are used constructively.</p>	<p><b>Autonomy</b></p> <p>People have freedom to work in their own way. Decision making is largely delegated, no close supervision.</p>
	<p><b>Staff Development</b></p> <p>Staff are properly trained and encouraged to learn new skills. Self-development is promoted.</p>	

**Vision**

Inshore Fisheries and Conservation Authorities 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.

**7<sup>th</sup> EIFCA Meeting**

**31 October 2012**

**Item Number:23**

**Marine Protection Quarterly Reports**

**Proposal:**

That members note the content of the following quarterly reports from the Area Officers and the skipper of the research vessel Three Counties.

<b>Area/Vessel</b>	<b>Officer</b>
Area 1	Jason Byrne
Area 2	Ian Dye
Area 3	Adrian Woods
Area 4	Alan Garnham
Three Counties	Simon Howard

**Resolution: Members are asked to note the reports.**

**List of Background Papers**

None

Julian Gregory  
Head of Marine Protection  
22<sup>nd</sup> October 2012

---

## **Eastern Inshore Fisheries & Conservation Authority**

---

**From:** Jason Byrne Fishery Officer (Area 1)  
**To:**  
**Date:** 11<sup>th</sup> October 2012  
**Ref:** Quarterly Report Area 1  
**Monthly Report:** July, Aug, Sept 2012

---

### **Area 1: Donna Nook – Sutton Bridge**

#### **General**

Throughout this quarter the main fishing activity has been targeted at the handraked cockle fishery. Other fishing activities have included long lining for Bass & Skate, potting for Crab, Lobster & Whelks, twin beaming for Brown Shrimps & Mussel dredging from a regulated fishery. Anglers vessel based have been fishing the Skull Ridge area rod & lining for Bass, two other vessel based anglers from Sutton Bridge have been fishing for Mackerel. Shore based anglers have been rod & lining off the shores mainly targeting Smoothound.

---

---

### **Port Summary**

---

#### **Chapel Point – Saltfleet**

A total of 13 trips were achieved by one commercial vessel from this part of the coast longlining for Bass & Skate, and potting for Crab & Lobster. Five angler vessels came down from Grimsby to be launched off Chapel Point to enjoy some of the Bass fishing throughout the weekends. Shore based anglers have still been having some good sport in fishing for Smoothound.

#### **Skegness – Gibraltar Point**

Vessel based anglers from this part of the coast have enjoyed some good Bass fishing off Skull Ridge. A fishing match took place at this part of the coast at the start of this quarter with not one fish being caught, however the following week the Smoothound were all the way along the Skegness strip, other shore based anglers have also had good sport fishing on the Smoothound.

#### **Boston**

##### **Cockles**

Throughout this quarter as many as 23 vessels have taken part in the handraked Cockerle fishery totalling on average 654 landings into the Port of Boston. Buyers of the Cockerles this year have been Dani Foods of Boston, Lynn Shellfish & J Lake Shellfish. Officers continually walked off Wrangle sands to monitor and observe the vessels and the Cockerle mortality rate. During August some of the Cockerles had started to gape as they were being landed in the bags and there was a lot of shell within the landed Cockerles. Towards the end of the quarter only eight vessels remained on this fishery.

#### **Fosdyke**

During this quarter *Pisces* was lifted out of the water and put on the trailer ready to go to Suffolk to carry out duties. Fishing vessels lifted out of the water by the Marina this quarter were *Seven Sisters BN 445* to have Stern Tube welded up, *Speedwell* a Brancaster vessel to have a new A frame, *Lord Sam LN86* & *Catherine Anne LN476* also Brancaster vessels had a general refit. Three Angler vessels were also lifted out for a general clean-up & paint work maintenance.

#### **Sutton Bridge**

*Pisces* was lifted out at the Port by myself & FO Chapman during September to continue duties at Suffolk. Two angler vessels have been fishing for Mackerel & Bass.

---

## 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:		2
Species	Landings (kg)	Value of catch (£)
Crab	368	441.00
Lobster	96	1,046.00
Bass	17	178.00
Skate	45	67.00

### Skegness – Gibraltar Point

Number of vessel inspections:		2
Species	Landings (kg)	Value of catch (£)
Crab	7,500	9,000.00
Lobster	1,105	12,170.00
Whelks	2,800	1,680.00
Bass	381	3,654.00

### Boston

Number of vessel inspections:		248
Species	Landings (kg)	Value of catch (£)
Handraked Cockles	1,151,591	663,097.00
Brown Shrimps	6,360	15,073.00

### 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:	700
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:	400
Number of pots outside 6nm fished by vessels from within area:	0

## Non Commercial Activities

---

### Recreational Sea Anglers (shore based):

<b>Number of anglers inspected:</b>	3	
<b>Locations fished:</b>	<b>Species targeted:</b>	<b>Average catch (kg):</b>
Chapel Point	Smoothound	8
Mablethorpe	Bass & Flounder	4

### Recreational Sea Anglers (vessel based):

<b>Number of vessels inspected:</b>	1	
<b>Locations fished:</b>	<b>Species targeted:</b>	<b>Average catch (kg):</b>
Skull Ridge	Bass	0
Sutton Bridge	Mackerel	12

---

### Charter Angling Vessels:

<b>Number of charter vessels inspected:</b>	0	<b>Number of anglers:</b>	0
<b>Number of vessels in area:</b>	0	<b>Number of trips:</b>	0
<b>Species targeted:</b>	0	<b>Total Landings (kg):</b>	0

**Locations fished throughout the month: 0**

---

---

### Fishery Officer Duties

#### Training:

None.

#### Other duties carried out:

Maintenance on Pisces RIB at Fosdyke.  
Advisory net measuring at Fosdyke.  
Carried out maintenance in office.  
Angler 2012 sites.  
Lifted Pisces RIB out of the water at Fosdyke.  
Attended Community Engagement meeting at Boston.  
Collecting shellfish samples from Tabs Head for the Environmental Health Officer.  
Attended meeting at Fleet Hargate regarding Cockle fishery.  
Lifted RIB out of water at Sutton Bridge.  
Attended vessel working group meeting.  
Attended shore based officers meeting.  
Away on TC steamed to Great Yarmouth.  
Fun Day at Thetford forest High Lodge.  
Attended staff meetings at office.

---

---

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

Crab	1.20
Lobster	10.00 - 12.00
Whelks	60p
Bass	8.00 - 10.50
Skate	1.50
Handraked Cockles	45p - 65p
Brown Shrimp	2.37

---

## Eastern Inshore Fisheries And Conservation Authority

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

### Area 2: King's Lynn - Blakeney

#### General

The fishermen of Kings Lynn have enjoyed good fishing over the last three months with a good hand worked Cockle fishery and followed by a very good Brown Shrimp fishery which is looking to continue into the Christmas months one vessel has been targeting the Pink Shrimp fishery but only with a small order, as for the Crab and Lobster fishermen along the area two coast their fishing activity has been average for this time of year. The Angling 2012 survey has only managed to produce two interviews throughout the quarter mainly down to being in the wrong place at the given days.

### Port Summary

#### King's Lynn

29 vessels made 449 landings of hand worked Cockles totalling 540,578kg valued at £667,290 also 11 vessels made 116 landings of Brown Shrimp totalling 103,042kg with a first sale value of £167,532, and one vessel made 9 landings of Pink Shrimp landing a total of 3,047kg valued at £3,778

#### Brancaster

Only two vessels reported figures this quarter making 10 landings of Brown Crab and Lobster into the port of Brancaster totalling 1,110kg of Brown Crab valued at £1,221 also 620kg of Lobster with a first sale value of £6,200 and 500kg of home market Mussel were sold valued at £500.

#### Wells

Four vessels made 70 landings of Brown Crab and Lobster into the port of Wells this quarter totalling 23,280kg valued at £25,608 also 1,698kg of Lobster with a first sale value of £15,934

#### Blakeney

One vessel made three landings into the port of Morston this quarter totalling 1,160kg of Brown Crab valued at £1,276 also 222kg of Lobster valued at £2,220.

### 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

<b>Number of vessel inspections:</b>		<b>34</b>
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
Cockles hand worked	540,578	667,290
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	103,042	167,532
Pink shrimp	3,047	3,778
Sole	0	0

Brill	0	0
Cod	0	0
Lemon sole	0	0
Skate	0	0

**Brancaster**

<b>Number of vessel inspections:</b>		<b>3</b>
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
Mussels (Regulated)	0	0
Mussels (Several)	500	500
Mussel dredged (not WFO)	0	0
Mussel dredged seed (not WFO)	0	0
Oysters	0	0
Brown shrimp	0	0
Brown crab	1,110	1,221
Lobster	620	6,200
Whelks	0	0

**Wells**

<b>Number of vessel inspections:</b>		<b>2</b>
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
Brown crab	23,280	25,608
Lobster	1,698	15,934
Whelks	0	0
Velvet crabs	0	0
Brown shrimp	0	0
Cod	0	0

**Blakeney**

<b>Number of vessel inspections:</b>		<b>0</b>
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
Brown crab	1,160	1,276
Lobster	222	2,220
Mussels (Several)	0	0
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:	1,000
Number of pots outside 6nm fished by vessels from within area:	4,000

**Non Commercial Activities**

**Recreational Sea Anglers (shore based):**

<b>Number of anglers inspected:</b>		<b>2</b>
<b>Locations fished:</b>	<b>Species targeted:</b>	<b>Average catch (kg):</b>
Heacham		0
Wells		0

**Recreational Sea Anglers (vessel based):**

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

---

**Charter Angling Vessels:**

**Number of charter vessels inspected:** 0  
**Number of vessels in area:** **Number of trips:** **Number of anglers:**  
**Species targeted:** **Total Landings (kg):**

---

**Locations fished throughout the month:**

---

**Fishery Officer Duties**

**Training:**

**Other duties carried out:**

Environmental health sampling wells  
Angling 2012  
Small fish survey three counties  
Environmental health sampling wash three counties

---

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

Brown shrimp	1.62
Pink shrimp	1.23
Brown crab	1.10
Lobster	9.38
Mussel	1.00
Whelks	0.61
Pacific oysters	0.69
Cod	2.40
Skate	

---

## **Eastern – Inshore Fisheries and Conservation Authority**

---

**From:** Ady Woods I.F.C.O (Area 3)  
**To:** Head of Enforcement J. Gregory  
**Date:** 4<sup>th</sup> October 2012  
**Quarterly Report:** July – Aug – Sept 2012

---

### **Area 3: Cley to Lowestoft**

#### **General**

For most of this quarter the weather has remained fine, with only a few days lost to inclement weather where it wasn't safe to launch a vessel from the beach.

With the schools breaking up this saw the arrival of would be punters who were eager to try the local wares; this certainly helped to push sales along, something which had been lacking.

Most fishermen have found it profitable to fish at least two fleets of gear, allowing pots to fish longer and allowing expensive bait to be used to its max.

The crab and lobster fisheries have remained steady throughout the quarter, although there may not have been any millionaires made there's been ample to keep everybody's heads above water, although having said that one fishermen did have a lucky escape after becoming entangled within his crab pots and finished up over the side of his boat, spending sometime under the water before surfacing and managed to cling on to a crab pot marker buoy, before a fellow crab fishermen and a fishery officer were able to drag him from the water.

Netters within the area have had a mixed year, several factors have hampered catches, these being, the water being to clear, then it was too thick and full of dead algae which hung on nets, too much tide, and if the tide wasn't the issue then when it was neaps there would be an outly wind, having said all this some good catches of bass have been had, up to 400kg per haul.

For the anglers, most of the effort has been targeted towards mackerel and bass, mainly on the shingle beaches due to holiday makers being on the other sandier beaches.

The Quarterly Community Engagement Meeting was staged again in Cromer, and once again attended well with a mixture of people from local councillors, divers, anglers, and commercial fishermen both current and retired. Many topics were covered which included, Bass fishing on Cromer Pier, Divers Safety, extending the No Trawl Zone, and a Beach Launch fishing area to name a few.

With regards to the fishing activity on Cromer Pier, a working group headed by EIFCA with all interested party's involved was put together, from this a Code of Conduct was put together, and was shortly followed by leaflets being put into strategic places, to be shortly followed by signage. Currently it appears that this has been received well, however Bass fishing is currently coming towards the end of the year on the pier, also some much needed work on the pier is currently taking place which will be keeping these predators at bay. It shall be good to see the signage up before the coming season next year.

There is continually more concern being gathered amongst the fishermen within this area, this is with regard to the encroaching offshore vessels that are nipping the smaller vessels closer inshore. Not only with the Windfarm forcing vessels either further to sea or closer inshore, the new threat is the closure of the Cromer Crab Company, although this is indirectly.

The Crab factory in recent times took very little crab from the inshore fleet, however they took large amounts from the off shore fleet, total catches in some instances; now the offshore crab is a larger crab and doesn't have the quality of the inshore crab. With the factory shut, if the offshore fleet want to survive, there new markets are likely to want a better product, and this better product is only available on the inshore grounds. Some single vessels in the offshore fleet work as many pots as the entire inshore fleet, if all these vessels smother the inshore ground, it may well be

bye bye to the Cromer Crab!

The North Norfolk FLAG were looking into getting the name and product "Cromer Crab" protected, (along the same lines as Cornish pasties), however after putting it out to the fishermen in the form of a silent vote, the reply came back clearly that this wasn't something they wanted.

---

## **Port Summary**

---

### **Cley-next-the-Sea**

Two licensed vessels are now working here regularly targeting mainly crab and lobster, and occasionally doing a spot of netting for Bass. Other vessels have been launching from this difficult beach, mainly jigging for Mackerel and Bass, although a couple of vessels do have some pots in the water, landing a big feed quite regular. Anglers have frequented these shores at every available opportunity to fish for mackerel during July and August, once September kicked in the mackerel moved further off.

### **Weybourne**

Two vessels continue to work here daily, without much change.

A verbal warning was issued to a vessel at this port for the landing of undersize lobster and for the landing of berried lobster.

The wind farm of this shore is now nearing completion; the cable which comes ashore at this port has finally been sunk into the sea bed.

### **Sheringham**

This port of landing is it seems ever changing, one of the older fishermen here has decided it's time to hang up his boots, and has now managed to sell his vessel as a going concern. This shall leave mainly part timers at this port for the coming season. The chalk reefs situated close inshore have again been a problem this summer for vessels with once again more divers, free diving from the beach without the use of personal marker buoys.

### **East & West Runton**

Two vessels currently fish from East Runton as one does from West Runton, all of which target brown crab and lobster.

### **Cromer & Overstrand**

Sixteen vessels continue to fish from these two ports daily, for the most targeting crab and lobster, and for a couple of vessels they also target bass, it seems that netting is becoming ever more popular with a couple of vessels in this area being fitted out with net haulers, enabling them to go at it in a bigger way.

### **Mundesley to Caister**

This stretch of coast remains unchanged with a mixture of licensed and unlicensed vessels operating from; Mundesley, Bacton, Walcott, Ostend, Cart Gap, Sea Palling, Winterton and Caister.

Concerns has been made within this area from local skippers, about vessels who are working close inshore from Brixham who are targeting the whelks within this area, working in the region of 800 pots, saying that they are putting extra pressure on the small stocks which are normally fished over the winter by a handful of local vessels, and potentially taking a fishery off their doorstep.

### **Yarmouth/Gorleston**

Little is left here in the way of a fishing fleet, although as reported in August one vessel is due to come out of retirement sometime this year and is going to start fishing again, we shall wait and see what progresses.

One other vessel here has been fishing, although he's been targeting the upper reaches, of Breydon water, Burgh Castle and Needham Ferry netting for Bass and Mullet, doing reasonably well on the smaller tides.

---

### 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.*

---

<b><u>Cromer</u></b>		
<b>Number of vessel inspections:</b>		<b>74</b>
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
Bass	1053	9,839
Crab	40,066	122,897
Lobster	10,264	77,355
Mackerel	148	506

---

<b><u>Sheringham</u></b>		
<b>Number of vessel inspections:</b>		<b>20</b>
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
Bass	420	3,923
Crab	3,430	10,519
Lobster	1,060	8,120

---

<b><u>Cley, Weybourne, E Runton, W Runton, Overstrand, Mundesley &amp; Bacton</u></b>		
<b>Number of vessel inspections:</b>		<b>24</b>
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
Crab	13,220	40,542
Lobster	4,381	33,733

---

<b><u>Sea Palling</u></b>		
<b>Number of vessel inspections:</b>		<b>4</b>
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
Crab	3,075	9,440
Lobster	990	7,786

---

<b><u>Caister &amp; Gorleston</u></b>		
<b>Number of vessel inspections:</b>		<b>7</b>
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
Bass	577	5,760
Dabs	180	396
Herring	150	128
Mackerel	790	2,391
Mullet	78	218
Sea Trout	18	75
Smooth hounds	360	180

---

### Potting

#### **Crab and lobster**

---

Number of pots inside 6nm fished by vessels from within area:	5,100
Number of pots outside 6nm fished by vessels from within area:	300

---

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

---

**Angling 2012**


---

Number of days spent on angling 2012 :	12
Number of beaches visited within area :	45
Number of anglers spoken to within area :	20

---

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

<b>Number of anglers inspected:</b>	<b>244</b>
<b>Locations fished:</b>	<b>Species targeted: Average catch (kg):</b>
Cley	Mackerel 2
Salthouse	Mackerel 1.5
Weybourne	Mackerel 2
East Runton	Bass 0
Cromer Pier	Bass/mackerel 3/3
Cromer East	Bass 2
Overstrand	Bass/Sole 0/0.5
Trimingham	Bass/ caught codling 0/10
Mundesley	Various 1.5
Caister	Fish 0
Gorleston	Various 1.25

**Recreational Sea Anglers (vessel based):**

<b>Number of vessels inspected:</b>	<b>11</b>
<b>Locations fished:</b>	<b>Species targeted: Average catch (kg):</b>
Cley	Mackerel/Bass 3/2
West Runton	Bass 2
Trimingham	Bass/Mackerel 4/3

---

**Fishery Officer Duties****Training:****Other duties carried out:****July 2012**

- 1st off duty
  - 2nd Monthly paper work
  - 3rd Angling 2012
  - 4th Angling 2012
  - 5th landings and patrol
  - 6th landings and patrol
  - 7th - 15th annual leave
  - 16th EHO/DSP samples collocated
  - 17th Norfolk County Council visited to unlock laptop followed by landings at Boston
  - 18th Staff meeting
  - 19th angling 2012
  - 20th coastal patrol
  - 21st & 22nd off duty
  - 23rd coastal patrol followed by cockle landings at kings Lynn
  - 24th Anglers AM, Pier meeting at The Cottage, Cromer, followed by Cockle landings Kings Lynn
  - 25th Cockle landings Kings Lynn
  - 26th angling 2012
  - 27th landings and patrol
  - 28th & 29th off duty
  - 30th landings and patrol
  - 31st landings and patrol, anglers PM
-

---

**August**

01st Angling 2012  
09th Angling 2012  
13th – 17th annual leave  
20th North Norfolk FLAG meeting attended  
21st Show Head of Enforcement around Area 3  
22nd Quarterly public meeting at Cromer  
23rd Angling 2012  
25th Angling 2012  
27th Bank Holiday  
28th Staff meeting  
31st Angling 2012

**September**

1st & 2nd Off duty  
3rd Team Building at Thetford  
4th Area meeting at office  
5th Monthly stats and reports, Cockle landings at Boston  
6th Cockle landings Boston  
7th – 12th A mixture Annual leave, toil, and off duty  
13th Angling 2012  
14th Cockle landings at Boston  
15th Landings at Cromer  
16th – 23rd Annual Leave  
24th Interview of angler  
25th Angling 2012  
26th and 27th TOIL  
28th Medical ENG1  
29 and 30th Off duty

---

---

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

Bass	10.50
Crab	3.07
Dabs	2.20
Lobster	7.00 up to 9.00
Mackerel	3.10
Mullet	2.80
Herring	0.85
Smooth hounds	0.50
Sea Trout	4.20

---

---

## **Eastern – Inshore Fisheries & Conservation Authority**

---

**From:** Alan Garnham Fishery Officer (Area 4)

**To:** Chief Executive officer – Phil Haslam

**Date:** 16<sup>th</sup> October 2012

**Ref:**

**Quarterly Report:** **July – September 2012**

---

### **Area 4: Pakefield – Felixstowe Ferry**

#### **General**

May I firstly give a Suffolk welcome to our newly appointed Chief Executive Officer Phil Haslam. On behalf of all the local Suffolk stakeholders including the Suffolk commercial fishermen wish him a warm welcome and the continued respect of forming good working relationships together.

This third quarter began in July with a month of heavy rain and flash floods making it the most rain in July since 1950. In Ipswich dock the flash floods run broke through the fuel jetty and washed around two tonne of heavy oil into the River Orwell where I received complaints from bait diggers, fishermen and marina's down the river of oil laying on mudflats and saltmarsh. Oil stuck against the hulls of boats and yachts on swing moorings within the river as far down as Levington Marina.

During July I received reports from various commercial fishermen of sightings of large pods of porpoises and dolphins within half a mile of all Suffolk beaches. Several have commented on the fact that they have never seen pods this size during their life time.

Sole prices crashed during July; last year prices were around £53 a stone this July some fishermen received around £21-£23 a stone. Fishermen blame both the low euro price on prices when sold on Belgian markets and the fact that European fishermen are swamping the market ahead of British fish by targeting sole. With such low prices some fishermen tied up their boats rather than run at a loss.

During August mother nature created yet another record, over the past two months we had the most rainfall in 100yrs (since 1912). This appears to have affected shellfish and bass during the summer but during late August bass began to be caught in good numbers. The rivers became full of weed which is normal for August.

The River Orwell appeared to have suffered no affects from the earlier oil spillage at the Port of Ipswich. Bait diggers reported a healthy stock of rag and lugworm. In August whilst fishing in the River Deben I caught more eels than bass this was mirrored by other anglers so perhaps the stock is increasing. Whilst walking the river bank at Snape (tidal) I identified Mirror carp on the surface at the top of the tide I was quite surprised to witness these in salt water.

During August I attended two meeting hosted by Scottish renewables (windfarm) where they met with commercial fishermen explaining their intentions of where they intend building the largest offshore windfarm in Europe. It appears the main affect to fishermen is the more northern ports of Southwold and Lowestoft where the turbines will be located in their prime fishing grounds whereas anyone fishing below Southwold to Harwich is affected by the cable route coming across their grounds and coming ashore at Bawdsey.

Weather has been dry and steady for most of September although during the third week of the month we had very high winds disturbing most of the pots on the sea bed. At the time of writing this in the second week of October many pots are still lost. Fishing has been steady but most have complained of poor prices making fishing not viable this summer. Most of the commercial fleet have remained on fishing for sole and haven't changed the gear over to lining because as yet the cod are not showing in significant numbers to warrant the change.

Summer species are still with us with landings of sole bass mullet and smoothhound. The rivers appear to be holding onto the summer species due to warmer weather streams. The water is now gin clear making it difficult to net in daylight hours.

One or two of the commercial boats have had to change their PLN numbers by the

---

end of the month due to recent licensing changes within the MMO. The prestigious **PLN - (IH 1)** has finally been re issued to the new proud owner Robert Woodhouse out of Felixstowe Ferry.

Shellfish were very good but now have eased especially the crab stock with empty cocks being caught and returned.

During September herring began making a show but as yet no commercial boat have been targeting the species.

On the beaches whiting are turning up at Felixstowe with the occasional cod being landed.

On the last day of the month a whale beached itself on the Orford bar at Shingle street and died. It was later identified as a Spanish juvenile fin whale measuring 10 metres in length. Since 1831 this is only the 5th whale to be washed up on a Suffolk beach. Scientists report it may have been disorientated by following a shoal of fish through the North Sea although I believe this to be one of a pair which has been around and sighted off the Suffolk coast all summer. It has since been transported to wales to be rendered as bio oil.

---

## **Port Summary**

---

### **Pakefield**

Very quiet during July with holiday makers making the best of the sunshine and bathing in the sea making it difficult for the anglers. The small commercial boats had a quiet period with nothing put on the market.

During September the beaches at night were coming alive with anglers catching good whiting and an occasional cod.

### **Southwold**

During July sole fishing here was poor as normal for July but making it worse was the poor prices for sole. The sole caught are very slinky with no weight. Commercial catches have been very varied on species which is usual this time of the year. Lobster and crab on landings have been very healthy.

Anglers have been very frustrated because of the sunshine and holiday makers on the beaches with the construction of the new harbour wall it not been possible to fish during the summer months.

At the end of September the construction of the harbour wall appeared to be coming to an end and will be of good use to the public, fishermen and the RNLI.

The port was steady with slow landings of shellfish and fin fish.

### **Dunwich & Sizewell**

Throughout the quarter angling has been very poor. To give an example the annual July sole match held in the evening was fished by 68 anglers but only around a dozen sole were caught whereas in previous years some anglers would have caught a dozen each. Commercial fishermen report very poor catches and have relied on lobster and crab landings rather than netting for sole and bass.

With the end of the quarter cod and roker had not appeared yet. It has been dire for sole with both catch and low prices.

On the beaches fishing has been productive at night but challenging during daylight hours with the attitude "It's just good to be here with a beer in the sun on the beach".

### **Thorpeness & Aldeburgh**

Reports here are very similar to Dunwich with catches being very low and commercial fishermen relying on shellfish to make the money up. All beach fish huts reported low takings this year noticed by less day trippers and holiday makers. Normally families will pay in notes but this year people are dipping in their pockets and putting change together to pay for fish.

August has been very consistent with shellfish returns. There were good signs of juvenile stock of lobster and crab in fact all lobster landed are around the same size and very heavy, whereas the crab have been quite soft during August and September. Some lobsters landed were covered underneath with mussel spat

(photos available)

Early part of September was very productive for shellfish and fin fish but as the last week of the month came landing figures dropped off quite significantly. The water had become very clear and making it difficult for the netters whereas offshore high numbers of bass had been targeted and caught off the wrecks. Even the charter boats reported better catch rates and the bookings are up when getting a window of opportunity with the weather.

### **Orford**

During July a meeting was held at Sudbourne village hall where the Orford Island National Trust invited all stakeholders together to discuss the future and way forward with the island. It was a well-attended meeting and I thought the interactive workshops worked well a full report will be available later in the year. Future meetings are planned and everything can be seen on [www.lifealdeore.org](http://www.lifealdeore.org)

During the quarter landing catches have been very similar to Thorpeness and Aldeburgh the commercial boats have had good returns whilst at sea whilst boats working in the rivers Alde and Ore have had good returns on sole and bass. As reported in the general report I thought initially I was looking at Mullet on the surface at Snape but on closer inspection they were Mirror carp showing no concern of my presence.

I assisted the research staff of EIFCA with researching the River Alde and Ore aboard ***MFV - Pisces.***

During September steady fishing at this port with catches just being able to justify going fishing. In the river good landings of bass and mullet with the occasional eel being caught and returned.

### **Felixstowe**

During July and August it was very quiet on the beaches as usual during school holidays. I have noticed that there has been a sharp fall in the amount of boat anglers drifting in the rivers for summer bass. Although commercially it has been steady with bass and mullet still being caught. The commercial fleet are reporting small amount of roker and the sole landed are slinky thin during July which doesn't help when receiving at least half of last year's prices.

Good news is amount of fishermen reporting catching eel's and flounders on the beaches and in the rivers Deben, Alde and Ore. On one session I fished on the River Ore I caught eight eels within an hour my first eel for nearly three years.

During August the commercial fleet trawling for sole sizes and quantities picked up although the prices have been very low. Fishermen tried selling through a different market (Ostend) but the prices were still poor. Some diversified and fished the Rivers Stour, Orwell, Deben Alde and Ore for bass and mullet. Returns were good including an 11lb bass in a dingy.

Several RSA have been drift fishing in the rivers with the odd sizeable bass being lured by rag worm or spinner.

Charter boats had a good quarter within the six mile area with good catches of smoothhound, dogfish, skate and at the end of the quarter a few whiting and the occasional cod to 7lb. Charter boat fishing across the banks further out (12 mile) has been poor.

During the late quarter due to low prices many boats hardly fished and those that did, struggled to cover their costs. Everyone is hoping and praying for the cod to turn up to make a profit for the year. The rock groynes placement off the Fludyers has now been completed although it appears a few rocks fell off the rock barge during transhipment across the prime fishing grounds for trawlers and this is currently being assessed.

Many potters recreational and commercially lost their pots due to strong winds and strong tides during September many are still missing and many fishermen are trolling for the lost shanks

Fishing on the Felixstowe beaches has been very good with stonking whiting and the occasional cod being bagged during the hours of darkness.

---

### 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.*

#### Pakefield

<b>Number of vessel inspections:</b>		<b>0</b>
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
No landing figures available		

#### Southwold

<b>Number of vessel inspections:</b>		<b>3</b>
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
Cod	637	1,592.80
Roker	1,020	2,307.00
Sole	8,040	10,344.00
Smoothhound	498	309.90
Bass	804	8,844.00
Turbot	60	660.00
Brill	196	1,764.00
Flounder	900	619.00
Herring	230	287.50
Lobster	1,163	8,457.60
crab	453	1,167.00

#### Dunwich & Sizewell

<b>Number of vessel inspections:</b>		
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
Cod	40	102.00
Roker	12	26.40
Sole	220	1,324.00
Bass	138	1,448.00
Flounder	785	132.50
Lobster	233	1720.20
Crab	94	304.80

#### Thorpeness & Aldeburgh

<b>Number of vessel inspections:</b>		<b>24</b>
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
Cod	674	1,685.60
Roker	827	3,604.40
Sole	3,727	22,263.20
Bass	1,162	11,256.00
Smoothhound	439	375.65
Turbot	37	407.00
Brill	160	1,440.00
Flounder	459	308.15
Herring	154	192.50
Lobster	1,495	10,715.00
Crab	725	1,980.00

#### Orford

<b>Number of vessel inspections:</b>		<b>7</b>
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>
Cod	587	1,425.80
Roker	1,135	2,524.25
Sole	6,673	35,288.00
Bass	422	4,452.50
Smoothhound	86	94.60
Flounder	968	740.80
Turbot	17	187
Lobster	1,760	12,786.00
Crab	1,216	3,183.30

#### Felixstowe

<b>Number of vessel inspections:</b>		<b>11</b>	
<b>Species</b>	<b>Landings (kg)</b>	<b>Value of catch (£)</b>	
Cod	468	1,187.50	
Roker	2,237	5,106.20	
Sole	9,665	51,660.80	
Bass	801	8,223.00	
Smoothhound	449	1,153.00	
Turbot	22	242.00	
Brill	12	108.00	
Mullet	1,532	3,280.40	
Flounder	972	702.20	
Herring	75	93.75	
Lobster	1,315	9,520.60	
Crab	391	1,080.80	

#### **Potting**

<b>Crab and lobster</b>	
Number of pots inside 6nm fished by vessels from within area:	1,712
Number of pots outside 6nm fished by vessels from within area:	120

#### **Bio-sampling of brown crab and lobster**

Number of brown crab measured during the month:	563
Number of lobsters measured during the month:	626

#### **Whelk**

Number of pots inside 6nm fished by vessels from within area:	1240
Number of pots outside 6nm fished by vessels from within area:	1100

#### **Non Commercial Activities**

##### **Recreational Sea Anglers (shore based):**

<b>Number of anglers inspected:</b>		<b>30</b>	
<b>Locations fished:</b>	<b>Species targeted:</b>	<b>Average catch (kg):</b>	
Sizewell	Bass	1	
Shingle street	Bass	0	
Felixstowe Spa	Cod bass	1	
Fludyers	Cod bass	1	
Promenade	Cod bass	1	
Landguard	Cod bass	2	
Viewpoint	Cod bass	0	

##### **Recreational Sea Anglers (vessel based):**

<b>Number of vessels inspected:</b>		<b>9</b>	
<b>Locations fished:</b>	<b>Species targeted:</b>	<b>Average catch (kg):</b>	
Within six miles	Bass Cod S/hound	4	
Orford	Bass Cod S/hound	4	
Southwold	Bass Cod S/hound	3	
Felixstowe	Bass Cod S/hound	4	
River Alde / Ore	Bass	2	
River Deben	Bass	2	
River Orwell	Bass	2	
River Stour	Bass	2	

##### **Charter Angling Vessels:**

<b>Number of charter vessels inspected:</b>	<b>5</b>		
<b>Number of vessels in area:</b>	<b>18</b>	<b>Number of trips:</b>	<b>172</b>
<b>Species targeted:</b>		<b>Number of anglers:</b>	<b>937</b>
Cod		<b>Total Landings (kg):</b>	<b>395</b>

Thornback ray	1,160
Bass	340
Smoothhound	1,260
Dogfish	720
Whiting	198

**Locations fished throughout the month:**

Within 6 miles of the coast of suffolk and including the rivers

---

**Fishery Officer Duties**

**Training:**

None for entire period

**Other duties carried out:**

4th July - National Trust Orford meeting re the future  
6th July - Angling 2012 - two verbal warnings given landing u/s bass  
13th July - Stour & Orwell forum meeting  
18th July - Office meeting Kings Lynn  
26th July - Angling 2012  
27th July - Eng medical Gorleston  
1st Aug - Angling 2012  
6th Aug - Angling 2012  
8th Aug - IFCA Community engagement meeting - Ipswich  
10th Aug - Aboard Pisces recce of Rivers Alde/Ore  
13th Aug - Scottish Renewables - meeting with fishermen - Lowestoft  
14th Aug - Scottish Renewables - meeting with fishermen Felixstowe  
15th Aug - At Kings Lynn cockle landings  
17th Aug - Angling 2012  
20th Aug - Two v/warnings issued landing u/s lobster at Felixstowe  
20th Aug - Escort Sandra Cowper around my area for the day  
22nd Aug - Suffolk wildlife trust meeting at Orford.  
24th Aug - Angling 2012  
27th Aug - Bank Holiday leave  
28th Aug - Kings Lynn office meeting  
29th Aug - Angling 2012  
30th Aug - Escort Julian Gregory around my area for the day  
3rd Sep - Company fun day Thetford  
4th Sep - Kings Lynn office  
5th Sep - Angling 2012  
11th Sep- To Gt Yarmouth pick up Three counties crew and taxi to K/L  
15th Sep - Angling 2012  
21st Sep - Foxes Marina enquires re boat replacement  
24th Sep - Fish survey River Ore (abandoned due to weather)  
25th Sep - Fish survey River Alde cancelled due to weather  
27th Sep - Foxes marina enquires re boat replacement  
27th Sep - Angling 2012

---

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

Cod	2.46
Roker	2.25
Sole	5.46
Bass	10.33
Smoothhound	0.80
Mullet	2.20
Flounder	0.85
Turbot	11.00
Brill	9.00
Dogfish	2.20

---

---

Lobster	7.26
Crab	2.80

---

## **EASTERN INSHORE FISHERIES AND CONSERVATION AUTHORITY**

TO: J Gregory  
FROM: S P Howard  
DATE: 10<sup>th</sup> October 2012

---

### July

Three Counties returned from refit at Great Yarmouth were Richard Dry Dock/Ailcat had helped us complete the refit list set out as part of the annual process.

On Three Counties return she collected the Sweep water samples from around the Wash and shortly after EHO/DSP mussel, cockle and water samples were collected from the Lynn and Boston sides of the Wash.

### August

Cockle mortality samples were collected from Wrangle sand by a shore party and this also gave the shore party time to have a look round the cockle bed.

Sabellaria day grab survey continued covering the areas surveyed before to find the extent of the Sabellaria reef and document the findings as part of an on-going project.

Cockle mortality samples were collected from Wrangle as part of an on-going study into the effects of the moribund cockles and to check if the cockles have rechecked a 1% mortality rate to let us know if the fishery could be extended. Before we lost the cockles to the moribund effects and cockles died.

Sabellaria day grab survey continued covering more of the areas surveyed from RoxAnn tracking in the year. This covered the following areas of the Wash and Lincolnshire Coast. These surveys have a twofold purpose to find the coverage of Sabellaria and locate any seed mussel covering the areas day grabbed.

While steaming to the day grab sites Three Counties came across a red tide close to the North Well Spar buoy. At first it looked like a diesel spill but frothy! On closer inspection it turned out to be a red/orange colour covering the surface of the sea. A sample was collected using a sample collection device (bucket) and the red/orange floated on the surface of the water. A sample of the water was placed under a micro scope and red/orange colour was moving about on the slide. A quick phone call to the office to let them know and the information was passed onto CEFAS to find out what the creature was.

It turned out to be a red tide that we saw, made up of a huge number of Dinoflagellates called *Noctiluca*. These single-celled algae, commonly known as the sea sparkle, can bloom causing the red tide that we saw and also the bioluminescence that was seen at night. CEFAS assured us that the red tide was not a great concern as the *Noctiluca* itself is not toxic; it is only when it is found in conjunction with other toxic algae that we have to worry.

Drying out that night on Wrangle sand we had a show from the bioluminescence algae, commonly known as the sea sparkle.

## September

Young Fish Survey started in early September with CEFAS coming aboard to demonstrate the method in which they have conducted the survey in the past. Because these surveys have a twenty year history with CEFAS and it will help with the consistency of the on-going surveys. The Young Fish Surveys covers a wide range of EIFCA district. Starting in the very northern end of the district at Hail Fort in the River Humber down along the Lincolnshire coast into the Wash and then along the North Norfolk Coast.

EHO/DSP samples were collected from the Lynn and Boston sides of the Wash.

Cockle mortality samples were collected from the Roger sand because this had been reported from some of the Boston fishermen, advising that the cockles were starting to (gape) moribund and the fishermen who had walked on the cockle bed were worried about the loss of cockles.

Mussel surveys started as part of an on-going monitoring of mussel stocks in the Wash. The mussel beds surveyed started with the Welland wall, Holbeach Bombing Range, Black Shore, West, Mid, East Gat, Mare Tail and Shell Ridge were surveyed. Some of the beds had changed in size from the last set of surveys.



**Vision**

Inshore Fisheries and Conservation Authorities 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.

**7<sup>th</sup> EIFCA Meeting**

**31<sup>st</sup> October 2012**

**Item Number: 24**

**Marine Environment Quarterly Report provided by Senior Research Officer and Senior Marine Environment Officer**

**Proposal:** The reports set out below outline key work undertaken by the Authority's Research and Environment teams during the second quarter, July to September 2012.

**Problem/Issue Statement:** The Authority runs a year-round programme of research projects and environmental work. This paper enables Members to be kept informed of activities undertaken during the past three months, issues that have arisen either through internal or external drivers, and an indication of up-coming developments that could require future actions.

**Background:** Research and Environment reports have been provided to quarterly statutory meetings since Eastern IFCA was formed, and previously to the Eastern Sea Fisheries Joint Committee.

**Comment and recommendations:** A key development during this quarter has been Defra's announcement of its change in approach to management of fisheries in European Marine Sites. A large proportion of the Authority's district is protected with these designations and a considerable amount of fisheries assessment, and subsequent development of management measures, will be required as a result of this new approach. This is considered more fully in Agenda item 20. Although the Authority is well-placed to meet this challenge with its expanded research and environment team, there are likely to be complex challenges ahead, particularly relating to the need to take management decisions in the absence of site-based data.

**Consultation:** This report has not been issued for consultation – it is an information paper.

**Financial implications:** No new proposal is contained in this report – it is an information paper.

**Regulatory implications:** No regulatory changes are proposed in this report. Further into the European Marine Site fisheries assessment process, new management measures will be identified.

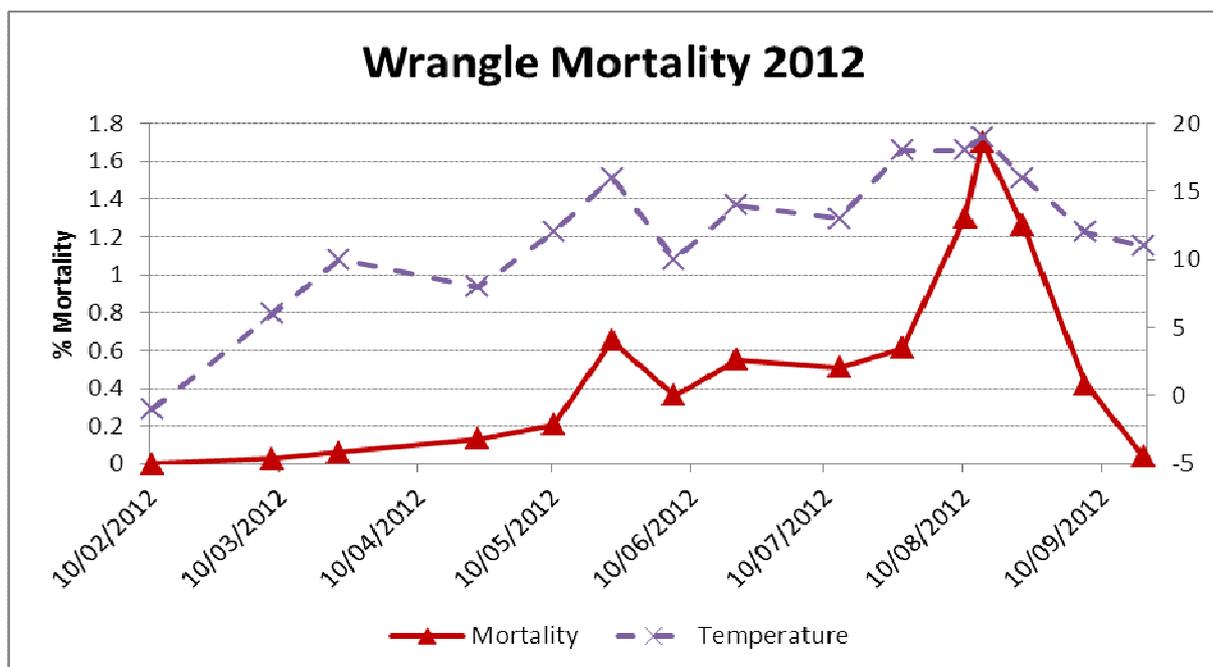
**Publicity:** No publicity is planned relating to this paper, other than reference to the Authority's research and environment work on the Authority's website and newsletter.

**Resolutions: Members are asked to:**

- a) **Note the information provided in the Senior Research Officer's report below.**
- b) **Note the information provided in the Senior Marine Environment Officer's report below.**

## **Senior Research Officer's Quarterly report - July to September 2012**

The cockle stocks in the Wash have suffered high atypical mortality rates each year since 2008. Based on the stock compositions identified during the spring surveys and atypical mortality trends over the past four years, the cockles on Wrangle were believed to be particularly vulnerable to atypical losses during the summer. In May the Marine Protected Area Sub-Committee agreed to contingency management proposals that would be implemented if mortality rates reached trigger levels. These measures would allow the Total Allowable Catch on Wrangle to be increased, allowing the industry to harvest cockles that would otherwise be wasted. Officers had been monitoring the health of the stocks on this bed since February by studying mortality rates at ten stations. Figure 1 shows the mortality rates during the study period. During the previous quarter the average daily mortality rates had gradually increased from 0% in February to peaks of 0.65% on May 24<sup>th</sup> and 0.55% on June 20<sup>th</sup>. This level of mortality was maintained during July but increased significantly in August, peaking at 1.77% on August 14<sup>th</sup>. Having passed the trigger level of 1% mortality/day the contingency measures were implemented on August 28<sup>th</sup>, providing the industry with an additional quota of 685 tonnes of cockles to be taken from Wrangle. Mortality rates were found to have declined again in September, to 0.42% on September 6<sup>th</sup> and 0.04% on September 19<sup>th</sup>. Figure 1 also shows the mean day-time temperature on the survey dates. This has been found to have a strong positive correlation with the rates of mortality.



**Figure 1** Chart showing the mortality rates of cockles on Wrangle during 2012 study period and the mean daytime temperatures

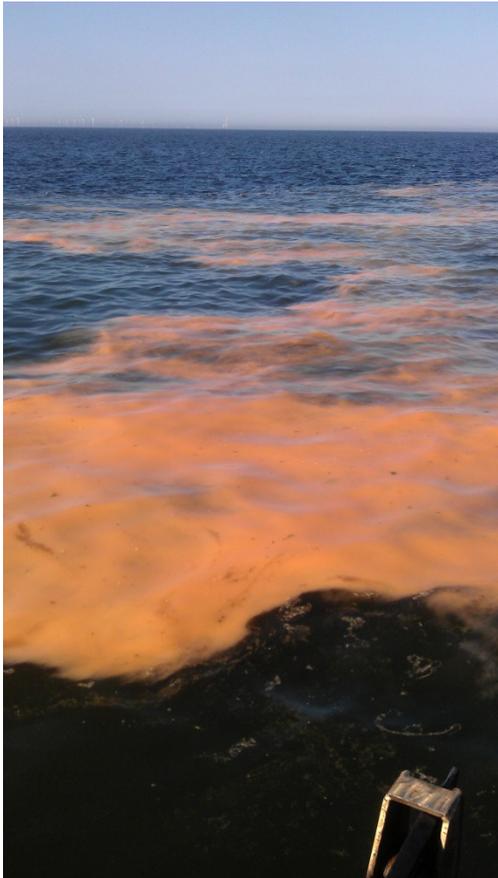
In addition to monitoring the mortality rates of cockles on Wrangle, members of the research team have also regularly monitored the levels of disturbance caused by the fishery on Wrangle. In June concerns about the level of disturbance had prompted an emergency Marine Protection Area Sub-Committee to be held on June 29<sup>th</sup> to discuss the problem. Although no direct action was agreed at this meeting, it was highlighted that further breaches of the agreed Code of Best Practice for this fishery could result in the fishery being closed. Monitoring of the fishery during this quarter found that following the meeting the level of disturbance was greatly reduced with the majority of fishermen adhering to the Code of Best Practice.

In September members of the industry identified a small patch of high-density cockles on the Roger Sand that they wished to fish. Situated slightly outside of the area covered by the annual spring surveys, this bed was found to cover an area of approximately 5.5 hectares and to support an estimated stock of 317 tonnes of commercial sized cockles. These were present in densities ranging between 120-2,580 cockles/m<sup>2</sup>. In places these were beginning to "ridge-out" due to competition for available space. Although very few moribund cockles were found, indicating the atypical mortality rate at the time of the survey was low, the amount of cockle shells within the bed suggested mortality rates had recently been much higher.

The research team spent eight days at the beginning of July conducting surveys in the Rivers Stour and Orwell using K&EIFCA's research vessel, *Tamesis*. These surveys included assessments of the cockle and Manila clam stocks on intertidal regions of both rivers and monitoring of two peacock worm colonies that had been identified during previous surveys. The cockle stocks at Holbrook Bay, on the River Stour, was found to be 243 tonnes. This is their highest recorded level, having gradually increased annually from 80 tonnes in 2003. In the River Orwell the stocks were found to have increased slightly to 423 tonnes, but these are significantly lower than the 1,141 tonnes recorded in 2003. The Manila clam stocks in these rivers have been monitored since 2009, when 150 tonnes were estimated to be present in the River Orwell and 226 tonnes in the River Stour. The recent survey found these stocks had declined to 44 tonnes in the River Orwell and 62 tonnes in the River Stour.

The Stour and Orwell Estuaries have collectively been put forward as a recommended Marine Conservation Zone through the Balanced Seas project. In addition, a section of the upper Stour estuary referred to as North Mistley has been put forward as a recommended Reference Area through the same process. Blue mussel beds are listed as a Habitat of Conservation Importance for the North Mistley Reference Area. As there was low confidence in the data on blue mussel beds at this location, the opportunity was taken to assess these beds during the surveys. An initial survey had been conducted in February, but due to the timing of the low water period, visibility had been too poor to properly assess the beds. At one site muddy hillocks had been identified which when surveyed in better light conditions in July were found to support a sparse coverage of mussels. Other patches were also positively identified during the July survey as supporting mussels. Most of these beds were too difficult to access safely from the channel, but on the one site that was visited on foot, the mussels were found to be old and encrusted with barnacles. The lack of any juvenile mussels on this bed indicated there had been no successful settlement for several years and as such, these beds appeared to be in decline. During both surveys other areas were found that supported old mussel shells, occasionally interspersed with slipper limpet, *Crepidula fornicata*.

In April Cefas began a four-year project (Practical Indicators of Exploitation for Crustaceans or PIECRUST) to study the effectiveness of four different methodologies that could potentially be used for assessing the growth and recruitment of crab and lobsters. One member of the research team has assisted Cefas scientists during this quarter with one aspect of this project. This has involved conducting one intertidal survey per month to assess the effectiveness of locating and quantifying juvenile crab and lobsters on a rocky beach in order to determine if this methodology can be used to reflect recruitment signals for these two species.



**Figure 2** Photograph of "red tide" algal bloom

The 2012 *Sabellaria* survey programme continued during this quarter with the Phase-1 ground-truthing being completed using a Day grab. These data have been analysed and additional Phase-2 grab stations assigned around areas of identified reef. It is planned to survey these Phase-2 sites during October. While conducting these surveys in August a "red tide" was observed on the surface of the water in the Well area of the Wash (see figure 2). These phenomenon are caused by algal blooms and can be responsible for the production of harmful toxins that can endanger other marine species. Advice concerning this bloom was sought from Cefas, who believed it posed no danger.

Over the past year the IFCA's have been working alongside Cefas and the Environment Agency in order to develop fish monitoring programmes that are suitable for our requirements. The research department had identified three work streams that could be developed for this programme. These included conducting Environment Agency Water Framework Directive style surveys in some of the estuaries not currently covered by the Environment Agency, exploring the feasibility of continuing the Young Fish Surveys formally conducted by Cefas, and assisting Cefas to conduct a skate and ray tagging programme within our District. Unfortunately, all three work streams have run into

difficulties this quarter. In September it was planned to spend eight days conducting the Young Fish Surveys. On the second day of these surveys *Three Counties* developed a problem with one of its shafts requiring it to be taken to a dry dock in Great Yarmouth to be repaired. These surveys have been re-scheduled for October. A two-day juvenile fish survey on the Rivers Ald and Ore was also planned to take place in September using the RIB *Pisces*. During this survey poor weather conditions made deploying the beach seine net dangerous so this survey was cancelled. Problems have also been encountered with the skate and ray tagging programme. Several attempts have been made this quarter to organise survey trips, but due to the short notice that the surveys are arranged and their susceptibility to poor weather, it has not been possible so far to have a research officer available to attend any of the surveys.

In September the annual intertidal mussel surveys commenced in the Wash. By the end of the month nine beds had been surveyed. These showed that the Gat beds had suffered further losses of stock during the year and were beginning to look "patchy". The state of the West Gat was found to be particularly poor with large bare patches developing. Other beds were found to have fared better with the Blackshore, Holbeach and North Mare Tail beds all having increased in biomass. Weather permitting these surveys are planned to be completed by the middle of November.

As part of our on-going programme to monitor chlorophyll and nutrient levels in the Wash, the research team has continued to collect monthly water samples and data from the buoy YSI Sonde through this quarter. Shellfish and water samples have also been collected each month on behalf of the EHO and Cefas, as part of their on-going water quality and bio-toxin monitoring programmes.

In July the Senior Research Officer visited Cornwall in order to train CIFCA research staff in how we conduct mussel surveys. This methodology was demonstrated on a small

mussel bed on the River Tamar. While in Cornwall the opportunity was also taken to see their Starfish side scan sonar being used and a method they had developed for deploying their VideoRay ROV from an unanchored vessel. On the way home a day was spent with Devon & Severn-IFCA planning the agenda and requirements for the forthcoming Technical Advisory Group conference.

In September the Senior Research Officer attended a meeting with members of the Cefas shellfish team to discuss methodologies that could be employed for assessing and applying cockle growth and mortality rates to the spring survey results. For statistically robust results, approximately 200 grab samples would be required to be taken prior to the start of the fishery to determine what impact growth and mortality had had on the stocks.

## **Senior Marine Environment Officer's Quarterly report - July to September 2012**

### **Overview**

This second quarter saw the environment team continue to develop key skills in Habitats Regulations Assessment and responding to a range of marine environmental consultations. The importance of this work was emphasised by Defra's announcement on fisheries management in European Marine Sites (see below and Agenda Item 19). The Marine Environment/Data Officer, Luke Godwin, has had his position confirmed after an excellent six-month probation during which he has demonstrated a high level of competence and enthusiasm for the post.

This quarterly report uses headings set out in the Research & Environment Plan 2012, giving detail on key work areas undertaken during the last quarter.

### **Habitats Regulations Assessment – 2012 cockle fishery**

In addition to the Habitats Regulations Assessment undertaken during quarter one for the main 2012 cockle fishery, officers conducted a second assessment for the proposed contingency cockle fishery in August 2012. This second assessment concluded that the proposed fishery – an additional quota of 685 tonnes on the Wrangle Sand cockle bed – would not have an adverse effect on site integrity. Key to this conclusion was the cockle mortality evidence gathered during regular monitoring of the cockle beds by the Authority's research staff. Natural England provided prompt advice and agreed that the fishery would not have an adverse effect on site integrity, so long as the Authority's management measures were put in place. The fishery was opened after the agreed period of notice had been provided to entitlement holders.

### **Habitats Regulations Assessment -2012 mussel fishery**

An additional assessment was undertaken for a small dredged, relaying mussel fishery on two mussel beds in the Wash, in August 2012. This followed requests from fishermen to target the seed mussel resource at this time – a resource that had not been exploited earlier in the year despite a quota being made available following the December 2011 assessment. The recent work concluded that the fishery could take place without damaging the site, subject to management measures that had been agreed at a previous Marine Protected Area Sub-Committee meeting (November 2011). Again, Natural England provided prompt advice, which allowed the Authority to open the fishery in a timely manner.

### **Environment training**

Under guidance from the Senior Marine Environment Officer, new team members have obtained direct experience in sourcing and applying relevant data to create Habitats Regulations Assessment reports. Both the Marine Environment/GIS Officer and the Marine Environment/Data Officer have made substantial contributions to the recent HRAs described above. Additional outputs have included obtaining updated common seal haul-out data from Natural England (for use in assessments relating to the Wash), and strengthening links between Habitats Regulations Assessment case studies and the Marine Protected Area database project being led by the Marine Environment/Data Officer.

Team members have also made progress during the quarter in dealing with environmental consultations (see below), again with coaching from the Senior Marine Environment Officer on a case-by-case basis.

### **External environmental consultations**

During the quarter, responses have been provided to consultations on:

- Defra: Marine Strategy Framework Directive: UK initial assessment and proposals for good environmental status;
- Wash & North Norfolk Coast European Marine Site draft Business Plan, 2012-2015;
- Marine Management Organisation: Marine Licence Applications: four aggregate dredging applications and one dredge disposal application;
- Marine Management Organisation: Marine Licence Application: beach well construction, Pakefield, Lowestoft;
- Environment Agency: Wash intertidal opportunistic macroalgal survey;
- University of Portsmouth: Stakeholder engagement survey – Marine Planning process;
- Galloper Wind Farm Limited: Statement of Common Ground on commercial fisheries issues.

A new consultation management system has been designed by the Marine Environment/Data Officer and is currently being trialed. Officers have identified a need to be more proactive about requesting specific information from developers to reduce the time spent reviewing large documents that are often only partially relevant to the Authority's remit. Improvements to the current system will be considered during the next two quarters as the consultation framework is updated.

### **Fisheries sustainability appraisal: Project Inshore**

Officers were pleased to engage the Marine Stewardship Council over Project Inshore, a national assessment of sustainability in inshore fisheries, after long delays in this project being started. The Authority has been asked to contribute information on inshore fisheries within its district, and further visits have been planned with coastal officers as the project progressed. This work will provide recommendations that will enable the Authority to consider management options and ultimately develop management plans, as set out in High Level Objective 1.3: *The issues impacting sea fisheries resources within the Eastern IFCA District have been identified, prioritised and, where appropriate, suitable management plans for them put in place by April 2015; management plans and progress against them are reflected in annual plans and reports.*

### **Marine Protected Areas**

Balancing marine resource exploitation with protection of the marine environment is a core duty for all IFCA<sup>54</sup> (MaCAA). Within marine protected areas (for example European Marine Sites and Marine Conservation Zones) there is particular emphasis on protecting named habitats and species from damage and disturbance. Management of fisheries in such areas is a key focus for the Authority's resources as the Eastern IFCA district contains a complex array of existing and recommended sites. This work has been thrown into the spotlight with Defra's new approach towards the management of licensed fishing activities in European Marine Sites: all commercial fisheries will now require assessment under the Habitats Regulations and IFCA<sup>55</sup> will deliver this work for fishing activities in the 0-6nm zone<sup>55</sup>. In addition to conducting the assessments, IFCA<sup>55</sup> will need to decide upon and implement appropriate management of these fisheries according to timescales being developed by Defra colleagues. This major project is discussed at Agenda Item 19; it represents a significant expansion of the Authority's existing Habitats Regulations Assessment programme and is likely to dictate byelaw priorities over the coming twelve months.

---

<sup>54</sup> IFCA duties set out in s.153, Marine & Coastal Access Act 2009

<sup>55</sup> Letter to commercial fishermen from Nigel Gooding, Defra – August 2012

During the quarter, the Marine Environment/Data Officer and Marine Environment/GIS Officer have continued to develop the marine protected area database that is the foundation stone of the Authority's MPA work activities. All members of the Environment team have contributed to the development of fishing activity/site feature matrix that is the starting point for developing action plans for these sites. Further, collaborative work on these plans was the main focus of the IFCA Technical Advisory Group workshop on 17<sup>th</sup>-18<sup>th</sup> October 2012 (to be reported more fully next quarter).

The main focus this quarter has been on fisheries in European Marine Sites. However it should be noted that Natural England provided its advice to Defra on recommended Marine Conservation Zones in terms of supporting evidence and network integrity. Public consultation on Marine Conservation Zones is due in December 2012. The Authority's agreed process for the management of fisheries in marine protected areas will be followed for both European Marine Sites and Marine Conservation Zones to identify management options and implement appropriate measures.

### **Offshore wind farms**

Environment officers have reviewed the commercial fisheries and marine ecology sections of the environmental statement for the Galloper Wind Farm, in response to a request from the developer (and direction from the Planning Inspectorate) to sign a Statement of Common Ground. Officers advised that most statements that the developer had drafted were acceptable, but some areas of disagreement remained (these related to significance of impacts, consideration of inshore fisheries, and the need to monitor electro-magnetic field effects) and these were highlighted in the final statement.

### **Members are asked to note the report.**

R W Jessop  
Senior Research Officer

Judith Stoutt  
Senior Marine Environment Officer

22<sup>nd</sup> October 2012

### **List of Back ground papers**

1. EIFCA Contingency hand-worked cockle fishery appropriate assessment, August 2012.
2. EIFCA Dredged, relaying mussel fishery appropriate assessment, September 2012.
3. Defra (2012) Re: Fisheries in European Marine Sites in England Letter to fishing industry, 14<sup>th</sup> August 2012

**Vision**

Inshore Fisheries and Conservation Authorities 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.

**7<sup>th</sup> Eastern IFCA**

**31 October 2012**

**Agenda Item 25**

### **Angling 2012 Update**

The Authority is participating in this programme which is managed by CEFAS (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. This information has many potential applications, for example understanding changes in activity between each area over each season.

#### **Survey effort**

The survey reached its half-way point at the end of August. Table 1 shows a summary of the project so far. A total of 83 officer days have been committed to the survey with an increase in site visits occurring in August (see table 1). This increase in survey effort reflects an increase in visits to boat launch sites in an attempt to improve the chances of intercepting returning sea-anglers. Unfortunately this increase in effort did not result in an increase in boat angler interviews. At present a slightly altered approach is being considered (with involvement from the survey designers at Cefas) to improve this aspect of the survey.

Table 1. Summary of first six months of surveys

	Site visits		Anglers seen	Anglers approached for interviews
	Planned	Achieved		
<b>March</b>	40	13	11	11
<b>April</b>	40	38	28	20
<b>May</b>	40	31	72	10
<b>June</b>	40	29	30	15
<b>July</b>	40	48	19	21
<b>August</b>	40	63	18	15
<b>Total</b>	<b>240</b>	<b>222</b>	<b>168</b>	<b>92</b>

#### **Interview success**

Of the 92 anglers approached for interviews, 81 completed the interview and 11 refused. The primary reason for refusal was that the angler didn't have time. Anglers were also fearful of sea-angling licences being introduced and felt that not participating in this project would prevent this from happening. Shore based officers have been pro-active in explaining the benefits of the project.

#### **Issues**

The database provided by Cefas still has some technical issues. The problems seem to be machine specific with a few of the IFCAs experiencing problems including Eastern IFCA. The database design team at Cefas are currently working on the issues.

## **Summary**

The records of fishermen are patchy reflecting the variable nature of this activity. It has been more difficult to intercept boat anglers with catch than was initially anticipated. While we have significant site activity data the catch dataset is still only small. The area officers are putting in extra efforts to ensure that the survey visits reflect an equal number of different fishing periods and have been excellent in engaging the angling community. The Cefas project will be completed in Spring 2012. Officers are considering the value of extending the project for the Eastern region until August next year.

Authority members are invited to join the Area Officers during a survey at a local site if they wish.

**Resolution: Members are asked to note this report and the above invitation.**

## **List of Background Papers**

1. Minutes: 1<sup>st</sup> Eastern IFCA meeting - April 2011
2. Unconfirmed minute: Planning & Communication Sub-Committee 27 June 2012

Luke Godwin  
Marine Environment Officer (Data)  
15<sup>th</sup> October 2012